

INTERNATIONAL LABOUR OFFICE

OFFICIAL BULLETIN

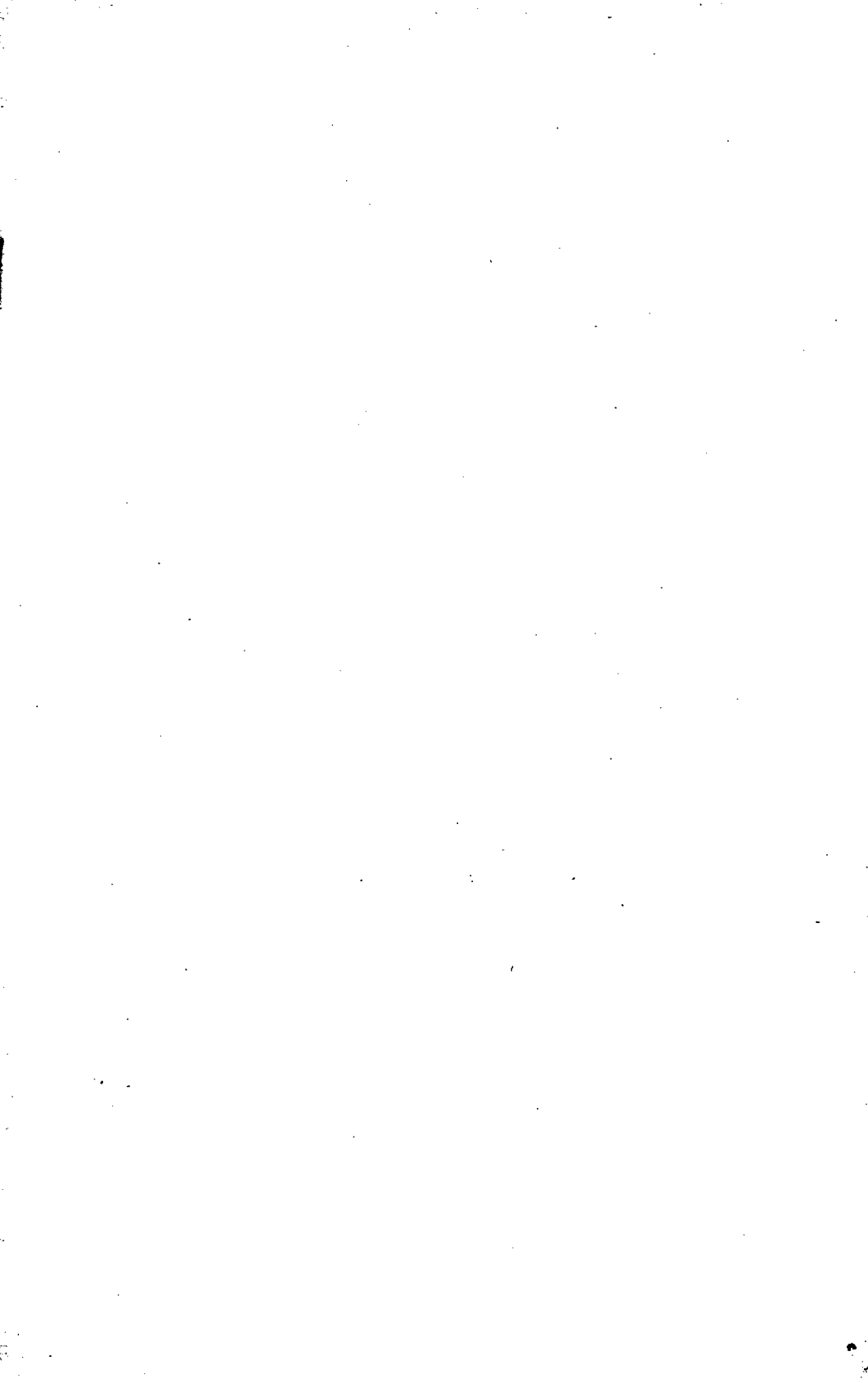
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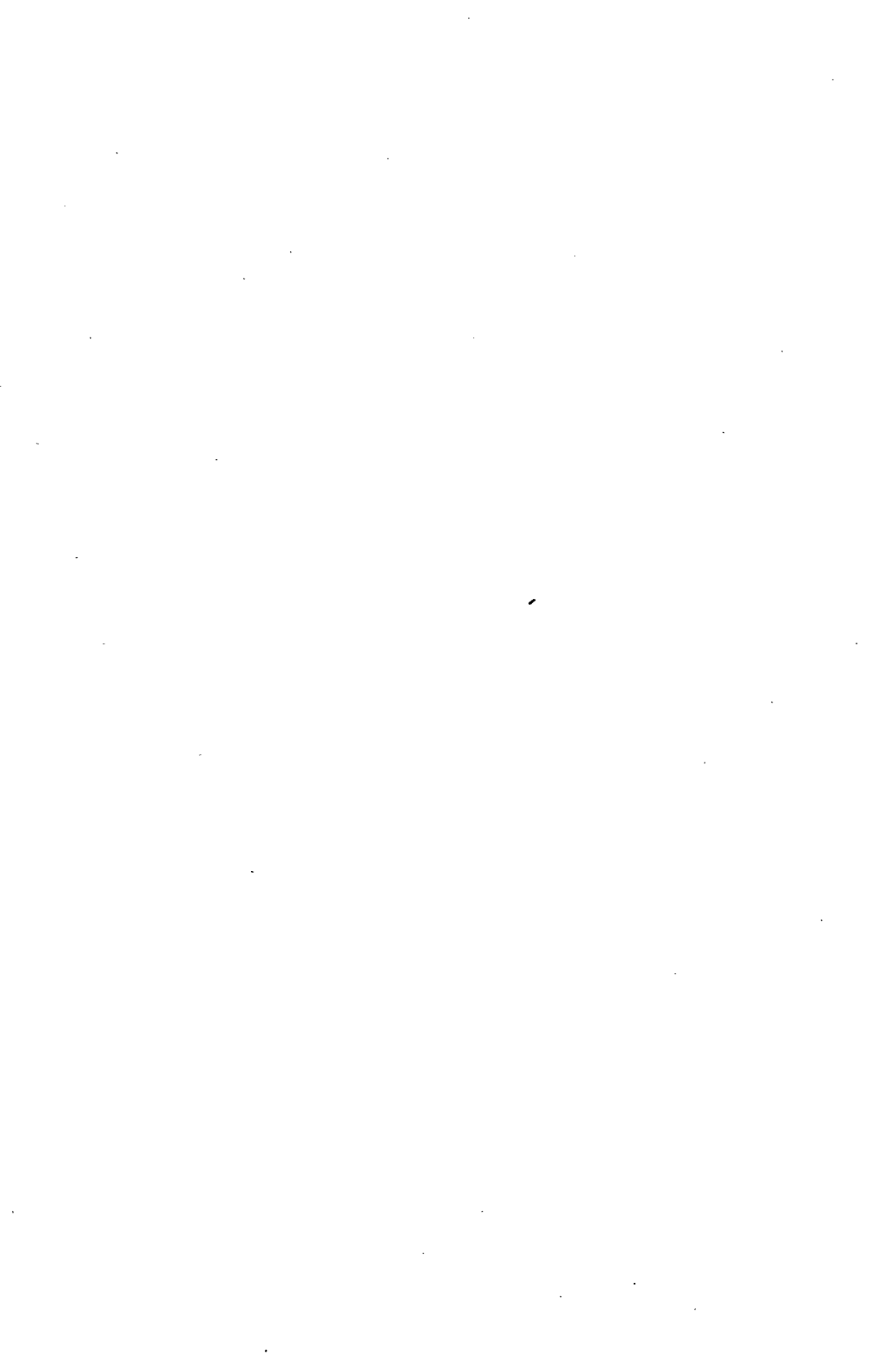
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INTERNATIONAL LABOUR OFFICE

OFFICIAL BULLETIN

10 April 1938.

Vol. XXIII. No. 1.

Twenty-fourth Session of the International Labour Conference

*The following letter has been addressed to the Governments of the
members of the International Labour Organisation :*

Geneva, 10 December 1937.

Sir,

1. I have the honour to inform you that the Governing Body of the International Labour Office, during its 81st Session recently concluded, decided that the Twenty-fourth Session of the International Labour Conference should open at Geneva on Thursday, 2 June 1938.

2. *Items on the agenda.*—I have also the honour to inform you that the items placed on the agenda of this Session of the Conference by the Governing Body are as follows :

- I. Technical and vocational education and apprenticeship. (First discussion.)
- II. Regulation of contracts of employment of indigenous workers. (First discussion.)
- III. Recruiting, placing and conditions of labour (equality of treatment) of migrant workers. (First discussion.)
- IV. Regulation of hours of work and rest periods of professional drivers (and their assistants) of vehicles engaged in road transport. (First discussion.)
- V. Generalisation of the reduction of hours of work. (First discussion.)

VI. Statistics of hours and wages in the principal mining and manufacturing industries, including building and construction, and in agriculture. (First or single discussion.)

3. *Other matters before the Conference.*—In addition to the above-mentioned items on the agenda of the Conference the following matters will also come before the Conference at its Twenty-fourth Session for consideration :

- (1) Annual Report of the Director of the International Labour Office.
- (2) Summary of the Annual Reports by Members on the measures taken to give effect to the provisions of Conventions to which they are parties.
- (3) Decennial Reports on the working of the following Conventions :
 - (a) Night Work (Bakeries) Convention, 1925 (No. 20);
 - (b) Seamen's Articles of Agreement Convention, 1926 (No. 22);
 - (c) Repatriation of Seamen Convention, 1926 (No. 23);
 - (d) Sickness Insurance (Industry, etc.) Convention, 1927 (No. 24);
 - (e) Sickness Insurance (Agriculture) Convention, 1927 (No. 25).
- (4) Standing Orders and procedure.

4. The enclosed memorandum gives detailed information as to the circumstances in which the matters set out in the preceding paragraphs come before the Conference for consideration. It also includes notes on certain decisions of the Governing Body and of the Conference in regard to the composition of delegations to the Conference, to which the attention of Governments is invited.

5. *Credentials of delegates and technical advisers.*—The date of opening of the Twenty-fourth Session of the Conference having been fixed at 2 June 1938 the credentials of delegates and their advisers must, in accordance with the requirements of Article 3 (1) of the Standing Orders, be deposited with the International Labour Office not later than 18 May 1938.

6. *Resolutions.*—In accordance with the provisions of Article 12 (7) of the Standing Orders, resolutions other than those relating to items on the agenda which are intended for consideration by the Conference must be deposited with the International Labour Office not later than 26 May 1938.

I have the honour to be, etc.

For the Director :
(Signed) A. TIXIER,
Assistant Director.

**MEMORANDUM ON THE
TWENTY-FOURTH (1938) SESSION OF THE
INTERNATIONAL LABOUR CONFERENCE**

TIME-TABLE

Date of opening of the Session	<i>Thursday, 2 June 1938</i>
Last day for the deposit of credentials of delegates and advisers (Article 3 (1) of the Standing Orders)	<i>18 May 1938</i>
Last day for the deposit of resolutions (Article 12 (7) of the Standing Orders)	<i>26 May 1938</i>

ITEMS ON THE AGENDA OF THE SESSION

- I. Technical and vocational education and apprenticeship.
(First discussion.)
- II. Regulation of contracts of employment of indigenous workers.
(First discussion.)
- III. Recruiting, placing and conditions of labour (equality of treatment) of migrant workers.
(First discussion.)
- IV. Regulation of hours of work and rest periods of professional drivers (and their assistants) of vehicles engaged in road transport.
(First discussion.)
- V. Generalisation of the reduction of hours of work.
(First discussion.)
- VI. Statistics of hours and wages in the principal mining and manufacturing industries, including building and construction, and in agriculture. *(First or single discussion.)*

OTHER MATTERS BEFORE THE CONFERENCE

- (1) Annual Report of the Director of the International Labour Office.
- (2) Summary of the Annual Reports by Members on the measures taken to give effect to the provisions of Conventions to which they are parties.
- (3) Decennial Reports on the working of the following Conventions:
 - (a) Night Work (Bakeries) Convention, 1925 (No. 20);

- (b) Seamen's Articles of Agreement Convention, 1926 (No. 22);
- (c) Repatriation of Seamen Convention, 1926 (No. 23);
- (d) Sickness Insurance (Industry, etc.) Convention, 1927 (No. 24);
- (e) Sickness Insurance (Agriculture) Convention, 1927 (No. 25).

(4) Standing Orders and procedure.

INFORMATION CONCERNING THE ITEMS ON THE AGENDA

Items for First Discussion.

1. Items I to V were placed on the agenda of the Twenty-fourth Session of the Conference for first discussion by the Governing Body at its Seventy-eighth and Eighty-first Sessions (February and October 1937). The Office is preparing, for each of these items, a Grey Report setting out the law and practice on the matter in the various countries and concluding with the suggestions of the Office as to the points on which the Governments of the Members of the Organisation should be consulted in preparation for the second stage of the double-discussion procedure. Copies of these reports will be despatched to Governments as soon as they have been completed and approved by the Governing Body.

Item for First or Single Discussion.

2. Item VI (Statistics of hours and wages) was placed on the agenda of the Twenty-fourth Session of the Conference by decision of the Governing Body at its Eighty-first Session (October 1937). This decision was taken on the recommendation of the Fifth International Conference of Labour Statisticians (September-October 1937), which was convened for the purpose of examining the technical aspects of proposals for the standardisation of statistics of wages and hours of work by means of international regulations and which expressed a unanimous desire that the question should be placed on the agenda of the Twenty-fourth Session of the International Labour Conference and dealt with finally at that session. A brief account of the proceedings of this technical conference, including the proposals for international regulations which it adopted, will be included in the report to be submitted by the Office to the Conference. This report will be a "Grey-Blue" Report, the first part of which will conclude with a list of points on which the Office suggests that the Governments might be consulted in the event of the Conference deciding to adhere to the normal double-discussion procedure, while the second part will conclude with draft texts for consideration by the Conference if, in view of the preparatory work already done by the technical conference and the desire there expressed, it should

decide to take final decisions at its Twenty-fourth Session. Copies of this report will be despatched to Governments in due course.

OTHER MATTERS BEFORE THE CONFERENCE

Director's Report.

3. The Conference will as usual have before it the Annual Report of the Director of the International Labour Office submitted in accordance with the Standing Orders.

Annual Reports on application of Conventions.

4. The Conference will also be called upon, as in previous years, to consider a summary of the Annual Reports furnished by Governments as to the measures taken by Members of the Organisation to give effect to the provisions of Conventions to which they are parties. In accordance with the usual procedure the reports for 1937 will first be considered by the Committee of Experts set up by the Governing Body for the purpose. The Report of that Committee, after having been submitted to the Governing Body, will be laid before the Conference together with a summary of the Annual Reports themselves.

Periodic Reports on Conventions.

5. The Conference will also have to take note of reports on the working of the Night Work (Bakeries) Convention, 1925 (No. 20), the Seamen's Articles of Agreement Convention, 1926 (No. 22), the Repatriation of Seamen Convention, 1926 (No. 23), the Sickness Insurance (Industry, etc.) Convention, 1927 (No. 24), and the Sickness Insurance (Agriculture) Convention, 1927 (No. 25). Each of these Conventions contains a provision that at least once in ten years the Governing Body of the International Labour Office shall present to the Conference a report on the working of the Convention and shall consider the desirability of placing on the agenda of the Conference the question of its revision in whole or in part. Reports due under this provision were approved by the Governing Body at its Eighty-first (October 1937) Session and will in due course be furnished to Governments and submitted to the Conference. In none of these cases did the Governing Body decide to place the question of the revision of the Convention in whole or in part on the agenda of the Conference.

Standing Orders and Procedure.

6. The Governing Body will submit proposals relating to the standing orders and procedure of the Conference which were discussed at the Twenty-third Session, when certain points were referred to the Governing Body for examination.

COMPOSITION OF DELEGATIONS

Full Delegations.

7. In accordance with a desire expressed by the Eighteenth Session of the Conference, the Director of the International Labour Office has to remind Governments of the obligation imposed upon them, by Article 3 (1) of the Constitution of the Organisation, to nominate four delegates to attend the Conference, including not only two delegates representing the Government itself but also one delegate representing employers and one representing workpeople. Despite the difficulties which it was recognised might exist in certain cases, the Credentials Committee of the Eighteenth Session specially emphasised the importance of compliance with this obligation, and it is therefore hoped that all Governments will make every effort to send to the Twenty-fourth Session a *complete delegation* comprising Government, employers' and workers' representatives, so that each country can take its full part in the work of the Conference.

8. In the same connection, it may be recalled that, under the terms of Article 3 (2), each delegate may be accompanied by two *advisers* for each item on the agenda of the Conference.

Women Delegates and Advisers.

9. It will be noted that several of the items on the agenda of the Twenty-third Session of the Conference concern women as well as men. The attention of Governments is therefore called to the fact that women are equally eligible with men for nomination as delegates or advisers to the Conference irrespective of the nature of the items on the agenda, and that Article 3 (2) of the Constitution of the Organisation provides that when questions specially affecting women are to be considered by the Conference one at least of the advisers should be a woman.

Representation of Colonial and Native Workers.

10. In accordance with instructions given by the Governing Body at its Fifty-fifth Session and renewed at its Sixty-eighth Session, the Director of the International Labour Office invites the attention of Governments to a resolution adopted by the Fifteenth (1931) Session of the Conference. By this resolution the Conference reaffirmed, and expressed the hope that the States Members concerned would give effect to, the following resolution adopted by it in 1927 at its Tenth Session :

The Conference calls the attention of Members of the Organisation who are responsible for the administration of colonial or mandated territories to the desirability of including in their delegations representatives of the workers in such territories, in particular when questions affecting their conditions are on the agenda of the Conference,

The Conference also draws the attention of those nations which are Members of the International Labour Organisation and in which the white people are the ruling class but in which the Natives and the coloured people

are either the majority of the population of that country or form a substantial portion of the population, to the desirability of representatives of the Native and coloured workers attending the International Labour Conference as a part of the delegation from those countries.

(Final Record of the Tenth Session of the Conference, 1927, Vol. I, p. 685.)

Committee on the Application of Conventions.

11. With reference to the summary of the annual reports of Governments on the measures taken by them to give effect to Conventions (paragraph 4 above), the Director of the International Labour Office, in agreement with the Governing Body, invites the attention of Governments to the following passage in the report of the Committee dealing with this matter which was adopted by the Seventeenth (1933) Session of the Conference :

It would be desirable that in the letters of convocation to the annual Sessions of the International Labour Conference containing the usual indication that the agenda of the Conference will include the examination of the reports supplied under Article 22 (408), special stress should in addition be laid on the fact that the Conference will be constituting a special Committee for that purpose. Thus, although this is not a formal item on the agenda, the Governments might nevertheless bear it in mind when they make up their delegations, and the persons who expect to have to work in connection with the Committee on Article 22 (408) would be able to devote themselves to their indispensable work of preparation, which necessitates a constantly increasing amount of time.

(Final Record of the Seventeenth Session of the Conference, 1933, p. 517.)

Eighty-second Session of the Governing Body of the International Labour Office

The Governing Body of the International Labour Office held its Eighty-second Session from 3 to 5 February 1938, under the chairmanship of Mr. Leggett.

The agenda of the session was as follows :

1. Approval of the minutes of the Eighty-first Session.
2. Appointment of various Committees.
3. Record of the meeting of the Committee of Statistical Experts.
4. Examination of the reports adopted by the Tripartite Conference on the textile industry (Washington, April 1937).
5. Report of the Standing Orders Committee.
6. Agenda of the 1939 Session of the Conference.
7. Consideration of the decisions of the Assembly of the League of Nations which affect the International Labour Organisation.
8. Report of the Office on economic questions of special interest to the International Labour Organisation.
9. International Public Works Committee : approval of the Statute of the Committee and calling of the first meeting.
10. Examination of the representation made by the Agricultural Workers' Union of Estonia concerning the application in Estonia of the Right of Association (Agriculture) Convention, 1921 (No. 11).
11. Examination of the representation made by the *Société de Bienfaisance des Travailleurs de l'Île Maurice* concerning the application of certain international labour Conventions in the Island of Mauritius.
12. The Director's Report.
13. Date and place of the next session.
14. Procedure for the consideration of questions of special interest to the Asiatic countries and the countries referred to in paragraph 3 of Article 19 of the Constitution (Effect to be given to various resolutions adopted by the Conference at its Twenty-third Session).
15. Obligations of States withdrawing from the Organisation in respect of Conventions which they have ratified.
16. Record of the meeting of experts on social insurance.
17. Report of the Committee on Agricultural Work.
18. Report of the Finance Committee.

The composition of the Governing Body was as follows :

Government representatives :

Mr. LEGGETT (*Great Britain*), Chairman;
 Mr. GOODRICH (*United States of America*);
 Mr. HUME WRONG (*Canada*);
 Mr. GARCÍA OLDINI (*Chile*);
 Mr. LI PING-HENG (*China*);
 Mr. FABRA RIBAS (*Spain*);
 Mr. JUSTIN GODART (*France*);
 Mr. MAJID (*India*);
 Mr. KITAOKA (*Japan*);
 Mr. FABELA (*Mexico*);
 Mr. BERG (*Norway*);
 Mr. KOMARNICKI (*Poland*);
 Mr. TZVETKOVITĀH (*Yugoslavia*).

Employers' representatives :

Mr. OERSTED (*Denmark*);
 Mr. ĀURĀIN (*Yugoslavia*);
 Mr. ERULKAR (*India*);
 Mr. FORBES WATSON (*Great Britain*);
 Mr. HARRIMAN (*United States of America*);
 Mr. LAMBERT-RIBOT (*France*);
 Mr. LETCHER (*Australia*);
 Mr. TZAUT (*Switzerland*).

Workers' representatives :

Mr. MERTENS (*Belgium*);
 Mr. ANDERSSON (*Sweden*);
 Mr. CABALLERO (*Spain*);
 Mr. HALLSWORTH (*Great Britain*);
 Mr. JOUHAUX (*France*);
 Mr. NĚMEĀEK (*Czechoslovakia*);
 Mr. SCHÜRCH (*Switzerland*);
 Mr. WATT (*United States of America*).

The following deputy members were also present :

Government deputy members :

Mr. BJÖRCK (*Sweden*);
 Mr. CREMINS (*Ireland*);
 Mr. KOTEK (*Czechoslovakia*);
 Mr. MAHAIM (*Belgium*);
 Mr. MANNIO (*Finland*).

Employers' deputy members :

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

Workers' deputy members :

Mr. HINDAHL (*Norway*);
 Mr. KREKITCH (*Yugoslavia*);
 Mr. KUPERS (*Netherlands*);
 Mr. PEYER (*Hungary*).

Composition of the Governing Body.

The Governing Body was informed that the Canadian Government had appointed Mr. Hume Wrong as its representative in place of Mr. Riddell.

It was also informed that Mr. de Michelis had ceased to be the representative of the Italian Government on the Governing Body, and that Mr. Olivetti (employers' representative, Italy) had resigned his membership of the Governing Body.

It took note of the appointment of the following Government deputy members :

Mr. Cremins (Ireland), appointed by the Canadian Government representative.

Mr. Momtchiloff (Bulgaria), appointed by the Japanese Government representative.

Mr. Björck (Sweden), appointed by the Norwegian Government representative.

Invitation of the British Government.

The Governing Body gratefully accepted the invitation of the British Government to hold its session in the autumn of 1938 in London.

Appointment of various Committees.

At its Eighty-first Session the Governing Body had, as a result of its re-election at the Twenty-third Session of the Conference (June 1937) reappointed the members of some of its Committees and its representatives on various bodies. At its Eighty-second Session it made the following additional appointments :

*I. Committees of the Governing Body**Preparatory Sub-Committee on Handicraftsmen :*

Government group : Mr. Tzvetkovitch.

Substitute : Mr. Li Ping-Heng.

Employers' group : Mr. Oersted.

Substitute : Mr. Lecocq.

Workers' group : Mr. Andersson.

Substitute : Mr. Kupers.

Committee for the Study of Social Charges :

Government group : Mr. Kitaoka.;
Mr. Tzvetkovitch.

Substitute : Mr. Berg.

Employers' group : Mr. Forbes Watson;
Mr. Vaněk.

Substitutes : Mr. Lambert-Ribot;
Mr. Harriman.

Workers' group : Mr. Andersson;
Mr. Caballero.

Substitute : Mr. Schürch.

Unemployment Committee :

Government group : Brazil;
Spain;
Great Britain;
Italy.

Substitutes : France;
India;
Japan.

Employers' group : Mr. Forbes Watson;
Mr. Lambert-Ribot;
Mr. Oersted;
Mr. Čurčin.

Substitutes : Mr. Gérard;
Mr. Zen;
Mr. Szydlowski.

Workers' group : Mr. Hallsworth;
Mr. Jouhaux;
Mr. Mertens;
Mr. Schürch.

Substitutes : Mr. Andersson;
Mr. Joshi.

Committee on Cost of Living and Wages Statistics :

Government group : United States of America;
Great Britain;
Poland;
Yugoslavia.

Substitutes : Canada;
Chile.

Employers' group : Mr. Erulkar;
Mr. Forbes Watson;
Mr. Lambert-Ribot;
Mr. Oersted.

Substitutes : Mr. Vaněk;
Mr. Harriman;
Mr. Gérard.

Workers' group : Mr. Hallsworth;
Mr. Jouhaux;
Mr. Mertens;
Mr. Zulawski.

Substitute : Mr. Kupers.

Committee on Conditions of Work in the Iron and Steel Industry :

Government group : Brazil;
France;
Great Britain;
Japan.

Substitute : Poland.

Employers' group : Mr. Erulkar;
Mr. Forbes Watson;
Mr. Lambert-Ribot;
Mr. Oersted.

Substitute : Mr. Szydlowski.

Workers' group : Mr. Andersson;
Mr. Jensen;
Mr. Jouhaux;
Mr. Mertens.

Substitute : Mr. Krier.

Committee on Conditions of Work in Coal Mines :

Government group : Spain;
Great Britain;
Poland.

Employers' group : Mr. Forbes Watson;
Mr. Gérard;
Mr. Lambert-Ribot.

Substitutes : Mr. Szydlowski;
Mr. Vaněk;
Mr. Knob.

Workers' group : Mr. Jouhaux;
Mr. Hallsworth;
Mr. Mertens.

Substitute : Mr. Němeček.

Committee on Freedom of Association :

- Government group :* United States of America.
 Substitute : Spain.
- Employers' group :* Mr. Vaněk.
 Substitute : Mr. Molenaar.
- Workers' group :* Mr. Jouhaux.
 Substitute : Mr. Hallsworth.

Committee on Conditions of Work in the Textile Industry :

- Government group :* Great Britain;
 India;
 Italy;
 Japan.
- Substitutes : Spain;
 United States of America.
- Employers' group :* Mr. Erulkar;
 Mr. Forbes Watson;
 Mr. Tzaut;
 Mr. Vaněk.
- Substitutes : Mr. Zen;
 Mr. Čurčín;
 Mr. Gérard.
- Workers' group :* Mr. Hallsworth;
 Mr. Joshi;
 Mr. Jouhaux;
 Mr. Němeček.
- Substitute : Mr. Jensen.

II. *Representation of the Governing Body
 on Committees of Experts*

Correspondence Committee on Accident Prevention :

- Government group :* Mr. Fabra Ribas.
 Substitute : Mr. Komarnicki.
- Employers' group :* Mr. Tzaut.
 Substitute : Mr. Molenaar.
- Workers' group :* Mr. Schürch.
 Substitute : Mr. Zulawski.

Committee on Automatic Coupling :

- Government group :* Mr. Fabra Ribas.
 Substitute : Mr. Kitaoka.

Employers' group : Mr. Tzaut.
 Substitute : Mr. Vaněk.
Workers' group : Mr. Schürch.
 Substitute : Mr. Caballero.

Advisory Committee on Salaried Employees :

Government group : Mr. Berg.
 Substitute : Mr. Goodrich.
Employers' group : —
Workers' group : Mr. Mertens.
 Substitute : Mr. Schürch.

Correspondence Committee on Industrial Hygiene :

Government group : Mr. Komarnicki.
 Substitute : Mr. Fabela.
Employers' group : Mr. Gérard.
 Substitute : Mr. Tzaut.
Workers' group : Mr. Andersson.
 Substitute : Mr. Němeček.

Committee of Experts on Native Labour :

Government group : The Brazilian Government representative.
 Substitute : Mr. Fabela.
Employers' group : Mr. Gemmill.
 Substitutes : Mr. Molenaar;
 Mr. Gérard.
Workers' group : Mr. Jouhaux.
 Substitute : Mr. Kupers.

Advisory Committee on Professional Workers :

Government group : Mr. Fabra Ribas.
 Substitutes : Mr. Fabela;
 The Brazilian Government representative.
Employers' group : Mr. Lambert-Ribot.
 Substitute : Mr. Gérard.

Workers' group : Mr. Jouhaux.
 Substitute : Mr. Yonekubo.

Advisory Committee of Correspondents on Workers' Spare Time :

Government group : Mr. Kitaoka;
 Mr. Justin Godart.

Substitute : Mr. Li Ping-Heng.

Employers' group : Mr. Lambert-Ribot;
 Mr. Tzaut.

Substitutes : Mr. Camuzzi;
 Mr. Lecocq;
 Mr. Knob.

Workers' group : Mr. Jouhaux;
 Mr. Krekitch.

Substitutes : Mr. Němeček;
 Mr. Schürch.

Joint Maritime Commission :

Employers' group : Mr. Oersted.

Substitute : Mr. Lecocq.

Workers' group : Mr. Hallsworth.

Substitute : Mr. Jouhaux.

Migration Committee :

*Government group*¹ : Brazil;
 France;
 Japan;
 Poland;
 Yugoslavia.

Substitute : China.

Employers' group : Mr. Erulkar;
 Mr. Gérard;
 Mr. Lambert-Ribot;
 Mr. Čurčin.

Substitutes : Mr. Zen;
 Mr. Tzaut;
 Mr. Szydłowski.

¹ The Government group had decided to propose that the number of representatives of each group on this Committee should be raised from 4 to 5 or 6. The Governing Body took no decision on this point.

If the number of representatives of each group is raised to 6, the sixth Government seat will be allotted to Chile.

Workers' group : Mr. Peyer;
Mr. Jouhaux;
Mr. Joshi;
Mr. Zulawski.

Substitutes : Mr. Yonekubo;
Mr. Krekitch.

Mixed Committee on Inland Navigation :

Government group : Mr. Justin Godart.
Substitute : Mr. García Oldini.

Employers' group : Mr. Vaněk.
Substitutes : Mr. Čurčín;
Mr. Molenaar;
Mr. Knob.

Workers' group : Mr. Jouhaux.
Substitute : Mr. Kupers.

Advisory Committee on Management :

Government group : Mr. Fabra Ribas;
Mr. Hume Wrong;
Mr. Fabela.
Substitute : Mr. Goodrich.

Employers' group : Mr. Čurčín;
Mr. Dennison;
Mr. Gérard.
Substitutes : Mr. Tzaut;
Mr. Vaněk.

Workers' group : Mr. Schürch;
Mr. Jouhaux;
Mr. Mertens.
Substitute : Mr. Němeček.

Technical Committee on Glass Works :

Government group : Mr. Justin Godart.
Substitute : Mr. Kitaoka.

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

Workers' group : Mr. Mertens.
Substitute : Mr. Němeček.

III. *Representatives of the Governing Body on outside bodies*

Representation of the International Labour Organisation on the International Agricultural Co-ordination Committee set up by the International Institute of Agriculture :

The Chairman of the Governing Body.

Representatives of the Governing Body on the Preparatory Committee to Co-ordinate the Work of International Organisations in Connection with Agricultural Education.

Government group : Mr. Justin Godart.

Substitute : Mr. Komarnicki.

Employers' group : Mr. Oersted.

Substitutes : Mr. Vaněk;
Mr. Forbes Watson.

Workers' group : Mr. Schürch.

Representatives of the Governing Body on the Committee of the Communications and Transit Organisation on Public Works and National Technical Equipment :

Government group : Mr. Komarnicki.

Substitutes : Mr. Tzvetkovitch;
Mr. Goodrich.

Employers' group : Mr. Lambert-Ribot.

Substitute : Mr. Gérard.

Workers' group : Mr. Jouhaux.

Substitute : Mr. Schürch.

Representatives of the Governing Body on the Unemployment Committee of the Commission of Enquiry for European Union :

Government group : Mr. Komarnicki;
Mr. Justin Godart.

Employers' group : Mr. Lambert-Ribot;
Mr. Oersted.

Substitutes : Mr. Čurčín;
Mr. Vaněk.

Workers' group : Mr. Jouhaux;
Mr. Schürch.

Substitute : Mr. Mertens.

IV. *Representatives of certain groups of the Governing Body
on outside bodies*

Advisory Committee on Refugees of the League of Nations :

Employers' group : Mr. Čurčín.

Substitute : Mr. Tzaut.

Workers' group : Mr. Zulawski.

Substitute : Mr. Schürch.

*Representatives of the Governing Body on the Technical Conference
of Experts on Migration for Settlement :*

Government group : Mr. Komarnicki.

Substitute : Mr. García Oldini.

Employers' group : Mr. Oersted.

Workers' group : Mr. Kupers.

*Representatives of the Governing Body on the Technical Tripartite
Meeting on the Coal-Mining Industry :*

Government group : Mr. Leggett.

Substitute : Mr. Tzvetkovitch.

Employers' group : Mr. Oersted.

Workers' group : Mr. Watt.

*Representatives of the employers and workers on the International
Public Works Committee :*

Employers' group : Mr. Oersted;
Mr. Lambert-Ribot;
Mr. Vaněk.

Substitutes : Mr. Harriman;
Mr. Tzaut.

Workers' group : Mr. Jouhaux;
Mr. Schürch;
Mr. Caballero.

*Representative of the International Organisation of Industrial
Employers on the Advisory Committee on Professional Workers :*

Mr. Tzaut.

Changes in the composition of the Government group on some of the Committees already set up by the Governing Body.

- (1) *Committee on Agricultural Work and Representation of the Governing Body on the Mixed Advisory Agricultural Committee and the Permanent Agricultural Committee :*

Mr. Justin Godart;
Mr. Fabela.

Substitutes : Mr. Komarnicki;
Mr. Hume Wrong.

- (2) *Committee on Periodical Reports :*

Mr. Leggett;
Sir Firozkhan Noon;
Mr. Hume Wrong.

Substitutes : Mr. Kitaoka;
Mr. Fabela;
Mr. Berg.

- (3) *Replace Mr. Lubin by Mr. Goodrich on the various Committees of which Mr. Lubin was a member :*

Substitute for the representative of the Governing Body on the Correspondence Committee on Social Insurance.

Representative of the International Labour Office on the Board of Administration of the International Office for Technical Education.

Record of the Meeting of the Committee of Statistical Experts.

The Governing Body considered the record of the meeting held by the Committee of Statistical Experts from 4 to 7 October 1937.

The Committee had examined the report of the Committee of the Washington Textile Conference on statistics of wages and hours of work in the textile industry. It made certain modifications in the draft questionnaire on this subject prepared by the Committee of the Washington Conference, and expressed the view that the proposed enquiry into wages and hours of work in the textile industry was practicable.

The Governing Body decided that the Office should communicate the questionnaire to the Governments of the principal textile countries, and at the same time consult them as to the period to which the enquiry should relate and whether they are prepared to participate in the enquiry.

The Governing Body took note of the conclusions reached by the Committee of Statistical Experts concerning a further enquiry into the rents of working-class dwellings, the systematisation of the statistics published on wages and hours by occupation, and the programme of work of Conferences of Labour Statisticians which may be convened in the future. It was agreed that the

Office should bear these conclusions in mind in its future work and in preparing the programme of future sessions of the Committee.

Examination of the reports adopted by the Tripartite Conference on the Textile Industry (Washington, April 1937).

When the report of the Tripartite Conference on the Textile Industry was submitted to the Governing Body at its Seventy-ninth Session (May 1937), it was agreed that it should undertake a more detailed consideration of it at a later session. The Governing Body accordingly considered the report at its Eighty-first Session. It adopted the following resolution :

The Governing Body decides to set up a preparatory Committee constituted of five representatives of each group to review the report of the Washington Conference and report to the Governing Body as to the steps which might be taken by the Organisation on the basis of that report.

Report of the Standing Orders Committee.

After considering the report of its Standing Orders Committee, the Governing Body adopted certain modifications of its own Standing Orders concerning the procedure for placing items on the agenda of the International Labour Conference, and decided to recommend the Conference to amend the clauses of its Standing Orders which relate to the procedure for the adoption of Draft Conventions and Recommendations. The new clauses provide for a choice between the single discussion procedure and the double discussion procedure for dealing with items placed on the agenda of the Conference and also for the holding of preparatory technical Conferences, when this is considered necessary.

The Governing Body decided to communicate to the Conference various suggestions which had been made with regard to the composition of the Committees of the Conference and the method of voting in those Committees.

The Governing Body instructed the Office to prepare for its Eighty-third Session a short report on the question of the nomination of an employers' delegate at the Conference by the Union of Soviet Socialist Republics for transmission to the Conference.

Agenda of the 1939 Session of the Conference.

In view of the large number of questions which will presumably be carried over from the 1938 to the 1939 Session of the International Labour Conference for second discussion, the Governing Body decided not to place any new questions on the agenda of the 1939 Session.

The Governing Body instructed the Office to submit to it at the Eighty-third Session proposals concerning the procedure to be followed for the examination of the question of labour inspection by the International Labour Conference.

Decisions of the Assembly of the League of Nations which affect the International Labour Organisation.

The Governing Body considered the decisions taken by the Assembly of the League of Nations at its 1937 Session which concern the International Labour Organisation.

Status of women.—The Governing Body authorised the Office to give any assistance for which the Secretariat of the League of Nations might ask in connection with the meeting of the Committee of Experts which the Council of the League is setting up to study this question.

Health.—It was agreed that the Office should submit to the Governing Body at its Eighty-third Session a supplementary note on the preparatory work for the Conference on Rural Hygiene for American Countries and the European Conference on Rural Life which are to be convened by the League of Nations.

Calendar reform.—The Governing Body noted that the Advisory and Technical Committee for Communications and Transit had come to the conclusion that in present circumstances calendar reform had no chance of being accepted, and that the Council of the League had withdrawn the question from its agenda.

Standard of living.—The Governing Body noted that the Economic Committee of the League of Nations had been instructed to study the measures of a national or international character for raising the standard of living, and that the International Labour Office had been asked to collaborate with the committee set up to guide the investigations. It also noted that the Office intended in due course to publish a study of the question dealing, among other things, with the relation of social legislation to the standard of living of the workers.

Migration.—The Governing Body authorised the Office to prepare for the 1938 Session of the Assembly of the League of Nations a further report on international migration. It noted that the Economic Committee of the League of Nations had appointed representatives to attend the Technical Conference of Experts on migration for settlement which is to meet on 28 February 1938.

Nutrition.—The Governing Body noted that the Mixed Committee on Nutrition set up by the League of Nations had submitted its final report to the Assembly and ceased to exist. It decided not to maintain its own Committee of Experts on Workers' Nutrition, the work of which is also completed.

The Governing Body also took note of the decisions of the Assembly of the League concerning raw materials, measures for the prevention or mitigation of economic depressions, demographic problems, urban and rural housing, and the Commission of

Enquiry for European Union. It adjourned to its Eighty-third Session its consideration of the decisions of the Assembly concerning social questions.

Report of the Office on economic questions of special interest to the International Labour Organisation.

The Governing Body took note of this report, which gave an account of the practical steps taken to arrange for collaboration between the International Labour Office and the League of Nations on economic questions.

International Public Works Committee: approval of the Statute of the Committee and calling of the first meeting.

The Governing Body approved the draft Statute of the International Public Works Committee drawn up by the Committee of three members which it had set up at its Eighty-first Session.

It was decided that the employers' and workers' groups on the Governing Body should each appoint three persons who would sit on the Committee as ordinary members.

The Governing Body authorised the Office to call a first preparatory meeting of the International Public Works Committee on 27 June 1938. It instructed the Director to approach Mr. Nečas, Minister of Social Welfare of Czechoslovakia, with a view to his appointment as Chairman of the Committee.

Examination of the representation made by the Agricultural Workers' Union of Estonia concerning the application in Estonia of the Right of Association (Agriculture) Convention, 1921 (No. 11).

Examination of the representation made by the Société de Bienfaisance des Travailleurs de l'Île Maurice concerning the application of certain international labour Conventions in the Island of Mauritius.

The Governing Body discussed these questions in private sitting.

The Director's Report.

Committee on Periodical Reports.—The Governing Body decided that this Committee should meet in connection with the session to be held in the autumn of 1938.

Committee of Experts on the Application of Conventions.—The Governing Body decided that the Committee of Experts appointed to examine the annual reports on the application of Conventions submitted under Article 22 of the Constitution should meet on 4 April 1938.

Advisory Committee on Salaried Employees.—The Governing Body decided to call a meeting of this Committee on 22 and 23 April 1938 to consider the following agenda :

(1) Legal status of the "salaried employee" (definition). Statement of the problem from the national and international point of view.

(2) Occupational representation of salaried employees (chambers of employees and joint committees).

(3) Regulation of conditions of employment and organisation of salaried employees in 1937.

Mixed Advisory Agricultural Committee.—The Governing Body accepted in principle the invitation of the International Institute of Agriculture to hold a meeting of the Mixed Advisory Agricultural Committee. The date and agenda will be fixed later.

Meeting of experts on silicosis.—The Governing Body authorised the Office to call a meeting of experts on silicosis in the first half of September 1938 to consider the following aspects of the problem :

Dust sampling; intensity of exposure to dust; pathology of silicosis (silica, silicates, etc.); industries involving risk and especially mines; early diagnosis; determination of disability and degree of same; prevention, etc.

Advisory Committee on Management.—The Governing Body authorised the Office to call a meeting of this Committee in April 1938, in connection with the Eighty-third Session of the Governing Body, to discuss the following agenda :

(1) Practical measures to be taken by undertakings to alleviate the immediate social consequences of the elimination of surplus works or technical equipment, and of the rapid and intensive mechanisation of production.

(2) The use of office machinery and its influence on conditions of work of staff.

Composition of Committees.—The Governing Body took note of the resignation of a number of Italian experts on the various Committees.

Correspondence Committee on Accident Prevention.—The Governing Body appointed Mr. Pierre Pouillot (French), Divisional Factory Inspector, Paris, as a member of this Committee in place of the late Mr. Delauney.

Correspondence Committee on Social Insurance.—The Governing Body made the following appointments to this Committee :

Dr. Stanislaw Wasowicz (Polish), Director of the Medical Section of the Polish Social Insurance Office, as an expert on sickness insurance questions (in place of the late Mr. Wyslouch).

Mr. Zbigniew Lomnicki (Polish), Chief of the Actuarial Division of the Polish Social Insurance Office and Director of Mathematical Studies at the Higher Commercial College of Poland, as social actuary (in place of Mr. Horowitz, whose term of office has come to an end).

Dr. Friedrich Steinbach (Austrian), Government Counsellor, Assistant General Secretary of the Workers' Insurance Institute, Vienna, as an expert on industrial and commercial workers' insurance.

Mr. S. H. G. Hughes (British), Accountant General of the Ministry of Health, as an expert on health insurance and pensions (finance and accounting).

Advisory Committee on Professional Workers.—The Governing Body made the following appointments to this Committee :

Mr. Stephen W. Smith (British), Secretary of the National Federation of Professional Workers of Great Britain, in place of Mr. Lathan, resigned;

Dr. Popescu-Buzeu (Rumanian), General Secretary of the Federation of Professional Workers' Associations of Rumania, in place of Mr. Cornelissen, resigned.

Correspondence Committee on Migration.—The Governing Body made the following appointments to this Committee :

(1) *Experts appointed in consultation with Governments :*

Mr. Emile Komers (Austrian), Ministerial Councillor in the Federal Chancellery, and President of the Emigration Office, Vienna.

Mr. Bolle (Belgian), Director of the Labour Supply Department in the Ministry of Labour and Social Welfare, Brussels.

Mr. H. de Roover (Belgian), Assistant to the Director-General of Foreign Trade, Ministry of Social Affairs and Foreign Trade, Brussels.

Mr. H. Doria de Vasconcellos (Brazilian), Director of Land Settlement, Secretariat of Agriculture of the State of Sao Paulo, Sao Paulo.

Captain C. F. C. Borch (Danish), Head of the National Emigration Office, Statens Udvandringskontor, Copenhagen.

Mr. Pages (French), Chief of the Foreign Labour Bureau, General Department of Labour, Ministry of Labour, Paris.

Mr. Paon (French), Chief of the Agricultural Labour Department, Ministry of Agriculture, Paris.

Mr. E. N. Cooper (British), of the Aliens Department, Home Office.

Mr. Nicolas Phocas (Greek), General Secretary of the Ministry of Labour, Member of the Higher Economic Council, Athens.

Mr. Panagioti Pavlakis (Greek), General Director of Labour, Athens.

Mr. Levente Kadar (Hungarian), Chief of Section in the Royal Hungarian Ministry of the Interior, Budapest.

Mr. Paul Balogh (Hungarian), Councillor in the Royal Hungarian Ministry of the Interior.

- Mr. John Keane (Irish), Chief Employment Officer in the Employment Branch of the Department of Industry and Commerce, Dublin.
- Mr. Henry Ernest Moston (New Zealand), Chief Inspector of Factories in the Department of Labour of New Zealand.
- Mr. R. Verwey (Netherlands), Director of the State Unemployment Insurance and Placing Department, Representative of the Minister of Social Affairs in the Board of Administration of the Netherlands Emigration Institute, The Hague.
- Dr. Apoloniusz Zarychta (Polish), Chief of Division in the Ministry of Foreign Affairs.
- Mr. Mieczyslaw Biesiekierski (Polish), Chief of Division in the Ministry of Social Assistance.
- Mr. Jerzy Stempowski (Polish), Chief of the Migration Section in the National Agrarian Bank.
- Mr. Jozef Poniatowski (Polish), Chief of the Economic Section in the Prime Minister's Office, Warsaw.
- Dr. Feldscher (Swiss), Chief of the Federal Emigration Office, Berne.
- Mr. A. Jobin (Swiss), Chief of the Employment Section of the Federal Office of Industry, Arts and Crafts and Labour, Berne.
- Mr. Douchan Yeremitch (Yugoslav), Director of Social Welfare in the Ministry of Social Policy and Public Health, Belgrade.
- Dr. Fédor Aranicki (Yugoslav), Higher Councillor and Chief of the Section for the Protection of Migrants in the Ministry of Social Policy and Public Health, Belgrade.

(2) *Experts belonging to non-official institutions :*

- Dr. J. Brutzkus, Vice-President of the Board of Administration of "Emcol" (Jewish Emigration and Colonisation Association), Paris.
- Mr. Albert François, President of the Permanent International Conference of Private Organisations for the Protection of Migrants, International Centre of Private Organisations, Geneva.
- Dr. Louis Oungre, Director-General of the Jewish Colonisation Association, Paris.
- Dr. A. Ruppin, President of the Economic Research Institute of the Jewish Agency for Palestine, Jerusalem.
- Miss Edith Thompson, C.B.E., of the Society for the Overseas Settlement of British Women.

The Governing Body decided to be represented on this Committee by one member from each group.

Committee of Experts on the Rights of Performers.—The Governing Body took note of the following appointments made by various organisations for their representation on this Committee :

Secretariat of the League of Nations :

Mr. de Montenach, of the Intellectual Co-operation Section, accompanied by Mr. Giraud.

International Institute of Intellectual Co-operation :

Mr. R. Weiss, Legal Adviser.

International Office for the Protection of Literary and Artistic Work :

Mr. F. Ostertag, Director.

The Governing Body approved the appointment of the following experts proposed by the organisations mentioned :

International Federation of the Phonographic Industry :

Mr. Brian Bramall, Secretary.

Organisations of performers :

Mr. L. Gallié, General Secretary of the International Confederation of Professional Workers.

Mr. F. Cébron, General Secretary of the French National Federation of Theatrical Performers.

International Organisation of Industrial Employers :

Mr. J. Lecocq, General Secretary.

Committee of Experts on Safety in Coal Mines.—The Governing Body made the following appointments to this Committee :

Mr. Francis Feehan (United States of America), Safety Commissioner for the United States Bureau of Mines.

Mr. Gustave Raven (Belgian), Director-General of Mines, Brussels.

Mr. Bohumil Volejnik (Czechoslovak), Principal Counsellor at the Ministry of Public Works, Prague.

Mr. Galliot (French), former Director-General of Mines, Paris.

Mr. Edward Fudge (British), Assistant Secretary in charge of the Health and Safety Division of the Mines Department, London.

Dr. W. A. J. van Waterschoot van der Gracht (Netherlands), Chief Engineer of Mines, Heerlen.

Mr. Aleksander Stein (Polish), Assistant Chief of Division in the Ministry of Commerce, Warsaw.

Re-appointment of members of Committees.—The Governing Body re-appointed for a period of three years the following members of Committees whose term of office had expired :

Advisory Committee on Professional Workers :

Representative of the International Confederation of Professional Workers :

Mr. Koscinski (Polish).

Correspondence Committee on Accident Prevention :

Mr. Pfisterer (Hungarian);
Mr. Bilbrough (South African).

Advisory Committee on Salaried Employees :

Mr. Portalier (French).

Committee on Automatic Coupling :

Substitute for Mr. Ekman :
Mr. von Friesen (Swedish).

Correspondence Committee on Women's Work :

Mr. Chester (British);
Mr. Gemen (Netherlands);
Mr. van der Meys (Netherlands);
Mrs. Moreau (Argentina);
Miss Madelin Phillips (U. S. A.);
Mrs. Silverhjelm (Swedish);
Mr. Olsen (Danish).

Correspondence Committee on Social Insurance :

Mr. Newrick (British);
Mr. Baumgarten (Polish);
Mr. Bruner (Polish);
Mr. Bujalski (Polish);
Mr. Pasternak (Polish);
Mr. Potyka (Polish);
Dr. Frederico Lemos de Macedo Santos (Portuguese).

Committee of Experts on the Application of Conventions :

Dr. McNair (British).

Proposal for a mutual exchange of labour inspection reports.—The Governing Body authorised the Office to write to all Governments to ask whether they would be prepared in principle to co-operate in a scheme for the mutual exchange of labour inspection reports, which was proposed by the Second Regional Conference of Labour Inspection Services (Vienna, May 1937). Each Government will be asked to indicate what publications it could offer in exchange for the publications of other Governments. A further report will be submitted to the Governing Body on the subject in due course.

Report on the question of discrimination against elderly workers.—The Governing Body instructed the Office to submit a preliminary report on the question of discrimination against elderly workers to it at its session in the autumn of 1938.

The Director's visit to Malaya, the Netherlands Indies, Ceylon and India.—It was agreed that the Director should submit a full report on this visit to the Eighty-third Session of the Governing Body.

Date and place of the next session.

The Governing Body decided that its Eighty-third Session should open in Geneva on 28 April 1938.

Obligations of States withdrawing from the Organisation in respect of Conventions which they have ratified.

The Governing Body requested its Officers to prepare a report on the legal and other aspects of this question for a subsequent session.

Record of the meeting of experts on social insurance.

The Governing Body took note of the record of the meeting of experts on social insurance which was held from 8 to 10 December 1937 to define its views as to what should be the general purpose and scope of the enquiries to be made on the subject of the investment of funds of social insurance institutions.

It authorised the Office to send the questionnaire drawn up by the meeting to those members of the Correspondence Committee on Social Insurance who belong to administrative services or social insurance institutions responsible for dealing with long-term risks, asking them to reply.

Report of the Committee on Agricultural Work.

The Governing Body approved the Regulations relating to the Permanent Agricultural Committee drawn up by the Committee on Agricultural Work.

It decided to propose that the Officers of the Committee on Agricultural Work of the Governing Body should be appointed as the Officers of the Permanent Agricultural Committee.

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.

The Governing Body adjourned the following question until a subsequent session :

Procedure for the consideration of questions of special interest to the Asiatic countries and the countries referred to in paragraph 3 of Article 19 of the Constitution (effect to be given to various resolutions adopted by the Conference at its Twenty-third Session).

Commissions of Enquiry

On 4 January 1938, Dr. Giovanni Balella, Director of the Fascist Confederation of Manufacturers, who had been nominated by the Italian Government as representative of employers to figure on the panel provided for by Article 26 of the Constitution of the International Labour Organisation concerning Commissions of Enquiry, requested the International Labour Office to consider his name removed from that panel, as well as from the list of assessors for labour cases provided for by Article 26 of the statute of the Permanent Court of International Justice, by reason of the withdrawal of Italy from the International Labour Organisation.

Interpretation of the Decisions of the International Labour Conference

In reply to a request for information from one of the Swedish Government delegates at the Twenty-first Session of the International Labour Conference, the International Labour Office has furnished the following memorandum relating to the interpretation of Article 20 of the Hours of Work and Manning (Sea) Convention, 1936.

In the course of the correspondence attention was drawn to the usual reservation that the Constitution of the Organisation has conferred on the Office no special authority to interpret the texts adopted by the International Labour Conference.

Hours of Work and Manning (Sea) Convention, 1936

Memorandum by the International Labour Office

1. Article 20 of the Hours of Work and Manning (Sea) Convention, 1936 is in the following terms :

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.

The question submitted for an opinion to the International Labour Office is whether this Article imposes an obligation to maintain standards higher than those prescribed by the Convention in cases in which such standards are operative at the time when the Convention comes into force, or whether it is simply a recital that the Convention embodies minimum requirements.

2. Substantially the same question was submitted for an opinion to the International Labour Office in 1931 by the Polish Government with reference to Article 10 of the Hours of Work (Commerce and Offices) Convention, 1930. This Article is in the following terms :

Nothing in this Convention shall affect any custom or agreement whereby shorter hours are worked or higher rates of remuneration are paid than those provided by this Convention.

Any restrictions imposed by this Convention shall be in addition to and not in derogation of any other restrictions imposed by any law, order or regulation which fixes a lower maximum number of hours of employment or a higher rate of remuneration than those provided by this Convention.

On that occasion the International Labour Office advised as follows :

It would in fact be difficult to imagine that the public authorities would undertake to require the maintenance of customs or agreements going beyond the provisions of the Convention. Moreover, such a solution is not in any way imposed by the text of the first paragraph. That paragraph merely lays down that customs or agreements more favourable to the workers than the system set up by the Convention shall not be affected by the Convention, but it does not involve any obligation necessarily to maintain these customs or agreements.

The situation is not quite so clear as regards the second paragraph, which is differently drafted. At first sight it is true that this second paragraph does involve an obligation not to modify legislation which sets up shorter hours of work or higher rates of pay than those for which the Convention provides. It should be observed, however, that this interpretation is not imposed absolutely by the text of the second paragraph. It is therefore necessary to consider what would be the results of such an interpretation and to decide whether those results would be in accordance with the intentions of the Conference.

If the consequences of such an interpretation are considered, it will be seen that they lead to a situation which it would be difficult to accept. This solution would result in placing upon the State ratifying the Convention two very different kinds of obligation : on the one hand, the special obligations for which the Convention definitely provides and which consist of setting up the system which it defines; on the other hand, a general and vague obligation to maintain any system in force previous to the ratification of the Convention which provides shorter hours of work or a higher rate of remuneration. It should be noted that the application of the latter obligation would be impossible to supervise in practice and that it would be of such an uncertain nature that a State desirous of fulfilling its undertakings would hesitate to submit to it.

.....

Article 10, therefore, in both paragraphs does not, in my opinion, involve a positive obligation to maintain systems setting up shorter hours of work or higher rates of pay than those fixed by the Convention. It means merely that the ratification of the Convention by a State cannot result in an alteration of these systems in the direction of longer hours of work and a reduction in rates of pay. Article 10 is thus to be regarded as an interpretative clause and not as an operative clause. There is a very great similarity between it and paragraph 11 of Article 405 of the Treaty of Versailles and it seems to have the same legal value.¹

3. The reasoning relied upon by the International Labour Office in the above opinion appears to be equally applicable to the present case. A provision that a Convention does not affect a custom or agreement clearly cannot be construed as creating an obligation to alter completely the very nature of the custom or agreement by making the State responsible for ensuring that it

¹ See *Official Bulletin*, Vol. XVII, No. 1, pp. 48-52.

is maintained; and it is almost equally unreasonable to regard a provision that a law shall not be affected by the Convention as creating a positive obligation to maintain that law in force.

4. Further, although the Constitution of the International Labour Organisation does not confer upon the International Labour Office any special authority to interpret the texts of Conventions adopted by the International Labour Conference, it would seem that, when an opinion given by the Office has been submitted to the Governing Body and published in the *Official Bulletin* and has met with no adverse comment, the Conference must, in the event of its subsequently including in another Convention a provision identical with or equivalent to the provision which has been interpreted by the Office, be presumed, in the absence of any evidence to the contrary, to have intended that provision to be understood in the manner in which the Office has interpreted it.

5. It is also of some interest that at the Twenty-third Session of the Conference an attempt was made to clarify by drafting changes a provision which was originally submitted to the Conference in a form identical with Article 20 of the Hours of Work and Manning (Sea) Convention, 1936. This provision was ultimately¹ included in the Reduction of Hours of Work (Textiles) Convention, 1937 in the following form :

In accordance with Article 19, paragraph 11, of the Constitution of the International Labour Organisation, nothing in this Convention shall affect any law, award, custom or agreement between employers and workers which ensures more favourable conditions to the workers than those provided for by this Convention (*Article 14*).

The changes made were certainly not regarded as involving any change of substance and Article 14 of the Reduction of Hours of Work (Textiles) Convention, 1937 can therefore be regarded as stating the intended effect of Article 20 of the Hours of Work and Manning (Sea) Convention, 1936. The reference in Article 14 of the Reduction of Hours of Work (Textiles) Convention, 1937 to Article 19 (11) of the Constitution of the Organisation makes it clear that the Article does not create any obligation to maintain existing standards in so far as they are higher than the standard set by the Convention; it simply emphasises the general principle asserted by the Constitution of the Organisation that there is no obligation under any international labour convention to lower existing higher standards to the Convention level, and it

¹ For certain references to the history of the matter as affecting three proposed Draft Conventions which were under discussion simultaneously, see International Labour Conference, Twenty-third Session, *Final Record*, pp. 675-6; 718; 742.

thereby rebuts any presumption which might otherwise arise under the law of certain countries that ratification of a Convention is intended to abrogate existing more favourable arrangements.

6. The International Labour Office is therefore of opinion that there cannot be the slightest doubt that Article 20 of the Hours of Work and Manning (Sea) Convention, 1936 does not impose any obligation to maintain standards higher than those prescribed by the Convention in cases in which such standards are operative at the time when the Convention comes into force, but is simply a recital that the Convention embodies minimum requirements.

Official Action on the Decisions of the International Labour Conference

Australia.

Recommendations (No. 50) concerning international co-operation in respect of public works, (No. 51) concerning the national planning of public works, (No. 52) concerning the minimum age for admission of children to industrial employment in family undertakings, (No. 53) concerning safety provisions in the building industry, (No. 54) concerning inspection in the building industry, (No. 55) concerning co-operation in accident prevention in the building industry and (No. 56) concerning vocational education for the building industry (1937).

By letter of 17 January 1938 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 of the action taken in the Commonwealth of Australia in respect of the above-named Recommendations.

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

Canberra, F.C.T., 7 December 1937.

Sir,

I have the honour to inform you that in accordance with Article 405 of the Treaty of Versailles and the other treaties of peace, the texts of the draft conventions and recommendations adopted at the Twenty-third Session of the International Labour Conference were this day presented to the Parliament of the Commonwealth of Australia.

The draft conventions and recommendations under notice have also been referred to the State Governments for any legislative or other action they may see fit to take thereon, and the States have been asked for advice as to the extent to which the provisions of any of the instruments in question are covered by existing legislation or practice, and as to any action contemplated in the matter.

I have the honour to be, Sir, Your obedient Servant,

(Signed) W. M. HUGHES,
Minister for External Affairs.

Denmark.

Formal ratification of the Convention (No. 8) concerning unemployment indemnity in case of loss or foundering of the ship (1920).

By letter of 15 February 1938 the Secretary-General of the League of Nations informed the Office that, by letter of 14 February 1938, the Permanent Delegate of Denmark 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 Danish 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 15 February 1938.

The letter of the Permanent Delegate of Denmark accredited to the League of Nations is as follows :

(Translation.)

Geneva, 14 February 1938.

Sir,

Under instructions from my Government, I have the honour to forward herewith the instrument of ratification relating to the International Convention concerning unemployment indemnity in case of loss or foundering of the ship, and request that you may be good enough to cause it to be registered.

I should be obliged if you would kindly supply me with four copies of a list of the countries between which the Convention is in force.

I have the honour to be, etc.

(Signed) WILLIAM BORBERG.

The instrument of ratification of the Convention is as follows :

*(Translation.)*¹

WE, CHRISTIAN THE TENTH,

By the Grace of God, King of Denmark and Iceland,
of the Vandals and the Goths, Duke of Slesvig, Holstein, Stormarn,
of the Ditmarshes of Lauenburg and Oldenburg,

HEREBY MAKE KNOWN : that having read and examined the International Convention concerning unemployment indemnity in case of loss or foundering of the ship adopted by the International Labour Conference at its Second Session at Genoa from 15 June to 10 July 1920, which Convention is word for word in the following terms :

(Here follows the text of the Convention)

We have approved, confirmed and ratified the said Convention for the Kingdom of Denmark, with the exception of Greenland, as by these presents We approve, confirm and ratify it in the most solemn and binding manner possible, in Our name and that of Our successors, promising by Royal word in Our name and theirs to observe and to cause to be scrupulously observed the said Convention in all its terms and clauses.

In Faith whereof, We have signed with Our own hand this instrument of ratification and have caused Our Royal Seal to be affixed thereto.

Given at Amalienborg the twenty-fifth day of January of the year one thousand nine hundred and thirty-eight and the twenty-sixth year of Our Reign.

(Signed) CHRISTIAN R.
(L. S.)

(Countersigned) P. MUNCH.

¹ Translation of the French text communicated by the Permanent Danish Delegation accredited to the League of Nations.

Finland.

Formal ratification of the Convention (No. 45) concerning the employment of women on underground work in mines of all kinds (1935).

By letter of 4 March 1938, the Secretary-General of the League of Nations informed the Office that by letter of 1 March 1938 the Acting Permanent Delegate of Finland accredited to the League of Nations 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 Government of the Republic of Finland 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 Secretary-General of the League of Nations on 3 March 1938.

The letter of the Acting Permanent Delegate of Finland accredited to the League of Nations is as follows :

(Translation.)

Geneva, 1 March 1938.

Sir,

Under instructions from my Government, and in accordance with the provisions of Article 405 of the Treaty of Versailles, I have the honour to transmit to you herewith for registration the instrument of formal ratification by the President of the Republic of Finland of the Convention concerning the employment of women on underground work in mines of all kinds, signed at Geneva on 21 June 1935.

I have the honour to be, etc.

(Signed) A. YÖNTILÄ,
Acting Permanent Delegate.

The instrument of ratification of the Convention is as follows :

(Translation.)

WE, KYÖSTI KALLIO,

President of the Republic of Finland,

Make known :

Whereas on 21 June 1935 the General Conference of the International Labour Organisation of the League of Nations adopted a draft Convention concerning the employment of women on underground work in mines of all kinds, the tenor of which is as follows :

(Here follows the text of the Convention)

Having examined and verified the above named Convention, We approve and ratify it under the powers conferred upon Us by the Constitution of the Republic, and promise that it shall be observed inviolate.

In faith whereof We have signed with Our own hand the present instrument of ratification, and have caused it to be sealed with Our seal.

Given at Helsinki, 28 January 1938.

(Signed) KYÖSTI KALLIO,
President of the Republic.

(Signed) K. A. FAGERHOLM,
Minister of Social Affairs.

France.

Formal ratification of the Conventions (No. 41) concerning employment of women during the night (revised 1934), (No. 45) concerning the employment of women on underground work in mines of all kinds (1935), and (No. 49) concerning the reduction of hours of work in glass-bottle works (1935).

By letters of 26 January and 8 February 1938 the Secretary-General of the League of Nations informed the Office that by letters of 24 January 1938 the Minister for Foreign Affairs of the French 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 ratifications by the French Republic 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, the ratification of these Conventions was registered by the Secretariat on 25 January 1938.

The letter by which the Minister for Foreign Affairs of the French Republic communicated to the Secretary-General the formal ratification of the Convention concerning employment of women during the night (revised 1934) is as follows :

(Translation.)

Paris, 24 January 1938.

Sir,

I have the honour to communicate to you herewith, as a ratification in accordance with Article 405, paragraph 7, of the Treaty of Versailles, a certified copy of the Act of 8 January 1938 published in the *Journal Officiel* of the French Republic of Monday 10 and Tuesday 11 January 1938.

This Act authorised the Minister for Foreign Affairs to address to the Secretary-General of the League of Nations the communication for which the above-mentioned Article of the Treaty of Versailles provides, relating to the Draft Convention concerning employment of women during the night (revised in 1934), adopted by the International Labour Conference at its Eighteenth Session held at Geneva from 4 to 23 June 1934.

Two additional copies of this document are also enclosed for your use.

I have the honour to be, etc.

(Signed) LAGARDE,
Minister Plenipotentiary, Assistant-Director
for the League of Nations. For the Minister
for Foreign Affairs and by his authority.

ACT

for the ratification of the Draft Convention concerning employment of women during the night (revised in 1934), adopted by the International Labour Conference at its Eighteenth Session held at Geneva from 4 to 23 June 1934.

The Senate and Chamber of Deputies have adopted,

The President of the Republic promulgates the following Act :

Single Article.—The Minister for Foreign Affairs is authorised to address to the Secretary-General of the League of Nations the communication for which Article 405 (paragraph 7) of the Treaty of Versailles provides, relating to the Draft Convention concerning employment of women during the night (revised in 1934), adopted by the International Labour Conference at its Eighteenth Session held at Geneva from 4 to 23 June 1934.

An authentic copy of this document shall be appended to this Act.¹

This Act, which has been considered and adopted by the Senate and Chamber of Deputies, shall be enforced as the law of the State.

Done at Paris, 8 January 1938.

(Signed) ALBERT LEBRUN,
By the President of the Republic :

(Signed) CAMILLE CHAUTEUPS,
President of the Council.

(Signed) YVON DELBOS,
Minister for Foreign Affairs.

(Signed) ANDRÉ FÉVRIER,
Minister of Labour.

The letter by which the French Minister for Foreign Affairs communicated to the Secretary-General the ratification of the Conventions concerning the employment of women on underground work in mines of all kinds and the reduction of hours of work in glass-bottle works, and the Acts authorising ratification of these Conventions, are in similar terms.

Formal ratification of the Convention (No. 43) for the regulation of hours of work in automatic sheet-glass works (1934).

On 8 February 1938 the Secretary-General of the League of Nations informed the Office that by letter of 4 February 1938 the Minister for Foreign Affairs of the French 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 the French Republic 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, the ratification of this Convention was registered by the Secretariat on 5 February 1938.

The letter of 4 February 1938 by which the Minister for Foreign Affairs of the French Republic communicated to the Secretary-General the formal ratification of this Convention, and the ratifying Act of 12 January 1938 attached to the letter and published in the *Journal Officiel* of the French Republic of 16 January 1938, are similar to those relating to the Convention concerning employment of women during the night (revised 1934) and bear the same signatures.

¹ The text of this document will appear in the *Journal Officiel* at the same time as the Decree of promulgation.

Hungary.

Formal ratification of the Convention (No. 27) concerning the marking of the weight on heavy packages transported by vessels (1929).

By letter of 7 December 1937 the Secretary-General of the League of Nations informed the Office that the Head of the Hungarian Delegation accredited to the League of Nations had communicated to him by letter of 6 December 1937, in accordance with Articles 333 of the Treaty of Trianon, the formal ratification by the Royal Hungarian Government of the above-named Convention.

In accordance with Article 334 of the Treaty of Trianon the ratification of this Convention was registered by the Secretariat of the League of Nations on 6 December 1937.

The letter of the Head of the Hungarian Delegation accredited to the League of Nations to the Secretary-General of the League of Nations is as follows :

(Translation.)

Geneva, 6 December 1937.

Sir,

I have the honour by instruction to transmit herewith the instrument of formal ratification by the Kingdom of Hungary of the International Convention concerning the marking of the weight on heavy packages transported by vessels, adopted by the International Labour Conference at its Twelfth Session in Geneva, 30 May-21 June 1929. I should be obliged if you would register the ratification of the above-named Convention by Hungary, and inform the Members of the International Labour Organisation that this has been done.

I have the honour to be, etc.

*(Signed) L. DE VELICS,
Minister of Hungary.*

The instrument of ratification is as follows :

(Translation.)

(Texts of the draft Convention in French and of the ratification clause in Hungarian.)

With the consent of Parliament, I ratify on behalf of the Kingdom of Hungary the International Convention concerning the marking of the weight on heavy packages transported by vessels, adopted as a draft Convention by the General Conference of the International Labour Organisation at Geneva in 1929, the original text of which is in agreement, word for word, with the text given above.

Given at Budapest, 15 October 1937.

*(Signed) HORTHY m.p.
Regent of the Kingdom of Hungary.*

*(Signed) KANYA m.p.
Royal Hungarian Minister of Foreign Affairs.*

Seen for the authenticity of the translation.¹

Budapest, 19 November 1937.

*(Signed) P. SEBESTYEN,
Chief of the Treaty Section.*

¹ Into French.

Japan.

Recommendations (No. 46) concerning the progressive elimination of recruiting and (No. 47) concerning annual holidays with pay (1936).

By letter of 12 January 1938 the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which the Chief of the Permanent Delegation of Japan to the International Labour Organisation 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 in Japan in respect of the above-named Recommendations.

The letter from the Chief of the Permanent Delegation of Japan is as follows :

Geneva, 6 January 1938.

Sir,

I have the honour to inform you that, in accordance with Article 405, paragraph 6, of the Treaty of Versailles and with the corresponding Articles of the other Treaties of Peace, the Recommendation concerning the progressive elimination of recruiting and the Recommendation concerning annual holidays with pay, adopted by the International Labour Conference at its Twentieth (1936) Session, have, on December 17th, 1937, been submitted to the competent authority, which decided to adopt the Recommendation concerning the progressive elimination of recruiting and not to adopt for the moment the Recommendation concerning annual holidays with pay.

We have received the above information by telegram. As soon as we receive confirmation by letter we shall not fail to communicate it to you.

I have the honour to be, etc.

For Mr. Kitaoka :

(Signed) SHUNICHI YOKOOJI.

By letter of 17 January 1938 the Secretary-General of the League of Nations communicated the following letter to the Office :

Geneva, 13 January 1938.

Sir,

With reference to my letter (HY/2) of 6 January 1938, I have the honour to inform you that I have just received the letter confirming the telegraphic information concerning the measures taken by the Japanese Government on the two Recommendations adopted by the International Labour Conference at its Twentieth (1936) Session.

I have the honour to be, etc.

For Mr. Kitaoka :

(Signed) SHUNICHI YOKOOJI.

Mexico.

Formal ratification of the Conventions (No. 13) concerning the use of white lead in painting (1921) and (No. 14) concerning the application of the weekly rest in industrial undertakings (1921).

By letters of 10 January 1938 the Secretary-General of the League of Nations informed the Office that the Permanent Delegate of Mexico accredited to the League of Nations had communicated to him, by letters of 4 January 1938, 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 United States of Mexico 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 7 January 1938.

The letter of the Permanent Delegate of Mexico accredited to the League of Nations to the Secretary-General communicating the ratification of the Convention concerning the use of white lead in painting is as follows :

Geneva, 4 January 1938.

Sir,

I have the honour to transmit herewith the instrument of ratification by the Mexican Government of the Convention concerning the use of white lead in painting, adopted by the International Labour Conference at its Third Session.

I have the honour to be, etc.

(Signed) ISIDRO FABELA,

*Minister of Mexico. Permanent
Delegate accredited to the League of
Nations.*

The text of the instrument of ratification of this Convention is as follows :

(Translation.)

LÁZARO CÁRDENAS

Constitutional President of the United States of Mexico,

To all who may see these presents,
Make known :

Whereas the International Labour Conference at its Third Session held at Geneva, Switzerland, from the twenty-fourth day of October to the nineteenth day of November One thousand nine hundred and twenty one, adopted a Draft Convention concerning the use of white lead in painting, the French text of which and a translation into Spanish are as follows :

(Here follows the text of the Convention in French and Spanish.)

Whereas the Convention reproduced above was approved by the Senate of the United States of Mexico on the twenty second day of September One thousand nine hundred and thirty seven.

Now therefore We, Lázaro Cárdenas, Constitutional President of the United States of Mexico, making use of the powers conferred upon Us by paragraph 10 of Article 89 of the Political Constitution, hereby ratify, accept and confirm the said Convention, and promise in the name of the Mexican Nation to execute and observe it and to cause it to be executed and observed.

In Faith whereof, We have issued these presents, signed by Our hand, authenticated by the Great Seal of the Nation, and countersigned by General Eduardo Hay, Secretary for External Relations, at the seat of the Federal Executive Power in the town of Mexico, this thirtieth day of November, One thousand nine hundred and thirty seven.

(Signed) LÁZARO CÁRDENAS,

(Signed) EDUARDO HAY,
Secretary for External Relations.

The letter by which the Permanent Delegate of Mexico accredited to the League of Nations communicated to the Secretary-General the ratification of the Convention concerning the application of the weekly rest in industrial undertakings, and the instrument of ratification of the Convention, are in similar terms.

Recommendation (No. 13) concerning night work of women in agriculture (1921).

On 12 January 1938 the Secretary-General of the League of Nations communicated to the Office a copy of a letter which had been addressed to him by the Permanent Delegate of Mexico accredited to the League of Nations on the subject of the above-named Recommendation.

The letter of the Permanent Delegate of Mexico accredited to the League of Nations is as follows :

(Translation.)

Geneva, 6 January 1938.

Sir,

Under instructions from my Government, I have the honour to inform you that the Labour Department of Mexico, after examining the terms of the Recommendation concerning night work of women in agriculture, 1921 (No. 13), requests me to inform you that the work of women at night is prohibited under Mexican law and although the mixed working day is authorised it may not include more than 3½ hours of night work. In consequence, the rest period of nine hours per day provided for in the Recommendation is guaranteed in perfectly clear fashion by our legislation.

I have the honour to be, Sir, Your obedient Servant,

(Signed) ISIDRO FABELA,
*Minister of Mexico, Permanent Delegate
accredited to the League of Nations.*

Formal ratification of the Conventions (No. 34) concerning fee charging employment agencies (1933), (No. 45) concerning the employment of women on underground work in mines of all kinds (1935) and (No. 49) concerning the reduction of hours of work in glass-bottle works (1935).

By letters of 22 February 1938 the Secretary-General of the League of Nations informed the Office that the Delegation of Mexico 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 United States of Mexico 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 21 February 1938.

The text of the instrument of ratification of the Convention

(No. 34) concerning fee charging employment agencies (1933) is as follows :

(Translation.)

LÁZARO CÁRDENAS

Constitutional President of the United States of Mexico,

To all who may see these presents,
Make known :

Whereas the International Labour Conference at its seventeenth session held at Geneva, Switzerland, from the eighth to the thirtieth day of June One thousand nine hundred and thirty three, adopted a Draft Convention concerning fee charging employment agencies, the French text of which and a translation into Spanish are as follows :

(Here follows the text of the Convention in French and Spanish.)

Whereas the Draft Convention reproduced above was approved by the Senate of the United States of Mexico on the twenty-second day of September One thousand nine hundred and thirty seven,

Now therefore, We, Lázaro Cárdenas, Constitutional President of the United States of Mexico, making use of the powers conferred upon us by paragraph 10 of Article 89 of the Political Constitution, hereby ratify, accept and confirm the said Convention, and promise in the name of the Mexican Nation to execute and observe it and to cause it to be executed and observed.

In Faith whereof, We have issued these presents signed by Our hand, authenticated by the Great Seal of the Nation, and countersigned by General Eduardo Hay, Secretary for External Relations, at the seat of the Federal Executive Power in the town of Mexico, this seventh day of December One thousand nine hundred and thirty seven.

(Signed) LÁZARO CÁRDENAS.

(Signed) EDUARDO HAY,
Secretary for External Relations.

The instruments of ratification of the other Conventions are in similar terms.

Netherlands.

Formal ratification of the Conventions (No. 8) concerning unemployment indemnity in case of loss or foundering of the ship (1920) and (No. 22) concerning seamen's articles of agreement (1926).

By letters of 16 December 1937 the Secretary-General of the League of Nations informed the Office that the Acting *Chargé d'Affaires* of the Netherlands at Berne 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 Government of the Netherlands 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 15 December 1937.

The letter of the Acting *Chargé d'Affaires* of the Netherlands at Berne, communicating to the Secretary-General of the League

of Nations the ratification of the Convention concerning unemployment indemnity in case of loss or foundering of the ship, is as follows :

(Translation.)

Berne, 14 December 1937.

Sir,

On the instructions of my Government, I have the honour to communicate to you herewith for the purpose of registration the act of ratification, signed by Her Majesty the Queen of the Netherlands at Amsterdam on 1 December 1937, of the Draft Convention concerning unemployment indemnity in case of loss or foundering of the ship, adopted on 9 July 1920 by the General Conference of the International Labour Organisation of the League of Nations at its Second Session, held at Genoa from 15 June to 10 July 1920, which Draft Convention was approved by the Netherlands Act of 13 January 1923 (*Bulletin des Lois*, No. 11).

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

I have the honour to be, etc.

(Signed) REUCLIN,
Acting Chargé d'Affaires of the Netherlands.

The instrument of ratification is as follows :

(Translation.)

WE, WILHELMINA,

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

To all those who may see these Presents, Greeting!

Having seen and examined the Draft Convention concerning unemployment indemnity in case of loss or foundering of the ship, adopted on 9 July 1920 by the General Conference of the International Labour Organisation of the League of Nations at its Second Session held at Genoa from 15 June to 10 July 1920, the tenour of which is as follows :

(Here follows the text of the Convention.)

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

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 Amsterdam this first day of the month of December in the year of Grace one thousand nine hundred and thirty-seven.

(Signed) WILHELMINA.

(Signed) J. PATIJN.

The instrument of ratification of the Convention on seamen's articles of agreement and the letter from the Acting Chargé d'Affaires of the Netherlands at Berne with which it was sent are in similar terms.

Recommendation (No. 48) concerning the promotion of seamen's welfare in ports (1936).

On 12 February 1938 the Secretary-General of the League of Nations communicated to the Office a copy of a letter which had been addressed to him by the Minister for Foreign Affairs of the

Netherlands enclosing a copy of a note addressed by the Minister for Social Affairs to the Netherlands Parliament on the subject of the above-named Recommendation.

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

(Translation.)

The Hague, 9 February 1938.

Sir,

I have the honour to enclose herewith, in accordance with Article 405, paragraph 6, of the Treaty of Versailles, a note addressed to the Minister for Social Affairs on 20 January last to the States-General on the subject of the Recommendation concerning the promotion of seamen's welfare in ports, adopted by the International Labour Conference at its Twenty-first Session (1936).

I have the honour to be, etc.

For the Minister :

(Signed) A. M. SNOUCK HURGRONJE,
Secretary-General.

Extract from the note of the Minister for Social Affairs of the Netherlands to the President of the Second Chamber of the States-General :

The Hague, 20 January 1938.

.....

In general, the Netherlands Government is in agreement with the measures proposed. This does not, however, preclude the necessity of a more detailed consideration of certain points. Several of the measures recommended have already been effected in our country.

In this connection I may say that the Directorate-General of the Netherlands Red Cross, referring to the Recommendation in question, has already taken the initiative in furthering collaboration between the different existing organisations dealing with seamen's welfare in the port of Rotterdam. This collaboration has resulted in the appointment of a committee at Rotterdam for promoting seamen's welfare in that port, as well as a number of sub-committees, each one of which has the duty of studying the possibilities of applying the suggestions of the Recommendation in the town of Rotterdam.

It is also my intention to communicate the text of the Recommendation to the authorities in the ports, and to request them to take account of it so far as their competence allows, and to study the ways and means of keeping me informed of what has been done for seamen in ports. Consideration has also been given to the adoption of the same procedure in the case of private bodies dealing with the same problems. The Government would thus take account as often as possible of the suggestions contained in the Recommendation, to the extent to which these suggestions have not yet been carried out.

Siam.

Recommendations (No. 48) concerning the promotion of seamen's welfare in ports and (No. 49) concerning hours of work on board ship and manning (1936).

By letter of 10 February 1938 the Secretary-General of the League of Nations communicated to the Office a copy of a letter which the Siamese Minister of Foreign Affairs informed him of the action taken by the Siamese Government in respect of the above-named Recommendations.

The letter from the Siamese Minister of Foreign Affairs is as follows :

Bangkok, 7 January 1938.

Sir,

I have the honour to invite reference to my letters No. 11979/2478 and No. 11980/2479 dated the 24th February 1937, in which I had occasion to inform you that the draft Recommendations and Conventions adopted by the International Labour Conference at its 21st and 22nd Sessions were being referred, in accordance with the provisions of Article 405 of the Treaty of Versailles, to the competent authorities of His Majesty's Government for due consideration.

In this connection, I am now requested by the above-mentioned authorities to inform you that, while sympathising with the humanitarian aims and objects underlying the above Recommendations and Conventions, they would, in view of the fact that the shipping industry in this country is still in its infancy and negligible, prefer not to take any action in this respect at present.

I have the honour to be, etc.

(Signed) LUANG PRADIT MANUDHARM,
Minister of Foreign Affairs.



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INTERNATIONAL LABOUR OFFICE

OFFICIAL BULLETIN

30 June 1938.

Vol. XXIII. No. 2.

Twenty-fourth Session of the International Labour Conference

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

Geneva, 4 April 1938.

Sir,

I have the honour to refer to my letter D 624/000 of 10 December 1937 and to communicate to you the following further information concerning the Twenty-fourth Session of the International Labour Conference.

2. Reports on the items on the Agenda.

Copies of the reports prepared for the Conference on the following items on the Agenda have already been despatched to Governments :

- I. Technical and Vocational Education and Apprenticeship.
- II. Regulation of Contracts of Employment of Indigenous Workers.
- III. Recruiting, Placing and Conditions of Labour (Equality of Treatment) of Migrant Workers.
- IV. Regulation of Hours of Work and Rest Periods of Professional Drivers (and their Assistants) of Vehicles engaged in Road Transport.
- VI. Statistics of hours and wages in the principal mining and manufacturing industries, including building and construction, and in agriculture.

The report on item V (Generalisation of the Reduction of Hours of Work) is being published in several parts. Some of these have already been despatched to Governments and the remainder will be despatched very shortly.

3. Standing Orders and Procedure of the Conference.

In my letter of 10 December 1937 I intimated that questions concerning the Standing Orders and Procedure of the Conference would come before the Twenty-fourth Session for consideration. The Governing Body of the International Labour Office at its

Eighty-second Session (February 1938) made certain alterations in its own Standing Orders in respect of the procedure to be followed in the placing of items on the Agenda of the Conference. At the same time the Governing Body decided to recommend to the Conference the adoption of certain amendments to the Standing Orders of the Conference (Article 6) dealing with the preparation of reports on the items on the Agenda and the procedure of single and double discussion of proposals for the adoption of Draft Conventions and Recommendations.

4. The question of the composition of committees of the Conference and the method of voting in committees was also discussed by the Governing Body, which decided that the various proposals which had been made both in the Governing Body and in its Standing Orders Committee should be referred to the Conference for consideration.

5. Copies of a note giving full information on the matters referred to in paragraphs 3 and 4 above are being despatched to Governments under separate cover.

6. Certain other proposals, of minor importance, for the amendment of the Standing Orders of the Conference which are under consideration by the Governing Body will also be submitted to the Conference.

7. Last day for receipt of credentials.

I take this opportunity of reminding Governments that, in accordance with Article 3(1) of the Standing Orders of the Conference, the credentials of delegates and their advisers should be deposited with the Office at least 15 days before the date fixed for the opening of the Session, i.e., *not later than 18 May 1938.*

8. Addresses of delegates and advisers.

In connection with the deposit of credentials, I venture to ask for the co-operation of Governments, as in previous years, in facilitating the compilation of the Provisional List of Delegates which is issued at the opening of the Conference. The arrangements as to places of meeting of the Conference and its committees will be changed this year, and it is therefore desirable that the Office should have available before the Session opens full information in respect of all members of delegations so as to be able to communicate with them without delay after their arrival in Geneva. In order to facilitate the task of Governments in supplying the necessary information, I am sending under separate cover a supply of registration forms to be filled in and returned to the Office either with the credentials or individually by the members of delegations as may be found convenient.

I have the honour to be, etc.

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

Eighty-third Session of the Governing Body of the International Labour Office

The Governing Body of the International Labour Office held its Eighty-third Session from 28 to 30 April 1938, under the chairmanship of Mr. Leggett.

The agenda of the Session was as follows :

1. Approval of the Minutes of the Eighty-second Session.
2. Record of the Meeting of the Permanent Agricultural Committee.
3. Record of the Technical Conference of Experts on Migration for Settlement.
4. Report of the Committee of Experts on the Application of Conventions (Article 22 of the Constitution).
5. Approval of Various Forms for the Annual Reports on the Application of Conventions.
6. Consideration of the Decisions of the Assembly of the League of Nations which affect the International Labour Organisation.
7. The Director's Report.
8. Date and Place of the Next Session.
9. Report of the Finance Committee (Budget Estimates for 1939).
10. Draft Report prepared by the Office for Submission to the Conference on the Question of the Appointment of an Employers' Delegate at the International Labour Conference by the Union of Soviet Socialist Republics.
11. Report of the Standing Orders Committee.
12. Record of the Meeting of the Advisory Committee on Salaried Employees.
13. Report of the Officers of the Advisory Committee on Professional Workers.
14. Examination of the Representation made by the Agricultural Workers' Union of Estonia concerning the Application in Estonia of the Right of Association (Agriculture) Convention, 1921 (No. 11).
15. Examination of the Representation made by the *Société de Bienfaisance des Travailleurs de l'Ile Maurice* concerning the Application of Certain International Labour Conventions in the Island of Mauritius.

The composition of the Governing Body was as follows :

Government representatives :

Mr. LEGGETT (*Great Britain*), Chairman;
 Mr. SAUNDERS (*United States of America*);
 Mr. DE BARROS PIMENTEL (*Brazil*);
 Mr. HUME WRONG (*Canada*);
 Mr. GARCÍA OLDINI (*Chile*);
 Mr. LI PING-HENG (*China*);
 Mr. FABRA RIBAS (*Spain*);
 Mr. JUSTIN GODART (*France*);
 Mr. MAJID (*India*);
 Mr. KITAOKA (*Japan*);
 Miss PALMA GUILLEN (*Mexico*);
 Mr. BERG (*Norway*);
 Mr. KOMARNICKI (*Poland*);
 Mr. SOUBBOTITCH (*Yugoslavia*).

Employers' representatives :

Mr. OERSTED (*Denmark*);
 Mr. ČURČIN (*Yugoslavia*);
 Mr. ERULKAR (*India*);
 Mr. GÉRARD (*Belgium*);
 Mr. KIRKALDY (*Great Britain*);
 Mr. TZAUT (*Switzerland*);
 Mr. VOLKMANN (*United States of America*);
 Mr. WALINE (*France*).

Workers' representatives :

Mr. ANDERSSON (*Sweden*);
 Mr. CABALLERO (*Spain*);
 Mr. HALLSWORTH (*Great Britain*);
 Mr. JENSEN (*Denmark*);
 Mr. JOUHAUX (*France*);
 Mr. NĚMEČEK (*Czechoslovakia*);
 Mr. SCHÜRCH (*Switzerland*);
 Mr. WATT (*United States of America*).

The following deputy members were also present :

Government deputy members :

Mr. BJÖRCK (*Sweden*);
 Mr. CREMINS (*Ireland*);
 Mr. KOTEK (*Czechoslovakia*).

Employers' deputy members :

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

Workers' deputy members :

Mr. HINDAHL (*Norway*);
 Mr. KREKITCH (*Yugoslavia*);
 Mr. KUPERS (*Netherlands*);
 Mr. PEYER (*Hungary*).

Composition of the Governing Body.

The Governing Body was informed that the employers' group had appointed Mr. Gérard (Belgium), who was previously a deputy member, as a regular member of the Governing Body in order to fill the seat left vacant by the resignation of Mr. Olivetti (Italy).

The Governing Body was informed of the resignation of Mr. Momtchiloff (Bulgaria), deputy member for the Japanese Government representative, and Mr. Camuzzi (Austria), employers' deputy member.

Statement by the Director of the International Labour Office.

The Director informed the Governing Body of his intention of resigning his office towards the end of 1938 in the following statement :

I wish to make a short personal statement. The Governing Body will remember that at the time of my appointment I requested that my contract should run for a period of seven years only. Although my appointment was, in fact, made for ten years, I nevertheless indicated that I should not desire to remain for so long a period. By the end of this year I shall have been nearly seven years in charge of the Office, and I have asked for this opportunity of informing the Governing Body of my desire to relinquish my post about that time.

I need hardly assure the Governing Body that I am not making this request without long and anxious reflection, or without having carefully weighed all the consequences to the Organisation. I am glad to think that my successor will be able to take office at a time when the prestige and standing of the Organisation remain unabated, despite the difficulties caused by the recent depression and political troubles of the last few years.

I naturally face leaving the international work, to which I have devoted nineteen years of my life, with the utmost regret, but I intend to continue to work for the ideals for which the Office stands. I have reason to hope that I may find in my own country an opportunity of service in the social field. In this way I am hoping to keep touch with some at least of the many friends whose collaboration I have valued so much during my association with the Office.

I am naturally anxious that my departure should cause as little disturbance as possible to the work of the Organisation, and that ample time should be available for the selection of my successor. I am therefore in the hands of the Governing Body as to the precise date at which I should relinquish my post, and can assure them that I shall do everything in my power to render the transition as smooth and easy as possible.

In order to avoid any misunderstanding, I ought to add that I arranged with the Chairman to make this statement to the Governing Body some days ago, and that I had prepared it before certain unauthorised and inaccurate statements appeared in the Press. The Governing Body will, I am sure, not suppose that I could have entered into any commitment before informing them of my intentions and regularising my position, and I can assure them that I have entered into no engagement incompatible with my position as Director.

The Governing Body decided to place the following item on the agenda of its Eighty-fourth Session :

Question of the Resignation of the Director of the International Labour Office.

Record of the Meeting of the Permanent Agricultural Committee.

The Governing Body considered the record of the first meeting of the Permanent Agricultural Committee, which met from 7 to 15 February 1938.

In accordance with the suggestion of the Committee, the Governing Body decided to keep the question of holidays with pay specially in mind when planning the agenda of future sessions of the International Labour Conference.

It decided that when it fixed the date and agenda of the next session of the Permanent Agricultural Committee, it would consider the Committee's request that the question of hours of work in agriculture should be submitted to it again with a view to its being placed on the agenda of one of the next sessions of the Conference, and that a full report on the protection of child labour in agriculture should be submitted to it for final discussion.

It decided that the Office should prepare a short note on the effect of existing wage-fixing machinery in agriculture before the Governing Body submitted the question again to the Committee for a discussion of technical details.

The Governing Body decided that the Mixed Advisory Agricultural Committee should at its forthcoming meeting discuss the practical methods of collaboration between the Office and the International Institute of Agriculture and the other competent international bodies in order to obtain further information on economic, financial, hygienic, educational and other problems in agriculture.

The Governing Body instructed the Office to draw up a preliminary report on the methods by which social protection against accidents, illness, old age, etc., could be more generally extended to the agricultural population, and also on the social effects of mechanisation and rationalisation in agriculture.

The Governing Body instructed the Office to bring to the attention of the proper authorities the hope expressed by the Permanent Agricultural Committee that the position of agriculturists would be fully taken into account in the enquiry into standards of living initiated by the Assembly of the League of Nations.

The Governing Body decided to inform Governments of the importance which the Permanent Agricultural Committee attaches to the recommendations of the Mixed Committee on Nutrition concerning the establishment of national nutrition committees on which agricultural interests should also be represented.

It was agreed that the Office should submit to the Governing Body at its October Session a report on the possible enlargement of the Committee, as well as proposals concerning the date and agenda of its next session.

Record of the Technical Conference of Experts on Migration for Settlement.

The Governing Body considered the record of the Technical Conference of Experts on Migration for Settlement, which met from 28 February to 7 March 1938. It decided that the report of the Technical Conference of Experts should be sent by the Office to all the Governments and to the Secretary-General of the League of Nations. It instructed the Office to undertake the following duties suggested by the Conference :

- (a) to set up and maintain a regular service of information regarding migration for settlement with a view to facilitating the exchange of such information between the countries concerned;
- (b) to continue its technical researches into the organisation of migration for settlement; and in particular to undertake, if possible at an early date, a study of the organisation of the official settlement institutions mentioned and of the lessons to be learned from experience as regards the principles on which these institutions are organised and worked.

It was agreed that the Director should undertake preliminary negotiations with the Secretary-General of the League concerning the Mixed Committee proposed by the Conference, and that a report on the results should be submitted to the Governing Body at a subsequent session.

Report of the Committee of Experts on the Application of Conventions (Article 22 of the Constitution).

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 forms for Annual Reports relating to the Sheet Glass Works Convention, 1934 (No. 43), the Unemployment Provision Convention, 1934 (No. 44), and the Reduction of Hours of Work (Glass Bottle Works) Convention, 1935 (No. 49).

The Director's Report.

Preparatory Technical Conference on Labour Inspection.—The Governing Body decided to invite the Governments of all the States Members to send one or more representatives of their labour inspection services to a Preparatory Technical Conference on Labour Inspection to be held at Geneva during the week

preceding the opening of the 1939 Session of the International Labour Conference. The Preparatory Technical Conference will be asked to consider the following question :

The general principles for the organisation of systems of inspection carried out in industrial undertakings (excluding mining and transport undertakings) and commercial undertakings, in order to secure the enforcement of legal provisions relating to the conditions of work and the protection of the workers while engaged in their work.

The Governing Body decided to be represented at this Conference by two members from each group.

Committee of Experts on Safety in Coal Mines.—The Governing Body authorised the Office to call a meeting of the Committee of Experts on Safety in Coal Mines at some suitable date between the last part of September and the first part of November 1938, to consider the following agenda :

Discussion of a report by the Office on the law and practice as regards safety in mines with a view to the drawing up of draft model safety regulations for coal mines and/or Recommendations on the subject.

International Committee on Public Works.—The Governing Body noted that Mr. Nečas, Minister of Social Welfare of Czechoslovakia, had consented to preside over the International Public Works Committee, which is to hold its first meeting on 27 June 1938.

Meeting of Experts on Silicosis.—The Governing Body appointed Mr. Kitaoka, with Mr. García Oldini as substitute, to represent the Government group of the Governing Body at the Meeting of Experts on Silicosis which it had decided to convene at its last session.

Preparatory Committee on the Textile Industry.—The Governing Body made the following appointments to this Committee :

Government group : United States of America;
France;
Great Britain;
India;
Japan.

Substitute : Spain.

Employers' group : Mr. Forbes Watson;
Mr. Molenaar;
Mr. Harriman;
Mr. Erulkar;
Mr. Oersted.

Substitutes : Mr. Lambert-Ribot;
Mr. Vaněk;
Mr. Čurčín;
Mr. Gérard;
Mr. Tzaut.

Workers' group : Mr. Hallsworth;
 Mr. Jouhaux;
 Mr. Joshi;
 Mr. Němeček;
 Mr. Watt.

Substitute : Mr. Jensen.

It decided that the Preparatory Committee on the Textile Industry should meet on Monday, 30 May 1938.

Advisory Committee of Correspondents on Workers' Spare Time : Meeting of Experts.—The Governing Body authorised the Office to call a meeting of about ten experts of this Committee, in addition to the six members of the Governing Body who have seats on the Committee, in connection with the October Session of the Governing Body. The agenda of the Committee will be as follows :

1. Facilities for workers' holidays during their holidays with pay.
2. Holiday camps for young workers.

Migration Committee.—The Governing Body decided to raise the number of members of the Migration Committee from four to six per group. It approved the following nominations made for this Committee by the Government group :

Brazil;
 Chile;
 France;
 Japan;
 Poland;
 Yugoslavia.

Substitute : China.

It also approved the following two additional nominations made by the employers' group :

Mr. Tzaut;
 Mr. Oersted.

It was agreed that the workers' group should submit two additional nominations subsequently.

Correspondence Committee on Migration.—The Governing Body appointed the following persons to represent it on this Committee :

Government group : Mr. de Barros Pimentel.

Substitute : Mr. Komarnicki.

Employers' group : Mr. Oersted.

Substitute : Mr. Čurčin.

Workers' group : Mr. Kupers.

The Governing Body appointed the following experts as members of the Correspondence Committee on Migration :

- Mr. T. H. Garrett (Australian), Chief Clerk, Department of the Interior, Canberra;
- Mr. G. del Fierro Saldivar (Chilean), of the Chilean Labour Inspection Department;
- Mr. L. Nagel Arbulu (Chilean), of the Chilean Ministry of Foreign Affairs;
- Mr. P. F. Kincaid (South African), Commissioner for Immigration and Asiatic Affairs, Pretoria.

Correspondence Committee on Social Insurance.—The Governing Body appointed Mr. Radovan Matjasic (Yugoslav), Director-General of the Central Office for Workers' Insurance at Zagreb, as expert on questions of sickness insurance and invalidity, old-age and widows' and orphans' insurance on the Correspondence Committee on Social Insurance.

Correspondence Committee on Industrial Hygiene.—The Governing Body appointed Dr. Stevan Ivanitch (Yugoslav), Chief of the Health Section of the Ministry of Social Policy and Public Health, Yugoslavia, and Dr. Ivo Kun (Yugoslav), Higher Counsellor, as members of the Correspondence Committee on Industrial Hygiene.

Correspondence Committee on Accident Prevention.—The Governing Body appointed Mr. Arne Baggerud (Norwegian), mechanical engineer, technical adviser in the Chief Inspectorate of Labour of Norway, as a member of the Correspondence Committee on Accident Prevention.

Committee of Experts on Native Labour.—The Governing Body appointed Dr. E. A. Gilmore (United States), President of the State University of Iowa, as a member of this Committee in place of Mr. J. B. Chamberlain, resigned.

Committee of Experts on the Rights of Performers.—The Governing Body approved the appointment of Dr. Ladislav Sourek, Chairman of the Legal Committee of the International Broadcasting Union, and Chairman of the Managing Board of the Czechoslovak Broadcasting Organisation "Radio-Journal", as an expert on this Committee.

Committee of Experts on Safety in Coal Mines.—The Governing Body appointed Mr. Adolphe Breyre (Belgian), Chief Engineer, Director of Mines, Director of the National Institute of Mines and Professor in the University of Liège, as substitute for Mr. Gustave Raven on this Committee.

Date and Place of the Next Session.

The Governing Body decided that its Eighty-fourth Session should be held at Geneva on 31 May 1938.

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 1939.

The total estimated expenditure is 10,271,609 Swiss francs, from which should be deducted appropriations-in-aid amounting to 211,942 Swiss francs. The sum representing the total contributions of States Members of the International Labour Organisation, whether or not they are Members of the League of Nations, is therefore 10,059,667 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.

Draft Report on the Appointment of an Employers' Delegate at the International Labour Conference by the Union of Soviet Socialist Republics.

The Governing Body approved the draft report prepared by the Office for submission to the Conference on the question of the appointment of an employers' delegate at the International Labour Conference by the Union of Soviet Socialist Republics.

Record of the Meeting of the Advisory Committee on Salaried Employees.

The Governing Body considered the record of the meeting of the Advisory Committee on Salaried Employees held on 22 and 23 April 1938. It authorised the Office to communicate to Governments the conclusions formulated by the Committee on the questions of the legal position of salaried employees, the vocational representation of salaried employees, and the regulation of conditions of employment and the occupational organisation of salaried employees in 1937.

Report of the Officers of the Advisory Committee on Professional Workers.

The Governing Body considered the report of the Officers of the Advisory Committee on Professional Workers, who had met on 28 April 1938.

In accordance with the suggestions of the Officers, the Governing Body decided to place the following questions on the agenda of the next session of the Advisory Committee on Professional Workers to be held in 1939 :

1. Examination from the point of view of professional workers of the questions placed on the agenda of the Twenty-fifth Session of the International Labour Conference.
2. Protection of titles and professional organisation for veterinary surgeons.

3. Maintenance of pension rights in course of acquisition by professional workers who change their employment.
4. Communication concerning the work of the Committee of Experts on the rights of performers.
5. Communication concerning the work undertaken by the International Institute of Intellectual Co-operation in agreement with the International Labour Office concerning unemployment among professional workers.

Examination of the Representation made by the Agricultural Workers' Union of Estonia concerning the Application in Estonia of the Right of Association (Agriculture) Convention, 1921 (No. 11).

Examination of the Representation made by the Société de Bienfaisance des Travailleurs de l'Île Maurice concerning the Application of Certain International Labour Conventions in the Island of Mauritius.

The Governing Body discussed these questions in private sitting.

The Governing Body noted that the report of the Standing Orders Committee was withdrawn from its agenda as the Committee had not met in connection with the Eighty-third Session.

The Governing Body adjourned the following question until its Eighty-fourth Session :

Consideration of the Decisions of the Assembly of the League of Nations which affect the International Labour Organisation.

Situation of Austria with regard to the International Labour Organisation

The International Labour Office received the following communication from the German Minister of Labour :

(Translation.)

Berlin, 8 April 1938.

Sir,

The Ministry of Foreign Affairs informed the Secretary-General of the League of Nations by a letter of 18 March 1938, No. Pol. IV. 1753, that on the day of the promulgation of the Act concerning the reunion of Austria with the German Reich on 13 March 1938 the membership of the former Federal State of Austria in the League of Nations came to an end.

I have the honour to inform you that the membership of the former Federal State of Austria in the International Labour Organisation terminated at the same time.

I have the honour, etc.

(Signed) FRANZ SELDTE.

The Acting Director of the International Labour Office replied to the Minister of Labour on 14 April by the following letter :

(Translation.)

Geneva, 14 April 1938.

Sir,

I have the honour to acknowledge the receipt of your letter of 8 April 1938 concerning the situation of Austria with regard to the International Labour Organisation.

I shall not fail to transmit this communication to the Governing Body of the International Labour Office.

I have the honour, etc.

(Signed) E. J. PHELAN,
Acting Director.

Representations concerning the Application of International Labour Conventions

In the course of its 83rd Session, the Governing Body decided to publish the following report containing its decision relating to a representation concerning international labour Conventions submitted under Article 23 of the Constitution.

Representation submitted by the Société de Bienfaisance des Travailleurs de l'Île Maurice concerning the application of certain international labour Conventions in the Island of Mauritius.

Report of the Committee of the Governing Body

[Adopted by the Governing Body at its 83rd Session]

1. The members of the Governing Body have been furnished with a copy of the letter¹ dated 4 January 1938, in which Mr. Curé, President of the *Société de Bienfaisance des Travailleurs de l'Île Maurice* replied to the communication in which the Director, in accordance with the decision taken by the Governing Body, requested "precise information" which would enable the Governing Body to determine whether the organisation making the representation was in fact an industrial association within the meaning of Article 23 of the Constitution.

2. Members of the Governing Body will have seen that Mr. Curé's letter does not reply exactly to the question, but requests the Governing Body to "suspend the examination of the representation" in view of the fact that "the British Government has appointed a Committee of Enquiry in Mauritius in order to establish other conditions of work in this country".

3. Mr. Curé's communication does not entail the automatic withdrawal of the representation from the agenda of the Governing Body. Indeed, when a representation is made to it, the Governing Body alone is competent to decide what effect shall be given

¹ In this letter the President of the *Société de Bienfaisance des Travailleurs de l'Île Maurice* referred to a letter addressed by him to the Chairman of the Governing Body on 16 August 1937, asking that the representation previously made on behalf of the Labour Party of Mauritius be considered as made by the *Société de Bienfaisance des Travailleurs de l'Île Maurice*. See Vol. XXII, No. 2, pp. 66 *et seq.*

to it. The withdrawal by the organisation making the representation is not always proof that the representation is not receivable or is not well founded.

It is therefore for the Governing Body to take a decision in this case.

4. The Committee noted that the *Société de Bienfaisance des Travailleurs de l'Ile Maurice* :

- (a) has refrained from submitting the evidence requested by the Governing Body to show that it is in fact an "industrial association" within the meaning of Article 23 of the Constitution, which is an essential condition for the validity of a representation;
- (b) requests, for the reasons given above, that "the examination of the representation" should be suspended.

In the circumstances the Committee suggests that the Governing Body should decide that it is no longer necessary that the representation made by the *Société de Bienfaisance des Travailleurs de l'Ile Maurice* should appear on its agenda.

The Committee of the Governing Body also proposes that this decision and this report should be published.

(Signed) H. H. WRONG.

(Signed) H. C. OERSTED.

(Signed) ROBERT J. WATT.

Geneva, 28 April 1938.

Official Action on the Decisions of the International Labour Conference

Belgium.

Formal ratification of the Conventions, (No. 53) concerning the minimum requirement of professional capacity for masters and officers on board merchant ships (1936), (No. 54) concerning annual holidays with pay for seamen (1936), (No. 55) concerning the liability of the shipowner in case of sickness, injury or death of seamen, (No. 57) concerning hours of work on board ship and manning (1936), and (No. 58) fixing the minimum age for admission of children to employment at sea (revised 1936).

By letter of 12 April 1938 the Secretary-General of the League of Nations informed the Office that the Minister for Foreign Affairs of Belgium 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 Belgian 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, these ratifications were registered by the Secretariat on 11 April 1938.

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

(Translation.)

Brussels, 9 April 1938.

Sir,

In accordance with Article 405, paragraph 7, of the Treaty of Versailles, I have the honour to inform you officially that the Conventions drafted by the International Labour Conference at its Twenty-first and Twenty-second Sessions have been duly submitted to the Belgian Legislative Chambers and approved by them.

I therefore request you to register the ratification by Belgium of the Conventions which follow :

- Convention concerning the minimum requirement of professional capacity for masters and officers on board merchant ships;
- Convention concerning annual holidays with pay for seamen;
- Convention concerning hours of work on board ship and manning;
- Convention concerning the liability of the shipowner in case of sickness, injury or death of seamen;
- Convention fixing afresh the minimum age for admission of children to employment at sea.

This ratification is made subject to subsequent decisions with regard to the application of these Conventions to the Belgian Congo and to the territories placed under Belgian mandate.

I attach to this communication the Belgian instrument of ratification of the aforesaid Conventions.

I have the honour to be, etc.

For the Minister :

(Signed) VAN LANGENHOVE,
Secretary-General.

The instrument of ratification concerning the minimum requirement of professional capacity for masters and officers on board merchant ships is as follows :

(Translation.)

LEOPOLD III, KING OF THE BELGIANS,

To all present and to come, Greeting!

Having seen and examined the International Convention concerning the minimum requirement of professional capacity for masters and officers on board merchant ships, adopted at Geneva on 24 October 1936 by the International Labour Conference at its Twenty-first Session, the tenor of which is as follows :

(Here follows the French text of the Convention)

We, being in agreement with the aforesaid Convention, hereby approve, ratify and confirm it, promising to cause it to be observed according to its form and tenor, without permitting it to be violated in any manner whatsoever.

In Faith thereof, We have signed the present letters of ratification and have caused Our Royal Seal to be affixed thereto.

Given at Brussels this thirty-first day of the month of March in the year of Grace one thousand nine hundred and thirty-eight.

(Signed) LEOPOLD.

By the King :

(Signed) P. H. SPAAK,
*Minister for Foreign Affairs
and External Trade.*

The instruments of ratification of the other Conventions are in similar terms.

Denmark.

Formal ratification of the Convention (No. 16) concerning the compulsory medical examination of children and young persons employed at sea (1921).

By letter of 26 April 1938 the Secretary-General of the League of Nations informed the Office that by letter of 23 April 1938 the Permanent Delegate of Denmark accredited to the League of Nations had communicated to him the formal ratification of the above-named Convention by the Royal Government of Denmark.

This ratification was registered by the Secretariat of the League of Nations on 23 April 1938.

The letter of the Permanent Delegate of Denmark accredited to the League of Nations is as follows :

(Translation.)

Geneva, 23 April 1938.

Sir,

Under instructions from my Government, I have the honour to forward herewith the instrument of ratification relative to the International Convention concerning the compulsory medical examination of children and young persons employed at sea, and request that you may be good enough to cause it to be registered.

I shall be obliged if you will kindly supply me with four copies of a list of the countries between which the Convention is in force.

I have the honour to be, etc.

(Signed) WILLIAM BORBERG.

The text of the instrument of ratification is as follows :

(Translation.)

WE, CHRISTIAN THE TENTH,

By the Grace of God, King of Denmark and Iceland, of the Vandals and the Goths, Duke of Slesvig, Holstein, Stormarn, of the Ditmarshes of Lauenburg and Oldenburg,

HEREBY MAKE KNOWN : that having read and examined the International Convention concerning the compulsory medical examination of children and young persons employed at sea, adopted by the International Labour Conference at its Third Session at Geneva from 25 October to 19 November 1921, which Convention is word for word in the following terms :

(Here follows the text of the Convention)

We have approved, confirmed and ratified the said Convention for the Kingdom of Denmark, with the exception of Greenland, as by these presents We approve, confirm and ratify it in the most solemn and binding manner possible, in Our name and that of Our successors, promising by Royal word in Our name and theirs to observe and to cause to be scrupulously observed the said Convention in all its terms and clauses.

In Faith whereof We have signed with Our own hand this instrument of ratification and have caused Our Royal Seal to be affixed thereto.

Given at Amalienborg this twelfth day of April in the year one thousand nine hundred and thirty-eight and the twenty-sixth year of Our Reign.

(Signed) CHRISTIAN R.
(L. S.)

(Countersigned) P. MUNCH.

Translation certified in agreement

(Signed) E. C. MOHR,
*Secretary-General of the Ministry
of Foreign Affairs.*

India.

Formal ratification of Convention No. 45 concerning the employment of women on underground work in mines of all kinds (1935).

By letter of 25 March 1938 the Secretary-General of the League of Nations informed the Office that by letter of 22 March 1938

His Majesty's Secretary of State for India had communicated to him, in accordance with the seventh paragraph of Article 405 of the Treaty of Versailles, the formal ratification by the Government of India of the above-named Convention.

In conformity with Article 406 of the Treaty of Versailles this ratification was registered by the Secretariat on 25 March 1938.

The letter from His Majesty's Secretary of State for India to the Secretary-General of the League of Nations is as follows :

India Office, Whitehall,
22 March 1938.

Sir,

In accordance with the seventh paragraph of Article 405 of the Treaty of Versailles I have the honour to communicate to you the ratification by the Governor-General of India in Council of the Underground Work (Women) Convention adopted by the International Labour Conference at its Nineteenth Session in 1935.

A copy of a Notification issued by the Governor-General in Council on the 1st February 1937 publishing regulations prohibiting the employment of women underground in mines is enclosed. There is also enclosed a copy of a Notification of the 17th June 1937 in virtue of which the regulations promulgated by the former Notification did not come into full operation until the 1st October 1937¹.

The Convention will also be brought to the notice of those Indian States to which its provisions appear to be relevant.

I am, etc.

(Signed) ZETLAND.

Denunciation of the Convention (No. 2) concerning Unemployment (1919).

By letter of 19 April 1938 the Secretary-General of the League of Nations informed the Office that His Majesty's Secretary of State for India had communicated to him the formal denunciation by India of the above-named Convention. This denunciation was registered by the Secretariat on 16 April 1938. In accordance with the provisions of Article 9 of the Convention, the denunciation will take effect one year after that date.

The letter to the Secretary-General of the League of Nations by which this denunciation was effected was in the following terms :

India Office, Whitehall,
13 April 1938.

Sir,

I have the honour to inform you that the Governor-General of India in Council has decided to denounce the Convention concerning Unemployment which was adopted by the International Labour Conference at Washington in 1919 and the ratification of which on behalf of India was communicated to you in my predecessor's letter of the 12th July 1921. I therefore request you to regard this letter as communicating the act of denunciation required by Article 9 of the Convention and to be good enough to inform me of the date on which it is registered at the Secretariat in order that the Governor-General of India in Council may be aware of the date on which their denunciation will take effect.

I am, etc.,

(Signed) ZETLAND.

¹ These documents are not reproduced.

The reasons which have led to the denunciation of this Convention by the Government of India are set out in the following letter addressed by the Under-Secretary of State for India to the Director of the International Labour Office :

London, 14 April 1938.

Sir,

I am directed by the Secretary of State for India to inform you that the Government of India have decided to denounce the International Labour Convention adopted at the Washington Labour Conference in 1919 concerning Unemployment and that the necessary notice has been given to the Secretary-General of the League of Nations. In apprising you of this decision I am to indicate the reasons which have led to it.

2. The Government of India Act of 1935 has effected important changes in the constitutional position in India, and in particular, has altered substantially the relations between the Central Government and the Provinces in the sphere of Labour. Whereas prior to 1st April, 1937, the Central Government had powers of superintendence, direction and control over the Provincial Governments in that respect, the latter are now autonomous within their own sphere. So far as the present question is concerned, the position is that "Unemployment" is now a matter upon which the Provincial Governments and Legislatures possess exclusive jurisdiction. In other words, the power both of legislation and administration has passed entirely from the hands of the Central Government.

3. In respect of the Unemployment Convention, the effect is briefly as follows. Whereas the Government of India had formerly power to require the submission of the statistics whose supply is obligatory under Article 1 of the Convention, they have now no such power. Further, whereas they formerly constituted a "central authority" having ultimate control over the provincial authorities for the purposes of Article 2 of the Convention, such power of control has now disappeared.

4. The Government of India felt themselves justified in ratifying the Convention by the existence of the Indian Famine Relief system, which has, under the conditions prevailing in India, served the purpose of providing against the effects of unemployment. The view has been held in some quarters that the creation of agencies on Western lines—particularly for industrial workers—is required if India is to give due effect to the provisions of the Convention. Though not admitting the validity of this view, the Government of India have from time to time reviewed the possibility of setting up such employment agencies. But up to the end of the period during which the Central Government were responsible for the subject of unemployment the conditions had not in their judgment become ripe for such a step, and as has been already explained, the Constitutional responsibility for the subject has now passed to the Governments of the Provinces.

5. For all these reasons the Government of India consider it undesirable that India should continue to be bound by the provisions of the Convention and have therefore reluctantly decided that its denunciation is the only proper course to be taken. They are, however, confident that this step will have no adverse effect on those in India whom the Convention was designed to protect.

I am, Sir,

Your obedient Servant,

(Signed) C. KISH.

Iraq.

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

By letter of 29 March 1938 the Secretary-General of the League of Nations informed the Office that the Minister for Foreign

Affairs of Iraq 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 Iraq 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 28 March 1938.

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

23 March 1938.

Sir,

I have the honour to inform you that the Government of Iraq have now confirmed and approved the draft Convention (No. 41) concerning the Employment of Women during the Night which was adopted by the International Labour Conference on 19th June 1934, and to transmit herewith the Ratification thereof executed by His Majesty the King together with an unofficial English translation thereof.

I shall be grateful if in acknowledging the receipt of this communication you will inform me of the date of registration of the above-mentioned Ratification and the consequent date on which the Convention will come into force for Iraq.

I have the honour to be, etc.,

(Signed) SABIB NAJIB,
for Minister for Foreign Affairs.

The instrument of ratification is as follows :

BY THE GRACE OF GOD
GHAZI THE FIRST, KING OF IRAQ

To all to whom this Instrument shall come, Greeting.

WHEREAS on the 19th June, 1934, the International Labour Conference adopted a Draft Convention (No. 41) concerning the employment of women during the night (revised 1934) :

And whereas on the 12th September, 1934, the Secretary-General of the League of Nations communicated to our Minister for Foreign Affairs a certified true copy of the said Draft Convention :

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 obtained on March 28, 1937, 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 has been taken :

We, having seen and considered the said Draft Convention, have approved, accepted and confirmed the same in all and every one of its Articles and Clauses, as We do by this instrument approve, accept, confirm and ratify them for Ourselves, Our Heirs and Successors; engaging and promising upon Our Royal Word that We will sincerely and faithfully perform and observe all and singular the things which are contained and expressed in the said Draft Convention, and that We will never suffer the same to be violated by any one, or transgressed in any manner, as far as lies in Our power. For the greater testimony and validity of all which We

have caused Our Royal Seal to be affixed to this instrument, which We have signed with Our Royal Hand.

Done at Our Royal Palace at Baghdad, the twenty-eighth day of Dhil Hujja, 1356 of the Hijra, corresponding with the first day of March 1938, of the Christian Era, and in the fifth year of Our Reign.

(Seal)

By His Majesty's Command :
(Signed) TOWFIR EL-SUWAIDI,
Minister for Foreign Affairs.

New Zealand.

Formal ratification of the Conventions, (No. 1) limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week (1919), (No. 2) concerning unemployment (1919), (No. 9) for establishing facilities for finding employment for seamen (1920), (No. 11) concerning rights of association and combination of agricultural workers (1921), (No. 12) concerning workmen's compensation in agriculture (1921), (No. 14) concerning application of the weekly rest in industrial undertakings (1921), (No. 17) concerning workmen's compensation for accidents (1925), (No. 21) concerning the simplification of the inspection of emigrants on board ship (1926), (No. 22) concerning seamen's articles of agreement (1926), (No. 26) concerning the creation of minimum wage-fixing machinery (1928), (No. 29) concerning forced or compulsory labour (1930), (No. 30) concerning the regulation of hours of work in commerce and offices (1930), (No. 32) concerning the protection against accidents of workers employed in loading or unloading ships (revised 1932), (No. 41) concerning employment of women during the night (revised 1934), (No. 42) concerning workmen's compensation for occupational diseases (revised 1934), (No. 44) ensuring benefit or allowances to the involuntarily unemployed (1934), (No. 45) concerning employment of women on underground work in mines of all kinds (1935), (No. 47) concerning reduction of hours of work to forty a week (1935), (No. 49) concerning reduction of hours of work in glass-bottle works (1935), (No. 51) concerning reduction of hours of work on public works (1936), (No. 53) concerning the minimum requirement of professional capacity for masters and officers on board merchant ships (1936), (No. 61) concerning reduction of hours of work in the textile industry (1937).

By letter of 30 March 1938 the Secretary-General of the League of Nations informed the Office that the Prime Minister of New Zealand had communicated to him in accordance with Article 405 of the Treaty of Versailles the formal ratification by the Government of New Zealand of twenty-two international labour Conventions.

In accordance with Article 406 of the Treaty of Versailles, these ratifications were registered by the Secretariat on 29 March 1938.

The letter from the Prime Minister of New Zealand to the Secretary-General of the League of Nations is as follows :

Wellington, 11 March 1938.

Sir,

I have the honour to forward you herewith formal notification of the ratification by New Zealand of the twenty-two Draft Conventions set out in the attached instrument of ratification.

I have the honour to be, etc.,

(Signed) M. J. SAVAGE,
Prime Minister.

The instrument of ratification is as follows :

WHEREAS the Secretary-General of the League of Nations has communicated to His Majesty's Government in New Zealand a certified copy of each of the Draft Conventions adopted by the International Labour Conference as described in the Schedule hereto.

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 each of the said Draft Conventions has in respect of New Zealand 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 Conventions effective therein has been taken.

NOW THEREFORE the Government of New Zealand, having considered the said Draft Conventions, hereby confirm and ratify the same and undertake faithfully to perform and carry out all the stipulations therein contained.

IN WITNESS whereof this instrument of ratification is signed and sealed by the Prime Minister and Minister of External Affairs of the Dominion of New Zealand.

Dated at Wellington this eleventh day of March One thousand nine hundred and thirty-eight.

(Signed) M. J. SAVAGE,
Prime Minister and
Minister of External Affairs.

SCHEDULE

Year when Convention adopted	Number of Convention	Subject
1919	1	Hours of Work (Industry)
1919	2	Unemployment
1920	9	Placing of Seamen
1921	11	Right of Association (Agriculture)
1921	12	Workmen's Compensation (Agriculture)
1921	14	Weekly Rest (Industry)
1925	17	Workmen's Compensation (Accidents)
1926	21	Inspection of Emigrants
1926	22	Seamen's Articles of Agreement
1928	26	Minimum Wage-fixing Machinery
1930	29	Forced Labour
1930	30	Hours of Work (Commerce and Offices)

Year when Convention adopted	Number of Convention	Subject
1932	32	Protection against Accidents (Dockers) (Revised)
1934	41	Night Work (Women) (Revised)
1934	42	Workmen's Compensation (Occupational Diseases) (Revised)
1934	44	Unemployment Provision
1935	45	Underground Work (Women)
1935	47	Forty-Hour Week
1935	49	Reduction of Hours of Work (Glass-Bottle Works)
1936	51	Reduction of Hours of Work (Public Works)
1936	53	Officers' Competency Certificates
1937	61	Reduction of Hours of Work (Textile Industry)

(Seal)

Poland.

Formal ratification of the Convention (No. 48) concerning the establishment of an international scheme for the maintenance of rights under invalidity, old-age and widows' and orphans' insurance (1935).

By letter of 22 March 1938 the Secretary-General of the League of Nations informed the Office that the Permanent Delegate of the Republic of Poland accredited to the League of Nations had communicated to him, by letter of 18 March 1938, 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 Poland 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 21 March 1938.

The letter from the Permanent Delegate of the Republic of Poland to the League of Nations communicating the ratification of the Convention is as follows :

(Translation.)

Geneva, 18 March 1938.

Sir,

I have the honour to transmit to you herewith the formal ratification by Poland of the Convention concerning the establishment of an international scheme for the maintenance of rights under invalidity, old-age and widows' and orphans' insurance, adopted at Geneva on 22 June 1935 at the Nineteenth Session of the International Labour Conference, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace.

I have the honour to be, etc.

(Signed) TYTUS KOMARNICKI,
Minister Plenipotentiary.

The instrument of ratification of the Convention is as follows :

(Translation.)

ON BEHALF OF THE POLISH REPUBLIC

WE,

IGNACY MOSCICKI,

PRESIDENT OF THE POLISH REPUBLIC,

To all whom these presents may concern,
Greeting!

A Draft Convention concerning the establishment of an international scheme for the maintenance of rights under invalidity, old-age and widows' and orphans' insurance having been adopted by the General Conference of the International Labour Organisation at its Nineteenth Session at Geneva on the twenty-second day of June, One thousand nine hundred and thirty-five, the text of which Draft Convention is as follows :

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

Having seen and considered the said Draft Convention, We have approved it and approve all and each of its Articles and declare that it is accepted, ratified and confirmed, and promise that it will be observed inviolate.

In Faith whereof, We have given these presents, duly sealed with the Seal of the Republic.

Warsaw, 22 February 1938.

(Signed) I. MOSCICKI.

(Signed) SŁAWOJ-SKŁADKOWSKI,

(Signed) BECK,

President of the Council of Ministers.

Minister for Foreign Affairs.

Turkey.

Formal Ratification of the Convention (No. 45) concerning the employment of women on underground work in mines of all kinds (1935).

By letter of 22 April 1938 the Secretary-General of the League of Nations informed the Office that by letter of 20 April 1938 the Acting Chargé d'Affaires of the Permanent Delegation of Turkey accredited to the League of Nations had communicated to him, in execution of Article 19, paragraph 7, of the Constitution of the International Labour Organisation, the formal ratification of the above-mentioned Convention by the Government of the Turkish Republic.

In accordance with Article 20 of the Constitution of the International Labour Organisation, this ratification was registered by the Secretariat of the League of Nations on 21 April 1938.

The letter of the Acting Chargé d'Affaires of the Permanent Delegation of Turkey accredited to the League of Nations is as follows :

(Translation.)

Geneva, 20 April 1938.

Sir,

I have the honour, in accordance with Article 19, paragraph 7, of the Constitution of the International Labour Organisation, to communicate to you herewith the formal ratification by my Government of the Convention

concerning the employment of women on underground work in mines of all kinds, adopted by the International Labour Conference at its Nineteenth Session in 1935.

I have the honour to be, etc.

(Signed) NEDIM V. ILKIN,
Acting Chargé d'Affaires.

The instrument of ratification of the Convention is as follows :

(Translation.)

KEMAL ATATURK
President of the Turkish Republic

To all who may see these presents, Greeting :

The Turkish Republic has adhered to the international document known as the Underground Work (Women) Convention 1935 adopted by the General Conference of the International Labour Organisation at Geneva on 21 June 1935.

(Here follows the text of the Convention)

Having seen and examined the said Convention, We have approved and approve it in virtue of Law No. 3229 adopted by the Grand National Assembly of Turkey on 9 June 1937.

We declare that it will be accepted, ratified, and confirmed, and promise that it shall be observed inviolate.

In faith whereof We have given these presents, signed by Us and sealed with the Seal of the Republic.

Done at Ankara this ninth day of the month of March in the year one thousand nine hundred and thirty-eight.

(Signed) K. ATATURK.

For the President of the Republic

(Signed) DR. T. R. ARAS,
Minister for Foreign Affairs.

Translation certified in agreement

(Signed) SEDKET KICECI,
Chief of the Protocol.

Union of South Africa.

Recommendations (No. 50) concerning international co-operation in respect of public works, and (No. 51) concerning the national planning of public works (1937).

By letter of 30 March 1938 the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which the accredited representative of the Union of South Africa to the League of Nations informed him, in accordance with paragraph 6 of Article 405 of the Treaty of Versailles, of the action taken by the Government of the Union of South Africa on the subject of the above-named Recommendations.

The letter from the accredited representative of the Union of South Africa is as follows :

Geneva, 28 March 1938.

Sir,

I have the honour to inform you, in accordance with the provisions of Article 405 of the Treaty of Versailles, that the Government of the Union of South Africa have formally approved, for application in the Union, the following Recommendations adopted by the International Labour Conference at its Twenty-third Session (Geneva, 3rd-23rd June, 1937) :

1. Recommendation (No. 50) concerning International Co-operation in respect of Public Works; and
2. Recommendation (No. 51) concerning the National Planning of Public Works.

I have the honour to be, etc.,

(Signed) H. T. ANDREWS,
Accredited Representative.

Recommendation (No. 52) concerning the minimum age for the admission of children to industrial employment in family undertakings (1937).

By letter of 20 April 1938 the Secretary-General of the League of Nations transmitted to the Office a copy of a letter received from the Accredited Representative of the Union of South Africa to the League of Nations on the subject of the above-mentioned Recommendation.

The letter from the Accredited Representative of the Union of South Africa is as follows :

Geneva, 13 April 1938.

Sir,

I have the honour to inform you that, in terms of Article 405 of the Treaty of Peace (1919), the Government of the Union of South Africa duly considered Recommendation No. 52 concerning the minimum age for admission of children to industrial employment in family undertakings, passed by the International Labour Conference at its Twenty-third Session (Geneva, June 3rd-23rd, 1937), and decided not to adopt the aforesaid Recommendation.

I have the honour to be, etc.,

(Signed) H. T. ANDREWS,
Accredited Representative.

Recommendations (No. 53) concerning safety provisions in the building industry, (No. 54) concerning inspection in the building industry, (No. 55) concerning co-operation in accident prevention in the building industry (1937).

By letter of 26 April 1938 the Secretary-General of the League of Nations transmitted to the Office a copy of a letter received from the Accredited Representative of the Union of South Africa to the League of Nations on the subject of the above-named Recommendations.

The letter from the Accredited Representative of the Union of South Africa is as follows :

Geneva, 26 April 1938.

Sir,

I have the honour to inform you, in terms of Article 405 of the Treaty of Peace (1919) that the Government of the Union of South Africa duly gave consideration to International Labour Recommendations Nos. 53, 54 and 55 concerning Safety Provisions in the Building Industry passed by the International Labour Conference at its Twenty-third Session (Geneva, 3rd-23rd June 1937), and have decided not to adopt the aforesaid Recommendations.

It will be appreciated if you will be good enough to notify the Director of the International Labour Office accordingly.

I have the honour to be, etc.,

(Signed) H. T. ANDREWS,
Accredited Representative.

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OFFICIAL BULLETIN

1 August 1938.

Vol. XXIII. No. 3

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INTERNATIONAL LABOUR OFFICE

OFFICIAL BULLETIN

1 August 1938.

Vol. XXIII. No. 3.

Draft Convention adopted by the Twenty-fourth Session of the International Labour Conference

Draft Convention [No. 63] concerning statistics of wages and hours of work in the principal mining and manufacturing industries, including building and construction, and in agriculture.

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-fourth Session on 2 June 1938, and

Having decided upon the adoption of certain proposals with regard to statistics of wages and hours of work in the principal mining and manufacturing industries including building and construction, and in agriculture, which is the sixth item on the agenda of the Session, and

Having determined that these proposals shall take the form of a Draft International Convention, and

Having determined that, although it is desirable that all Members of the Organisation should compile statistics of average earnings and of hours actually worked which comply with the requirements of Part II of this Convention, it is nevertheless expedient that the Convention should be open to ratification by Members which are not in a position to comply with the requirements of that Part,

adopts, this twentieth day of June of the year one thousand nine hundred and thirty-eight the following Draft Convention which may be cited as the Convention concerning Statistics of Wages and Hours of Work, 1938 :

PART I.—GENERAL PROVISIONS.

Article 1.

Each Member of the International Labour Organisation which ratifies this Convention undertakes that :

- (a) it will compile as required by this Convention statistics relating to wages and hours of work;
- (b) it will publish the data compiled in pursuance of this Convention as promptly as possible and will endeavour to publish data collected at quarterly or more frequent intervals during the succeeding quarter and to publish data collected at intervals of six or twelve months during the succeeding six or twelve months respectively; and
- (c) it will communicate the data compiled in pursuance of this Convention to the International Labour Office at the earliest possible date.

Article 2.

1. Any Member which ratifies this Convention may, by a declaration appended to its ratification, exclude from its acceptance of the Convention :

- (a) any one of Parts II, III, or IV; or
- (b) Parts II and IV; or
- (c) Parts III and IV.

2. Any Member which has made such a declaration may at any time cancel that declaration by a subsequent declaration.

3. Every Member for which a declaration made under paragraph 1 of this Article is in force shall indicate each year in its annual report upon the application of this Convention the extent to which any progress has been made with a view to the application of the Part or Parts of the Convention excluded from its acceptance.

Article 3.

Nothing in this Convention imposes any obligation to publish or to reveal particulars which would result in the disclosure of information relating to any individual undertaking or establishment.

Article 4.

1. Each Member which ratifies this Convention undertakes that its competent statistical authority shall, unless it has already obtained the information in some other way, make enquiries relating either to all, or to a representative part, of the wage earners concerned, in order to obtain the information required

for the purpose of the statistics which it has undertaken to compile in accordance with this Convention.

2. Nothing in this Convention shall be interpreted as requiring any Member to compile statistics in cases in which, after enquiries made in the manner required by paragraph 1 of this Article, it is found impracticable to obtain the necessary information without the exercise of compulsory powers.

PART II.—STATISTICS OF AVERAGE EARNINGS AND OF HOURS ACTUALLY WORKED IN MINING AND MANUFACTURING INDUSTRIES.

Article 5.

1. Statistics of average earnings and of hours actually worked shall be compiled for wage earners employed in each of the principal mining and manufacturing industries including building and construction.

2. The statistics of average earnings and of hours actually worked shall be compiled on the basis of data relating either to all establishments and wage earners or to a representative sample of establishments and wage earners.

3. The statistics of average earnings and of hours actually worked shall :

- (a) give separate figures for each of the principal industries; and
- (b) indicate briefly the scope of the industries or branches of industry for which figures are given.

Article 6.

The statistics of average earnings shall include :

- (a) all cash payments and bonuses received from the employer by the persons employed;
- (b) contributions such as social insurance contributions payable by the employed persons and deducted by the employer; and
- (c) taxes payable by the employed persons to a public authority and deducted by the employer.

Article 7.

In the case of countries and industries in which allowances in kind, for example in the form of free or cheap housing, food or fuel, form a substantial part of the total remuneration of the wage earners employed, the statistics of average earnings shall be supplemented by particulars of such allowances, together with estimates, so far as practicable, of their money value.

Article 8.

The statistics of average earnings shall be supplemented, so far as practicable, by indications as to the average amount of any family allowances per person employed in the period to which the statistics relate.

Article 9.

1. The statistics of average earnings shall relate to average earnings per hour, day, week or other customary period.

2. Where the statistics of average earnings relate to average earnings per day, week or other customary period, the statistics of actual hours shall relate to the same period.

Article 10.

1. The statistics of average earnings and of hours actually worked, referred to in Article 9, shall be compiled once every year and where possible at shorter intervals.

2. Once every three years and where possible at shorter intervals the statistics of average earnings and, so far as practicable, the statistics of hours actually worked shall be supplemented by separate figures for each sex and for adults and juveniles; provided that it shall not be necessary to compile these separate figures in the case of industries in which all but an insignificant number of the wage earners belong to the same sex or age group, or to compile the separate figures of hours actually worked for males and females, or for adults and juveniles, in the case of industries in which the normal hours of work do not vary by sex or age.

Article 11.

Where the statistics of average earnings and of hours actually worked relate not to the whole country but to certain districts, towns or industrial centres, these districts, towns or centres shall, so far as practicable, be indicated.

Article 12.

1. Index numbers showing the general movement of earnings per hour and where possible per day, week or other customary period shall be compiled at as frequent and as regular intervals as possible on the basis of the statistics compiled in pursuance of this Part of this Convention.

2. In compiling such index numbers due account shall be taken, *inter alia*, of the relative importance of the different industries.

3. In publishing such index numbers indications shall be given as to the methods employed in their construction.

PART III.—STATISTICS OF TIME RATES OF WAGES AND OF NORMAL HOURS OF WORK IN MINING AND MANUFACTURING INDUSTRIES.

Article 13.

Statistics of time rates of wages and of normal hours of work of wage earners shall be compiled for a representative selection of the principal mining and manufacturing industries, including building and construction.

Article 14.

1. The statistics of time rates of wages and of normal hours of work shall show the rates and hours :

- (a) fixed by or in pursuance of laws or regulations, collective agreements or arbitral awards;
- (b) ascertained from organisations of employers and workers, from joint bodies, or from other appropriate sources of information, in cases where rates and hours are not fixed by or in pursuance of laws or regulations, collective agreements or arbitral awards.

2. The statistics of time rates of wages and of normal hours of work shall indicate the nature and source of the information from which they have been compiled and whether it relates to rates or hours fixed by or in pursuance of laws or regulations, collective agreements or arbitral awards, or to rates or hours fixed by arrangements between employers and wage earners individually.

3. When rates of wages are described as minimum (other than statutory minimum) rates, standard rates, typical rates, or prevailing rates, or by similar terms, the terms used shall be explained.

4. "Normal hours of work", where not fixed by or in pursuance of laws or regulations, collective agreements or arbitral awards, shall be taken as meaning the number of hours, per day, week or other period, in excess of which any time worked is remunerated at overtime rates or forms an exception to the rules or custom of the establishment relating to the classes of wage earners concerned.

Article 15.

1. The statistics of time rates of wages and of normal hours of work shall give :

- (a) at intervals of not more than three years, separate figures for the principal occupations in a wide and representative selection of the different industries; and
- (b) at least once a year, and if possible at shorter intervals, separate figures for the main occupations in the most important of these industries.

2. The data relating to time rates of wages and of normal

hours of work shall be presented, so far as practicable, on the basis of the same occupational classification.

3. Where the sources of information from which the statistics are compiled do not indicate the separate occupations to which the rates or hours apply, but fix varying rates of wages or hours of work for other categories of workers (such as skilled workers, semi-skilled workers and unskilled workers) or fix normal hours of work by classes of undertakings or branches of undertakings, the separate figures shall be given according to these distinctions.

4. Where the categories of workers for which figures are given are not separate occupations, the scope of each category shall, in so far as the necessary particulars are given in the sources of information from which the statistics are compiled, be indicated.

Article 16.

Where the statistics of time rates do not give the rates per hour but give rates per day, week, or other customary period :

- (a) the statistics of normal hours of work shall relate to the same period; and
- (b) the Member shall communicate to the International Labour Office any information appropriate for the purpose of calculating the rates per hour.

Article 17.

Where the sources of information from which the statistics are compiled give separate particulars classified by sex and age, the statistics of time rates of wages and of normal hours of work shall give separate figures for each sex and for adults and juveniles.

Article 18.

Where the statistics of time rates of wages and of normal hours of work relate not to the whole country but to certain districts, towns or industrial centres, these districts, towns or centres shall, so far as practicable, be indicated.

Article 19.

Where the sources of information from which the statistics of time rates and of normal hours of work are compiled contain such particulars, the statistics shall at intervals not exceeding three years indicate :

- (a) the scale of any payment for holidays;
- (b) the scale of any family allowances;
- (c) the rates or percentage additions to normal rates paid for overtime; and
- (d) the amount of overtime permitted.

Article 20.

In the case of countries and industries in which allowances in kind, for example in the form of free and cheap housing, food or fuel, form a substantial part of the total remuneration of the wage earners employed, the statistics of time rates of wages shall be supplemented by particulars of such allowances, together with estimates, so far as practicable, of their money value.

Article 21.

1. Annual index numbers showing the general movement of rates of wages per hour or per week shall be compiled on the basis of the statistics compiled in pursuance of this Part of this Convention, supplemented, where necessary, by any other relevant information which may be available (for example, particulars as to changes in piece-work rates of wages).

2. Where only an index number of rates of wages per hour or only an index number of rates of wages per week is compiled, there shall be compiled an index number of changes in normal hours of work constructed on the same basis.

3. In compiling such index numbers due account shall be taken, *inter alia*, of the relative importance of the different industries.

4. In publishing such index numbers indications shall be given as to the methods employed in their construction.

PART IV.—STATISTICS OF WAGES AND HOURS
OF WORK IN AGRICULTURE.

Article 22.

1. Statistics of wages shall be compiled in respect of wage earners engaged in agriculture.

2. The statistics of wages in agriculture shall :

- (a) be compiled at intervals not exceeding two years;
- (b) give separate figures for each of the principal districts; and
- (c) indicate the nature of the allowances in kind (including housing), if any, by which money wages are supplemented, and, if possible, an estimate of the money value of such allowances.

3. The statistics of wages in agriculture shall be supplemented by indications as to :

- (a) the categories of agricultural wage earners to which the statistics relate;
- (b) the nature and source of the information from which they have been compiled;
- (c) the methods employed in their compilation; and
- (d) so far as practicable, the normal hours of work of the wage earners concerned.

PART V.—MISCELLANEOUS PROVISIONS.

Article 23.

1. Any Member the territory of which includes large areas in respect of which, by reason of the difficulty of creating the necessary administrative organisation and the sparseness of the population or the stage of economic development of the area, it is impracticable to compile statistics complying with the requirements of this Convention may exclude such areas from the application of this Convention in whole or in part.

2. Each Member shall indicate in its first annual report upon the application of this Convention submitted under Article 22 of the Constitution of the International Labour Organisation any areas in respect of which it proposes to have recourse to the provisions of this Article and no Member shall, after the date of its first annual report, have recourse to the provisions of this Article except in respect of areas so indicated.

3. Each Member having recourse to the provisions of the present Article shall indicate in subsequent annual reports any areas in respect of which it renounces the right to have recourse to the provisions of this Article.

Article 24.

1. The Governing Body of the International Labour Office may, after taking such technical advice as it may deem appropriate, communicate to the Members of the Organisation proposals for improving and amplifying the statistics compiled in pursuance of this Convention or for promoting their comparability.

2. Each Member ratifying this Convention undertakes that it will :

- (a) submit for the consideration of its competent statistical authority any such proposals communicated to it by the Governing Body;
- (b) indicate in its annual report upon the application of the Convention the extent to which it has given effect to such proposals.

PART VI.—FINAL PROVISIONS.

Article 25.

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

Article 26.

1. This Convention shall be binding only upon 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 27.

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 28.

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 29.

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 30.

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 28 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 31.

The French and English texts of this Convention shall both be authentic.

Resolutions adopted by the Twenty-fourth Session of the International Labour Conference

Resolution concerning statistics of wages and hours of work in agriculture, submitted by the Committee on Statistics.

Whereas the Fifth Conference of Official Labour Statisticians, in its report of 2 October 1937, "considered it very desirable that in view of the special problems connected with the compilation of statistics of hours of work, wages and other factors in the remuneration of agricultural workers, these questions should be discussed at a special Conference of Labour Statisticians to be held in the near future"; and

Whereas the International Labour Conference at its Twenty-fourth Session has adopted a Draft Convention on statistics of wages and hours of work in the principal mining and manufacturing industries and in agriculture;

The Conference requests the Governing Body of the International Labour Office to consider the advisability of convening at an early date a special technical conference to examine the methods of compiling statistics of the remuneration and hours of work of persons employed in agriculture, with a view to the improvement and amplification of the statistics to be compiled in pursuance of the Convention.

Resolution concerning statistics of real wages, submitted by the Committee on Statistics.

Whereas the utility of the statistics of wages and hours of work to be compiled in pursuance of the provisions of the Draft Convention on statistics of wages and hours of work in the principal mining and manufacturing industries and in agriculture would be enhanced if information were available as to the real value of wages, as measured by their purchasing power,

The Conference urges the International Labour Office to encourage the compilation and publication of the statistical data required for international comparisons of real wages and to continue and extend its studies on this subject.

Resolution concerning supplementary statistics of wages and hours of work, submitted by the Committee on Statistics.

Whereas the Fifth Conference of Official Labour Statisticians prepared a recommendation concerning statistics of wages and hours of work supplementing the provisions of the proposed Draft Convention on statistics of wages and hours of work in the principal mining and manufacturing industries and in agriculture, and

Whereas Article 23 of the Draft Convention provides that the Governing Body may communicate to the Members of the Organisation proposals for improving and amplifying the statistics compiled in pursuance of this Convention and that each Member shall indicate in its annual report upon the application of the Convention the extent to which it has given effect to such proposals,

The Conference, by this resolution, requests the Governing Body to arrange that the proposals set forth on pages 110 and 112 of the grey-blue report and appended hereto be examined in accordance with the provisions of Article 23 of the Convention and that in the meantime this resolution, together with the appendix, be communicated to the various Governments at the earliest possible date.

Appendix.

1. (1) At least once every ten years, the statistics of average earnings and of hours actually worked relating to wage earners employed in the principal mining and manufacturing industries, including building and construction, should give separate figures for each of the principal occupations in each industry.

(2) These statistics :

- (a) should show the number of workpeople grouped according to the amount of their earnings; and
- (b) should be given by sex and by age groups.

2. (1) Statistics showing the aggregate amount of wages paid per annum in each of the principal industries in mining and manufacture, including building and construction, should be compiled regularly and where possible at annual intervals.

(2) An approximate indication should be given of the extent to which the returns are representative of all employed persons.

3. Statistics showing average annual earnings of workers employed in each of the principal industries in mining and manufacture, including building and construction, should be compiled at intervals not exceeding three years.

4. The statistics of time rates of wages should so far as possible be accompanied by :

- (a) indications as to the number of workers covered, and
- (b) any information which may be available as to the relation between the time rates of wages and actual earnings.

Resolution concerning the simplification of formalities for migrant workers, submitted by the Committee on Migrant Workers.

Considering that the importance of the question of the simplification of the formalities to be fulfilled by migrant workers previous to their departure from the country of origin, or in the course of the journey, or on arrival in the country of immigration has for a long time been recognised and that it has already been the subject of numerous studies made by the official international bodies;

Considering, in particular, that the possibility of replacing the numerous and varied papers required of migrant workers by a single document has been examined by Committees set up by the International Labour Organisation and by the Communications and Transit Organisation of the League of Nations as well as by the International Conferences on Emigration and Immigration held at Rome in 1924 and at Havana in 1928, and that, moreover, this problem is being studied from the point of view of the improvement and comparability of international migration statistics, in accordance with a resolution adopted by the International Conference of Migration Statisticians held by the International Labour Office in 1932;

Considering that the migrant workers are subjected to a great deal of hardship by way of loss of time, expense and all kinds of inconvenience on account of the extremely complicated nature of the formalities to be fulfilled and the documents to be obtained and that the simplification of these formalities and documents, the acceleration of the procedure involved and the reduction of the fees charged would result in improving such a situation, which is harmful to the interests of migrant workers and interferes with the proper organisation of the migration of workers,

The Conference requests the Governing Body to consider how this question might be taken up anew with a view to arriving at a practical solution.

Resolution concerning vocational guidance, submitted by the Committee on Technical Education.

Whereas the International Labour Conference has on its agenda the question of technical and vocational education and apprenticeship;

Whereas vocational guidance is recognised more and more as a necessary preliminary to vocational education both as a method of determining the individual aptitudes of the future worker and as means of adapting the choice of occupation to the needs of the labour market;

Whereas it appears urgent, in consequence, to supplement the decisions which the International Labour Conference may be called upon to take in 1939 on technical and vocational education and apprenticeship by decisions on vocational guidance :

The Conference,

Asks the Governing Body of the International Labour Office to consider the desirability of placing the question of vocational guidance on the agenda of a very early session of the Conference.

Resolution concerning the vocational retraining and readjustment of adult workers, submitted by the Committee on Technical Education.

Whereas vocational retraining of adult workers, whether its object is to facilitate the employment in a new occupation of workers who have no employment owing to lack of sufficient qualifications, or to perfect their training in their own occupation, or to fit for gainful occupation individuals whose capacity for work has been reduced, or again to place in new forms of activity persons likely to be unable ever again to find fresh employment in their own occupations, constitutes an important aspect of the wider problem of technical and vocational training;

Whereas the list of points proposed by the Office on the question of technical and vocational education and apprenticeship, which figures on the agenda of the Twenty-fourth Session of the International Labour Conference, considers this problem exclusively from the point of view of the vocational retraining of the unemployed;

Whereas it does not appear advisable to detach the special problem of the retraining of the unemployed from the more general problem of vocational readjustment and retraining;

And whereas it is urgent to supplement the decisions which the International Labour Conference may be called upon to take in 1939 on technical and vocational education and apprenticeship by decisions concerning the whole problem of the vocational readjustment and retraining of adult workers;

The Conference,

Asks the Governing Body of the International Labour Office to consider the desirability of placing the question of the vocational retraining and readjustment of adult workers on the agenda of an early Session of the International Labour Conference.

Resolution concerning the reduction of hours of work in coal mines, submitted by the Committee on Hours of Work.

The Conference,

Having taken note of the Report of the Technical Tripartite Meeting on the Coal-Mining Industry held in Geneva from 2 to 10 May 1938, and in particular on the resolution adopted by the meeting;

Taking account of the fact that the question of the reduction of hours of work in coal mines figures on the agenda of the Conference for first discussion as part of the item concerning the generalisation of the reduction of hours of work;

Observing that the proceedings of the Technical Tripartite Meeting on the Coal-Mining Industry have provided the Office with all the information and opinions necessary for drafting a questionnaire with a view to the consultation of Governments on the reduction of hours of work in coal mines;

And having taken note of Chapter II of the Supplementary Report to Part III (Coal Mines) of the report on the generalisation of the reduction of hours of work, indicating the changes to be made in the list of points in order to take account of the work of the meeting;

Adopts the list of points contained in Part III (Coal Mines) of the report on the generalisation of the reduction of hours of work, with the amendments indicated in Chapter II of the Supplementary Report; and

Decides to place the question of the reduction of hours of work in coal mines on the agenda of the 1939 session of the Conference as a separate item and with a view to final discussion.

Resolution concerning the reduction of hours of work in transport, submitted by the Committee on Hours of Work.

Whereas it has not been possible for practical reasons to consider this year the conclusions of the parts of the Report on the generalisation of the reduction of hours of work relating to rail transport, inland water transport and air transport;

Whereas the regulation on hours of work in transport raises special problems which call for particular solutions adapted to the conditions obtaining in this industry;

Whereas special international regulations, which might consist of one or more Draft Conventions, should be contemplated for this industry;

The Conference requests the Governing Body of the International Labour Office :

- (a) to summon in 1938 or 1939 one or more preparatory technical tripartite meetings with a view to studying the bases of international regulations on the reduction of hours of work in transport, including the handling of goods in transit, at docks, quays, wharves, warehouses, airports, etc.;
- (b) to enter on the agenda of the Conference the question of the reduction of hours of work in transport as soon as it shall have received the results of the work of the preparatory technical tripartite meetings.

Resolution concerning the taking into account of official holidays when fixing the date of the Conferences convened by the International Labour Organisation, submitted by Mr. Amelink, Netherlands Workers' delegate.

The International Labour Conference,

Requests the Governing Body when convening International Labour Conferences and other conferences of the International

Labour Organisation to endeavour to take account of religious and national festivals which are generally recognised in the countries in which these conferences are held.

Resolution concerning the renunciation of discrimination which might affect workers belonging to certain races or confessions, submitted by Mr. Jouhaux, French Workers' delegate.

The Conference,

Noting that in certain States measures have been taken, based on the notion of race or confession, which establish inequalities of treatment among the workers of the same country, especially with regard to conditions of admission to public or private posts, and that similar measures are in contemplation in other countries,

Points out that such measures are in contradiction with the general principles laid down in Section II (Article 41) of the Constitution of the International Labour Organisation, and more particularly with point 8 of Article 41, which states that "the standard set by law in each country with respect to the conditions of labour should have due regard to the equitable economic treatment of all workers lawfully resident therein";

Invites all Members of the International Labour Organisation to apply the principle of equality of treatment to all workers resident in their territory, and to renounce all measures of exception which might in particular establish discrimination against workers belonging to certain races or confessions with regard to their admission to public or private posts.

Resolution concerning forestry workers, submitted by Mr. Gunnar Andersson, Swedish Workers' delegate.

Whereas forestry plays a prominent, not to say decisive, part in the general economy of a large number of countries and areas throughout the world;

Whereas the increasing importance of wood as an industrial raw material for meeting vital human demands is steadily making the part played by forestry more evident;

Whereas the millions of forestry workers, who in the timber-producing countries proper form a class of workers with special characters of its own, should not be deprived of their fair share of social and cultural progress;

Whereas the remoteness of the workplaces, the influence of the weather, and the high risk of accident mean special hardships and dangers for this class of workers in carrying on their occupation, hardships and dangers which nevertheless can be much alleviated by systematic action;

The Conference requests the Governing Body to consider the desirability:

Of instructing the International Labour Office at the earliest possible date to organise a worldwide enquiry into the standard

of living and conditions of employment of the workers engaged in the production of timber as a raw material;

Of taking steps which may lead to an improvement in the situation of forestry workers, if possible in the form of Conventions and Recommendations, especially in regard to the questions of housing, the accommodation and maintenance given at the workplace, general hygiene, occupational diseases, accident prevention, and the truck system, and also in regard to general questions of wages and hours of work;

Of setting up a permanent joint committee on questions concerning forestry workers, which should consist of representatives of the three groups of the Governing Body, together with representatives of the international bodies concerned and other experts, and should act in an advisory capacity when the International Labour Organisation treats any of these questions.

Resolution concerning the fixing of the maximum weight of loads to be transported by workers, submitted by Mr. Domínguez Aspíazo, Cuban Workers' delegate.

The Twenty-fourth Session of the International Labour Conference :

Considering that it is still the practice in certain countries to require men to carry on their backs sacks or other packages so heavy as to require an effort exceeding human strength or likely to injure the health of the workers;

Considering that some of such sacks and packages are sent all over the world and that consequently the fixing of their maximum weight is a matter of international interest;

Requests the Governing Body of the International Labour Office to consider the desirability of placing on the agenda of an early session of the Conference the question of the fixing of the maximum weight of loads, packages and sacks to be transported by workers.

Resolution concerning the question of the indemnities due to workers in case of dismissal, submitted by Mr. Alamo Ybarra, Venezuelan Government delegate.

Considering that the question of the indemnities due to workers in case of dismissal has given rise to considerable difficulties in certain countries;

The Conference requests the Governing Body to consider the desirability of instructing the International Labour Office to make a special study of this question with a view to placing it on the agenda of an early session of the International Labour Conference.

Resolution concerning the convening of a second Regional Conference of American States which are Members of the International Labour Organisation, submitted by the following Delegates :

United States of America :

MISS FRANCES PERKINS (*Government delegate*); MR. CARTER GOODRICH (*Government delegate*); MR. HENRY I. HARRIMAN (*Employers' delegate*); MR. ROBERT J. WATT (*Workers' delegate*).

Argentine Republic :

MR. E. RUIZ GUIÑAZÚ (*Government delegate*); MR. E. H. DUFFAU (*Government delegate*); MR. ERNESTO L. HERBIN (*Employers' delegate*); MR. C. ALMARZA (*Workers' delegate*).

Brazil :

MR. HELIO LOBO (*Government delegate*); MR. OSCAR SARAIVA (*Government adviser*); MR. VICENTE DE PAULO GALLIEZ (*Employers' delegate*); MR. RAUL CONDURU PAMPOLHA (*Workers' delegate*); MR. CHRISOSTOMO OLIVEIRA (*Workers' adviser*).

British Empire :

MR. J. HALLSWORTH (*Workers' delegate*).

Canada :

MR. HUME WRONG (*Government delegate*); MR. GERALD H. BROWN (*Government delegate*); MR. PERCY R. BENGOUGH (*Workers' delegate*).

Chile :

MR. F. GARCÍA OLDINI (*Government delegate*).

Colombia :

MR. A. FORERO-BENAVIDES (*Government adviser*).

Cuba :

MR. JUAN ANTIGA (*Government delegate*); MR. J. E. SANDOVAL (*Government delegate*); MR. WILFREDO H. BRITO (*Employers' delegate*); MR. E. DOMINGUEZ ASPIAZO (*Workers' delegate*).

Ecuador :

MR. V. GABRIEL GARCES (*Government delegate*); MR. ALEJ. GASTELU (*Government delegate*).

Finland :

MR. NILO A. MANNIO (*Government delegate*).

Hungary :

MR. PEYER (*Workers' delegate*).

India :

MR. S. V. PARULEKAR (*Workers' delegate*).

Ireland :

MR. SEAN CAMPBELL (*Workers' delegate*).

Luxemburg :

MR. M. HACK (*Workers' delegate*).

Mexico :

MR. P. V. MICHEL (*Government delegate*); MISS PALMA GUILLÉN (*Government adviser*); MR. J. YURÉN (*Workers' adviser*).

Norway :

MR. OLE COLBJØRNSEN (*Government delegate*); MR. OLAV HINDAHL (*Workers' delegate*).

New Zealand :

MR. JAMES THORN (*Government delegate*). MR. HENRY E. MOSTON (*Government delegate*); MR. A. COOK (*Workers' delegate*).

Netherlands :

MR. E. KUPERS (*Workers' adviser*).

Panama :

DR. ERNESTO HOFFMAN (*Government delegate*).

Peru :

MR. RAÚL PORRAS (*Government delegate*); MR. E. REBAGLIATI (*Government delegate*).

Spain :

MR. A. FABRA RIBAS (*Government delegate*).

Sweden :

MR. JOHN NORDIN (*Government delegate*); MR. GUNNAR ANDERSSON (*Workers' delegate*).

Switzerland :

MR. CH. SCHÜRCH (*Workers' delegate*).

Czechoslovakia :

MR. V. BRODECKÝ (*Workers' delegate*).

Uruguay :

MR. ALFREDO CARBONELL-DEBALI (*Government delegate*).

Venezuela :

MR. ANGEL ALAMO YBARRA (*Government delegate*); MR. E. PARIS (*Employers' delegate*); MR. C. E. NODA (*Workers' delegate*).

The Conference,

Profoundly impressed by the report laid before it by decision of the Governing Body of 31 May 1938 concerning the remarkable results which followed the works of the first Conference of American States which are Members of the International Labour Organisation, held at Santiago (Chile) in January 1936;

Considering that the Conference of Santiago, having observed that its meeting had greatly helped to increase the effectiveness of the full and sincere collaboration of the American States in the work of the Organisation, had expressed the hope that the Governing Body would consider the possibility of convening, in the future, whenever circumstances make such a step appear desirable, periodical conferences of a similar nature;

Considering that the happy development of the general and regional activities of the Office and the recent progress made in its relations and technical collaboration with the extra-European countries make the convening of a second Regional Conference of the same nature extremely desirable;

Invites the Governing Body of the International Labour Office to examine the possibility of taking the necessary measures to convene, in 1939, a second Regional Conference of the American States which are Members of the International Labour Organisation.

Eighty-fourth Session of the Governing Body of the International Labour Office

The Governing Body of the International Labour Office held its Eighty-fourth Session on 31 May and 4 and 17 June 1938 at the International Labour Office, Geneva, under the chairmanship of Mr. Leggett.

The agenda of the Session was as follows :

1. Approval of the Minutes of the Eighty-third Session.
2. Question of the resignation of the Director.
3. Consideration of the decisions of the Assembly of the League of Nations which affect the International Labour Organisation.
4. Record of the Preparatory Technical Meeting on the Coal-mining Industry.
5. Record of the meeting of the Advisory Committee on Management.
6. Report of the Finance Committee.
7. The Director's Report.
8. Date and place of the next session.
9. Report on the action taken to give effect to the resolutions adopted by the Santiago Conference.
10. Examination of the representation made by the Agricultural Workers' Union of Estonia concerning the application in Estonia of the Right of Association (Agriculture) Convention, 1921 (No. 11).
11. Approval of the form for the annual report on the application of the Repatriation of Seamen Convention, 1926 (No. 23).
12. Consultation concerning a draft resolution proposing to convene a Second Regional Conference of American States.

The composition of the Governing Body was as follows :

Government representatives :

MR. LEGGETT (*Great Britain*), Chairman;
 MR. GOODRICH (*United States of America*);
 MR. HELIO LOBO (*Brazil*);
 MR. WRONG (*Canada*);

MR. GARCÍA OLDINI (*Chile*);
 MR. LI PING-HENG (*China*);
 MR. FABRA RIBAS (*Spain*);
 MR. JUSTIN GODART (*France*);
 SIR FIROZKHAN NOON (*India*);
 MR. KITAOKA (*Japan*);
 MR. TELLO (*Mexico*);
 MR. BERG (*Norway*);
 MR. KOMARNICKI (*Poland*);
 MR. TZVETKOVITCH (*Yugoslavia*).

Employers' representatives :

MR. OERSTED (*Denmark*);
 MR. BROOKE (*Union of South Africa*);
 MR. ČURČIN (*Yugoslavia*);
 MR. ERULKAR (*India*);
 MR. FORBES WATSON (*Great Britain*);
 MR. GÉRARD (*Belgium*);
 MR. HARRIMAN (*United States of America*);
 MR. LAMBERT-RIBOT (*France*).

Workers' representatives :

MR. MERTENS (*Belgium*);
 MR. ANDERSSON (*Sweden*);
 MR. CABALLERO (*Spain*);
 MR. HALLSWORTH (*Great Britain*);
 MR. JENSEN (*Denmark*);
 MR. JOUHAUX (*France*);
 MR. SCHÜRCH (*Switzerland*);
 MR. WATT (*United States of America*).

The following deputy members were also present :

Government deputy members :

MR. BJÖRCK (*Sweden*);
 MR. CREMINS (*Ireland*);
 MR. ENESCO (*Rumania*);
 MR. KOTEK (*Czechoslovakia*);
 MR. MAHAIM (*Belgium*);
 MR. MANNIO (*Finland*);
 MR. SONIN (*Estonia*).

Employers' deputy members :

MR. LECOCQ (*Belgium*);
 MR. KANG-HOU-LING (*China*);
 MR. MOLENAAR (*Netherlands*);
 MR. SZYDŁOWSKI (*Poland*);
 MR. TZAUT (*Switzerland*);
 MR. VANĚK (*Czechoslovakia*).

Workers' deputy members :

Mr. HINDAHL (*Norway*);
 Mr. KREKITCH (*Yugoslavia*);
 Mr. KUPERS (*Netherlands*);
 Mr. PEYER (*Hungary*);
 Mr. SCHEVENELS (*Belgium*);
 Mr. LOMBARDO TOLEDANO (*Mexico*).

Composition of the International Labour Organisation.

The Governing Body was informed that Chile, although it had given notice of its intention to withdraw from the League of Nations, would remain a Member of the International Labour Organisation.¹

Question of the resignation of the Director.

After the Director had confirmed his intention to resign, the Governing Body adopted the following resolution :

The Governing Body decides to accept, with much regret, the resignation of the Director, and desires to place on record its sincere gratitude to him and its high appreciation of the very great services which he has rendered to the International Labour Organisation since its inception.

The Governing Body further decides to proceed to the election of a Director at a special meeting of the Governing Body on 4 June.

At its meeting on 4 June the Governing Body appointed Mr. John G. Winant, Assistant Director, to succeed Mr. Harold Butler as Director of the International Labour Office when Mr. Butler's resignation took effect at the end of 1938. Mr. Phelan, Assistant Director, had previously withdrawn his candidature.

The Governing Body decided that the post of Deputy Director of the International Labour Office which had been vacant for several years should again be filled. After the conditions under which this post should be filled had been specified, the Director informed the Governing Body that he had appointed Mr. E. J. Phelan, Assistant Director, to be the Deputy Director, as from 1 June 1938.

Consideration of the decisions of the Assembly of the League of Nations which affect the International Labour Organisation.

(a) *Social questions.*

The Governing Body approved the conclusions of a report by the Office concerning the establishment of practical collaboration between the Secretariat of the League of Nations and the International Labour Office for the study of social questions in all cases where it might appear useful, and with due regard to the respective competence of the two bodies.

¹ See page 103.

(b) Health.

The Governing Body authorised the Office to continue its technical co-operation in the preparation of the Intergovernmental Conference on Rural Hygiene for American Countries which is to take place at Mexico City.

The Governing Body also authorised the Office to continue the collaboration with the Health Organisation of the League of Nations on questions of rural hygiene, which has existed for many years.

Record of the Preparatory Technical Meeting on the Coal-mining Industry.

The Governing Body examined the record of the Preparatory Technical Meeting on the Coal-mining Industry which was held at Geneva from 2 to 10 May 1938. The Governing Body decided to communicate this record to the International Labour Conference at its Twenty-fourth Session.

Record of the meeting of the Advisory Committee on Management.

The Governing Body decided by 20 votes to 6 that the conclusions adopted by the Advisory Committee on Management at its meeting on 2 and 3 May 1938 should be given the widest possible publicity. These conclusions concern the practical measures to be taken to alleviate the immediate social consequences of certain forms of rationalisation in undertakings or of the rapid and intensive mechanisation of production. The Committee also considered the question of the use of office machinery and its influence on conditions of work of staff.

Report of the Finance Committee.

The Governing Body approved certain modifications which the Supervisory Commission had proposed to make in the 1939 budget, the total of which as modified amounts to 10,319,779 Swiss francs; from this figure supplementary receipts amounting to 221,942 Swiss francs have to be deducted. The total figure of the contributions of the States Members of the International Labour Organisation, whether they are or are not Members of the League of Nations, thus amounts to 10,097,837 Swiss francs or 7,142,266 gold francs.

The Governing Body also approved certain proposals in the Finance Committee's report concerning the finances of the Office.

The Director's Report.

Mixed Advisory Agricultural Committee.—The Governing Body noted that the Mixed Advisory Agricultural Committee would meet at Rome in December 1938 to discuss the following agenda :

(1) Discussion of the principal activities (since May 1935) of the International Institute of Agriculture and the International Labour Office with regard to questions of joint interest to the two institutions.

(2) Discussion of the proposals for technical co-operation between the International Institute of Agriculture and the International Labour Office arising out of the report of the first session (February 1938) of the Permanent Agricultural Committee of the International Labour Office.

(3) Future methods of work of the Mixed Advisory Agricultural Committee.

(4) Resolution concerning an enquiry into agricultural statistics in the countries of America, adopted by the Labour Conference held at Santiago in January 1936.

Committee of Experts on Safety in Coal Mines.—The Governing Body decided to adjourn to a subsequent session its consideration of a proposal made by the French Government in regard to the organisation of an international centre of information and research concerning hygiene and safety in mines and quarries.

Committee of Experts on the Rights of Performers.—The Governing Body authorised the Director to call a meeting of the Committee of Experts on the Rights of Performers during the autumn of 1938 to carry out a preliminary examination of the rights of performers as regards broadcasting, television and the mechanical reproduction of sounds.

Meeting of Experts on Social Insurance.—The Governing Body authorised the Director to convene a second meeting of experts to revise the results of the consultation which was being carried out concerning the investment policy of social insurance institutions.

International Conference on Refugees (Evian, July 1938).—The Governing Body decided that the Office should send an observer to the Conference on Refugees at Evian to follow its work and if necessary to supply any information in the possession of the Office.

Migration Committee.—The Governing Body approved the appointment of Mr. Kupers and Mr. Lombardo Toledano to complete the representation of the workers' group on this Committee.¹

Technical Committee on Glass Works.—The Governing Body appointed Mr. Hermès Baret (French), Divisional Labour Inspector, Lyons, as a member of this Committee in the place of Mr. Desvaux.

Committee of Experts on Safety in Coal Mines.—The Governing Body appointed Mr. Czeslaw Jakobkiewicz (Polish), Mining Engineer, Counsellor in the Ministry of Industry and Commerce, as substitute for Mr. Aleksander Stein in case the latter should be unable to attend some of the meetings of the Committee of Experts.

¹ See *Official Bulletin*, Vol. XXIII, No. 2, p. 55.

Correspondence Committee on Accident Prevention.—The Governing Body appointed Mr. Edmund Steinberg (South African), Secretary to the Prevention of Accidents Committee, Johannesburg, as a member of the Correspondence Committee in the place of Mr. Bilbrough.

Correspondence Committee on Social Insurance.—The Governing Body appointed Mr. Henri Hatlák (Czechoslovak), Doctor at Law, Second Director of the Miners' Central Insurance Fund, Prague, as a member of this Committee in the capacity of expert on questions relating to miners' insurance.

Correspondence Committee on Industrial Hygiene.—The Governing Body appointed Mr. Aubin (French), Divisional Inspector of Labour, Marseilles, as a member of the Correspondence Committee in the place of Mr. Desvaux.

Advisory Committee of Correspondents on Workers' Spare Time.—The Governing Body appointed Mr. A. Janne (Belgian), Director of the National Office for Workers' Holidays, Brussels, as a member of this Committee.

Replacement of Mr. Olivetti on Certain Committees.—The Governing Body approved the appointment of Mr. Čurčín as a member of the Finance Committee and of Mr. Tzaut as a member of the Standing Orders Committee in the place of Mr. Olivetti who has resigned.

Renewal of Appointment of Members of Committees.—The Governing Body reappointed for a further period of three years the following members of Committees whose term of office had expired :

Correspondence Committee on Social Insurance :

Dr. Vaclav Polivka (Czechoslovak).
Mr. Larsson (Swedish).

Correspondence Committee on Industrial Hygiene :

Sir David Munro (British);
Mr. Nowakowski (Polish).

Committee of Experts on Native Labour :

Lord Lugard (British);
Major H. Sutton Cooke (South African).

Technical Committee on Glass Works :

Government Experts :

Mr. Pokorny (Czechoslovak);
Mr. Léon Wodon (Belgian).

Employers' Experts :

Mr. Baugnies (French);
 Mr. Frachon (substitute) (French);
 Mr. Larson (Swedish);
 Mr. Meigh (British);
 Mr. Marchand (substitute) (British);
 Mr. Mühlig (Czechoslovak).

Substitute :

Mr. Cornaz (Swiss).

Workers' Experts :

Mr. Caprasse (Belgian);
 Mr. Delzant (French);
 Mr. Olsen (Danish);
 Mr. Stokes (British);
 Mr. Viktora (Czechoslovak).

Experts appointed by the Director of the International Labour Office :

Mr. Brussel (Netherlands);
 Mr. Roscam (substitute) (Belgian).

Visit of a Delegation of the Governing Body to the Union of South Africa.—As the departure of the delegation of the Governing Body which was to visit South Africa during the summer of 1938 at the invitation of the Government of the Union of South Africa had to be postponed, the Governing Body decided that each of the three groups should reconsider its representation on the delegation of the Governing Body so that it could leave for South Africa in February 1939.

The Director's Visit to the East.—The Governing Body decided that the Director's report on his visit to the East should be communicated to the International Labour Conference at its Twenty-fourth Session.

Date and place of the next session.

The Governing Body decided that at the invitation of the British Government its Eighty-fifth Session would take place in London and open on 25 October 1938.

Report on the action taken to give effect to the resolutions adopted by the Santiago Conference.

The Governing Body decided that the report of the Office on the action taken to give effect to the resolutions adopted by the Labour Conference of American States held at Santiago in January 1936 should be published and communicated to the International Labour Conference at its Twenty-fourth Session.

Examination of the representation made by the Agricultural Workers' Union of Estonia concerning the application in Estonia of the Right of Association (Agriculture) Convention, 1921 (No. 11).

The Governing Body approved the proposals of the majority of the Committee set up to examine this representation and decided to declare the procedure closed as it had not been shown that the representation was well founded.

Approval of the form for the annual report on the application of the Repatriation of Seamen Convention, 1926 (No. 23).

The Governing Body approved the changes which the Office proposed to make in the form for the annual report on the application of the Repatriation of Seamen Convention, 1926 (No. 23).

Consultation concerning a draft resolution proposing to convene a Second Regional Conference of American States.

The Committee on Resolutions of the Twenty-fourth Session of the International Labour Conference communicated to the Governing Body the text of a resolution submitted to the Conference concerning the calling of a Second Regional Conference of American States.

In accordance with the Standing Orders this resolution, which involved expenditure, was referred to the Governing Body which submitted it to the Finance Committee for consideration.

The Governing Body adopted the report on this point submitted by its Finance Committee and informed the Chairman of the Committee on Resolutions of the Conference that this resolution gave rise to no objection on its part on financial grounds.

The Governing Body also considered the financial provisions which the calling of this Conference might entail.

Situation of Chile with regard to the International Labour Organisation

The following letter was addressed to the Director of the International Labour Office by Mr. García Oldini, Minister Plenipotentiary and Representative of Chile accredited to the International Labour Organisation :

(Translation.)

Geneva, 4 June 1938.

Sir,

I have the honour to inform you that my Government, which has just notified the Secretary-General of the League of Nations of its decision to withdraw from the League of Nations, has decided that Chile will continue to form part of the International Labour Organisation.

While informing you of this decision, I have the honour to communicate to you, for all necessary purposes, a copy of the letter which the Minister for Foreign Affairs of Chile has sent to the Secretary-General of the League of Nations, dated 14 May 1938, communicating the notice of the withdrawal of Chile from the League of Nations.

I have the honour, etc.

(Signed) F. GARCÍA OLDINI,
*Minister Plenipotentiary,
Representative of Chile attached to the
International Labour Organisation.*

The letter addressed to the Secretary-General of the League of Nations on 14 May 1938 by the Minister for Foreign Affairs of Chile referred to above was as follows :

(Translation.)

Santiago, 14 May 1938.

Sir,

I have the honour to inform you, for all necessary purposes, that my Government, making use of the option provided by paragraph 3 of Article 1 of the Covenant of the League of Nations, has decided to withdraw from the League of Nations, and herewith gives the notice of its intention referred to in that article.

I also have the honour to inform you that notwithstanding the consequences which the present notification will entail for the Chilean Government with regard to the League of Nations, the Chilean Government intends to continue its participation in the International Labour Organisation, the Permanent Court of International Justice and the other technical organisations connected with the League of Nations in which States which are not Members of the League may participate in this way in accordance with the relevant provisions.

I have the honour, etc.

(Signed) J. RAMÓN GUTIERREZ.

The Director of the International Labour Office addressed the following letter in reply to Mr. García Oldini :

(Translation.)

Geneva, 14 June 1938.

Sir,

By your letter dated 4 June you were good enough to inform me that your Government, which has just notified the Secretary-General of the League of Nations of its decision to withdraw from the League of Nations, has decided that Chile will continue to form part of the International Labour Organisation. You were also good enough to communicate to me, for all necessary purposes, a copy of the letter which the Minister for Foreign Affairs of Chile sent to the Secretary-General of the League of Nations, dated 14 May 1938, in order to communicate the notice of withdrawal of Chile from the League of Nations.

I have the honour to acknowledge the receipt of this letter, for which I thank you. I shall not fail to bring it to the knowledge of the Governing Body.

Chile has been one of the most faithful Members of the International Labour Organisation since it was set up. The large number of Conventions which it has ratified, the constant interest which it has shown in the cause of social progress and the generous action which it took in 1935 with a view to the convening of the first Regional Conference of American States which are Members of the International Labour Organisation, have given particular significance to its co-operation. For this reason its decision to continue to form part of the International Labour Organisation will undoubtedly be received with very great satisfaction by the other States Members.

I have the honour to be, etc.

(Signed) H. B. BUTLER.

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Eighty-fifth Session of the Governing Body of the International Labour Office

In response to the generous invitation of the British Government, the Governing Body of the International Labour Office held its Eighty-fifth Session from 25 to 27 October 1938 in London, under the chairmanship of Mr. Berg.

The session was opened by Mr. Leggett, retiring Chairman of the Governing Body.

The agenda of the session was as follows :

1. Approval of the minutes of the Eighty-fourth Session.
2. Election of the Officers of the Governing Body.
3. Record of the meeting of the International Public Works Committee.
4. Record of the meeting of experts on silicosis.
5. Effect to be given to the resolutions adopted by the International Labour Conference at its Twenty-fourth Session.
6. Preliminary discussion of the questions which might be placed on the agenda of the 1940 Session of the Conference.
7. Consideration of the decisions of the Assembly of the League of Nations which affect the International Labour Organisation.
8. Questions arising out of the examination of the annual reports on the application of Conventions.
9. Approval of various forms for the annual reports on the application of Conventions.
10. The Director's Report.
11. Date and place of the next session.
12. Report of the Finance Committee.
13. Report of the Preparatory Committee on the Textile Industry.
14. Report of the Committee on Periodical Reports.

15. Record of the meeting of the Committee on Recreation.
16. Report of the Office on the question of discrimination against elderly workers.

The composition of the Governing Body was as follows :

Government representatives :

Mr. BERG (*Norway*), Chairman;
 Mr. GOODRICH (*United States of America*);
 Mr. HELIO LOBO (*Brazil*);
 Mr. WRONG (*Canada*);
 Mr. GARCÍA OLDINI (*Chile*);
 Mr. LI PING-HENG (*China*);
 Mr. FABRA RIBAS (*Spain*);
 Mr. JUSTIN GODART (*France*);
 Mr. LEGGETT (*Great Britain*);
 Mr. LALL (*India*);
 Mr. LUDERS DE NEGRI (*Mexico*);
 Mr. KOMARNICKI (*Poland*);
 Mr. SOUBBOTITCH (*Yugoslavia*).

Employers' representatives :

Mr. OERSTED (*Denmark*);
 Mr. ČURČIN (*Yugoslavia*);
 Mr. DENNISON (*United States of America*);
 Mr. ERULKAR (*India*);
 Mr. FORBES WATSON (*Great Britain*);
 Mr. GÉRARD (*Belgium*);
 Mr. LAMBERT-RIBOT (*France*);
 Mr. MACDONALD (*New Zealand*).

Workers' representatives :

Mr. MERTENS (*Belgium*);
 Mr. ANDERSSON (*Sweden*);
 Mr. CABALLERO (*Spain*);
 Mr. HALLSWORTH (*Great Britain*);
 Mr. JOSHI (*India*);
 Mr. JOUHAUX (*France*);
 Mr. SCHÜRCH (*Switzerland*);
 Mr. WATT (*United States of America*).

The following deputy members were also present :

Government deputy members :

Mr. BJÖRCK (*Sweden*);
 Mr. CREMINS (*Ireland*);
 Mr. ENESCO (*Rumania*).

Employers' deputy members :

Mr. KNOB (*Hungary*);
 Mr. LECOCQ (*Belgium*);
 Mr. SZYDŁOWSKI (*Poland*);
 Mr. TZAUT (*Switzerland*).

Workers' deputy members :

Mr. JENSEN (*Denmark*);
 Mr. KREKITCH (*Yugoslavia*);
 Mr. KUPERS (*Netherlands*);
 Mr. PEYER (*Hungary*).

Composition of the International Labour Organisation.

The Governing Body noted that the notice of withdrawal from the League of Nations given by Guatemala and Honduras had expired on 26 May 1938 and 10 July 1938 respectively. As these two States had not addressed any special communication to the International Labour Office, it decided that they should no longer be included in the list of Members of the Organisation, but that they should be mentioned in a note appended to the list.

The Governing Body also took note of the correspondence exchanged concerning the position of Nicaragua and Venezuela as Members of the Organisation.¹

Election of the Officers of the Governing Body.

The Governing Body elected the following Officers for the year 1938-1939 :

Chairman :

Mr. BERG, Norwegian Government representative.

Employers' Vice-Chairman :

Mr. OERSTED (*Denmark*).

Workers' Vice-Chairman :

Mr. MERTENS (*Belgium*).

Record of the meeting of the International Public Works Committee.

The Governing Body approved the record of the meeting of the International Public Works Committee held from 27 to 29 June 1938. It decided to invite the Members of the International Labour Organisation which have approved Recommendation No. 50 concerning international co-operation in respect of public works to communicate to the International Labour Office the information referred to in this Recommendation in accordance, as far as possible, with the uniform plan drawn up by the Committee.

Record of the meeting of experts on silicosis.

The Governing Body approved the record of the meeting of experts on silicosis held from 29 August to 9 September 1938, which discussed a number of technical questions relating to the pathology, diagnosis, prevention and therapy of silicosis.

¹ See pp. 125-7.

It considered that it would be desirable, as the experts suggested, to hold similar meetings periodically.

Effect to be given to the resolutions adopted by the International Labour Conference at its Twenty-fourth Session.

The Governing Body considered the effect to be given to various resolutions adopted by the International Labour Conference at its Twenty-fourth Session (1938).

Resolution concerning the reduction of hours of work in coal mines.—The Governing Body noted that in execution of this resolution, the question of the reduction of hours of work in coal mines had been placed on the agenda of the 1939 Session of the International Labour Conference.

Resolution concerning the reduction of hours of work in transport.—The Governing Body decided that a preparatory technical tripartite meeting on rail transport should be called on 20 March 1939, to study the bases of international regulations on the reduction of hours of work in rail transport.

It was agreed that the Governing Body should consider at a later stage when and under what conditions technical tripartite meetings could be convened for the other branches of the transport industry mentioned in the resolution.

Resolutions concerning vocational guidance, vocational retraining and readjustment of adult workers, the maximum weight of loads to be transported by workers, and the indemnities due to workers in case of dismissal.—The Governing Body noted that the questions mentioned in these resolutions had been included in the general list of questions which have at various times been proposed for the agenda of the International Labour Conference, and would be taken into account when the Governing Body fixed the agenda of future sessions of the Conference.

Decisions of the Conference concerning the composition of Conference Committees and methods of voting in those Committees, and proposal concerning resolutions submitted to the Conference in accordance with paragraph 7 of Article 12 of the Standing Orders of the Conference.—The Governing Body decided to refer these two questions to its Standing Orders Committee.

Resolution concerning the convening of a second Regional Conference of the American States which are Members of the International Labour Organisation.—The Governing Body gratefully accepted the invitation of the Cuban Government to hold the Second Regional Conference of American States which are Members of the International Labour Organisation at Havana. In addition to providing ample material facilities for the Conference, the Cuban Government is prepared to make a financial contribution to the expenses of the Conference equal to that to be provided from the budget of the International Labour Office up to a maximum of 30,000 Cuban pesos.

It was decided that the Conference should be held in November 1939. Its agenda will be as follows :

- (1) The Director's Report.
- (2) Examination of the effect given to the resolutions of the Conference held at Santiago, Chile (particularly as regards the work of women and children and social insurance).
- (3) Organisation of official institutions dealing with immigration and settlement.

It was also agreed that it would be open to the delegations at the Havana Conference to submit resolutions on questions other than those included in the agenda, and especially on questions which might be discussed at future American Labour Conferences.

It was decided that the States of America which are Members of the Organisation should be invited to take part in the Conference and to send tripartite delegations consisting of two Government delegates, one Employers' delegate and one Workers' delegate, with the necessary advisers, and that any American States which are not Members of the Organisation should be invited to send observers.

The Governing Body decided to be represented at the Conference by two members from each of the three groups.

The Governing Body adjourned the consideration of the effect to be given to the following resolutions until its Eighty-sixth Session (February 1939) :

Resolution concerning the taking into account of official holidays when fixing the date of the Conferences convened by the International Labour Organisation.

Resolution concerning statistics of wages and hours of work in agriculture.

Resolution concerning supplementary statistics of wages and hours of work.

Resolution concerning statistics of real wages.

Resolution concerning the simplification of formalities for migrant workers.

Resolution concerning forestry workers.

Resolution concerning the renunciation of discrimination which might affect workers belonging to certain races or confessions.

Preliminary discussion of the questions which might be placed on the agenda of the 1940 Session of the Conference.

The Governing Body instructed the International Labour Office to submit to it at its Eighty-sixth Session (February 1939) statements of the law and practice on the following questions :

Labour inspection;

Weekly rest in commercial establishments.

The Governing Body will decide at its Eighty-sixth Session what questions shall be definitely placed on the agenda of the 1940 Session of the International Labour Conference.

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

The Governing Body considered various questions arising out of the reports of 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.

Approval of various forms for the annual reports on the application of Conventions.

The Governing Body approved the forms for annual reports relating to the following Conventions: Old-age Insurance (Industry, etc.) (No. 35), Old-age Insurance (Agriculture) (No. 36), Invalidity Insurance (Industry, etc.) (No. 37), and Invalidity Insurance (Agriculture) (No. 38).

The Director's Report.

Date of the 1939 Session of the Conference.—The Governing Body decided that the Twenty-fifth Session of the International Labour Conference should open on Thursday, 8 June 1939.

Committee of Experts on Safety in Coal Mines.—The Governing Body decided to retain the question of the organisation of an international centre of information and research on safety in mines on the agenda of this Committee, which was to meet on 21-24 November 1938.

Standing Orders Committee.—The Governing Body decided to refer to the Standing Orders Committee, in addition to the two questions referred to the Governing Body by the Conference, which were mentioned above, the question of exactly what should be understood by the expression "an item on the agenda of the Conference".

Permanent Agricultural Committee.—The Governing Body decided that this Committee should meet in April 1939, after the April Session of the Governing Body, to consider the following agenda:

1. Extension of social insurance schemes and medical services to the rural population.
2. Regulation of hours of work in agriculture.
3. Methods of wage fixing in agriculture, with a special view to its immediate effects.

Visit of a delegation of the Governing Body to the Union of South Africa.—The Governing Body completed the arrangements for the visit of the delegation which is to go to South Africa, at the invitation of the Government, to obtain first-hand information on Native labour conditions in South Africa.¹

¹ The delegation is composed as follows:

Government group: Mr. Cremins.
Employers' group: Mr. Lecocq.
Workers' group: Mr. Mertens.

Preparatory Technical Conference on Labour Inspection.—The Governing Body appointed the following persons to represent it at this Conference :

Government group :

Mr. Wrong,
Mr. García Oldini.

Substitutes :

Mr. Li Ping-Heng,
Mr. Soubbotitch.

Workers' group :

Mr. Caballero,
Mr. Schürch.

The representatives of the Employers' group will be appointed at the Eighty-sixth Session.

Committee on Automatic Coupling.—The Governing Body decided not to reappoint the members of this Committee, whose term of office had expired. It reserved the possibility of considering the reconstitution of the Committee on an appropriate basis when circumstances appear favourable to a resumption of the study of the question of automatic coupling.

Appointment of members of Committees.—The Governing Body made the following appointments to various Committees :

Correspondence Committee on Women's Work :

- Miss Aaslaug Aasland (Norwegian), Inspector of Labour.
Miss E. I. Black (British), General Secretary of the International Committee of Schools for Social Work.
Miss Chung Chao Chin (Chinese), Industrial Secretary, Y.W.C.A., Shanghai.
Mr. Ericksen (Danish), Secretary of the International Federation of Bookbinders and Kindred Trades.
Mrs. A. Fontaine-Borguet (Belgian).
Miss Theresa Havaut (Belgian).
Miss Marie Heinen (Netherlands), Director of the National Bureau for Women's Work.
Mrs. Mathilde Huici (Spanish), Ministry of Foreign Affairs, Barcelona.
Mrs. Fanny Jensen (Danish), Women Workers' Organisation.
Miss H. de Jongh (Belgian).
Dr. Elisabeth Leissen (Hungarian), Secretary of the Women's Co-operative Association.
Miss Lieu Hen Djin (Chinese), Director of the Department of the Women's Movement of the Central Executive Committee of the Kuomintang Party.
Miss Anne Loughlin (British), National Union of Tailors and Garment Workers of Great Britain.

Miss Margaret Mackintosh (Canadian), Chief of the Research Branch of the Federal Labour Department of Canada.

Mr. Mohammed Mahmoud (Egyptian), Sub-Director of the Department of Labour.

Miss Luisa Martinez (Venezuelan), Editor of the Review *Nosotras*.

Mrs. Pr. Pikčilingienė (Lithuanian), Vice-President of the Women's Council, Editor of the Review *Moteris ir Pasaulis*.

Correspondence Committee on Industrial Hygiene :

Dr. Agustin Mari Guinert (Spanish) in place of the late Dr. Antonio Oller Martinez.

Dr. Earl J. King (British) to be a member of the Sub-Committee on Pneumoconiosis in place of the late Professor Kettle.

Permanent Agricultural Committee :

Mr. Afzal Husain (Indian), Principal, Agricultural College, Lyallpur (Punjab), as an ordinary member, in the place of Mr. Zaman, resigned.

Mr. G. Mullie (Belgian), Vice-President of the Farmers' Association, as a member of the group of agricultural employers.

Mr. J. Hilgenga (Netherlands), Chairman of the Union of Agricultural, Horticultural and Dairy Workers, to fill the seat in the group of agricultural workers left vacant by the resignation of Mr. Hiemstra.

Mr. A. Parsal (French), General Secretary of the French Agricultural Workers' Union, to be a member of the same group.

As *ad hoc* members for the rest of the three years' term of office of the present members of the Committee :

Mr. A. Bayat (Iranian), agricultural engineer, Chief of Section in the Department of Agriculture at Teheran, and

Mr. P. Starcs (Latvian), Chief of the Economic Section of the Latvian Chamber of Agriculture.

Committee on Recreation :

Dr. Gortvay (Hungarian), Professor at the University of Budapest and Assistant Director of the National Institute of Social Insurance.

Mr. P. J. S. Serrarens (Netherlands), member of the Executive Committee of the Netherlands Catholic Trade Union Federation.

Correspondence Committee on Migration :

Mr. Kiujiro Hayashi (Japanese), former Japanese Ambassador to Brazil, and President of the Society for Research on Migration Problems.

Correspondence Committee on Accident Prevention :

Mr. Bernard Novotný (Czechoslovak), Engineer, Inspector of Blast Furnaces of Vitkovice, in the place of Mr. H. Kresta, whose term of office had expired.

Mr. Winkel (Netherlands), Chief Factory Inspector of the Netherlands, in place of the late Mr. H. J. Scholte.

Correspondence Committee on Social Insurance :

- Dr. Nikolas Mrvoch (Yugoslav), Chief Medical Officer of the Central Office for Workers' Insurance, Zagreb, as an expert on medical questions of social insurance.
- Miss Eleanor Lansing Dulles (United States of America), of the Research and Statistics Bureau of the Social Security Board, as expert on finance and accounting of social insurance.
- Mr. Enrique Santiago Ribera (Spanish), Counsellor to the National Insurance Institution, as expert on questions of old-age, invalidity and widows' and orphans' insurance.
- Mr. Juan Sagristá Cabrá (Spanish).
- Mr. Emile Attout, Vice-President of the National Alliance of Federations of Christian Mutual Insurance Societies of Belgium, in the place of the late Canon Eeckhout, as an expert on questions of the insurance of workers against old age and death.
- Mr. C. Q. Pinto de Moura (Brazilian), engineer, as expert on questions of workmen's compensation in place of Mr. Clodoven d'Olivieira.
- Mr. Waldyr Niemeyer (Brazilian), Chief of Section in the National Department of Labour, as expert on questions of pension legislation.
- Mr. Paulo Pereira de Camara (Brazilian), President of the Actuarial Council, as expert on actuarial questions of sickness insurance and pension insurance.
- Dr. Edgardo Rebagliati (Peruvian), Director-General of the National Social Insurance Institution of Peru, as expert on questions of sickness and maternity insurance and invalidity and old-age insurance.
- Dr. Luis A. Ugarte (Peruvian), Chief Medical Officer of the Department of Assistance and Social Hygiene of the National Social Insurance Institution of Peru, as expert on medical questions of social insurance.
- Mr. C. R. Kerwood (British), Assistant Secretary, Ministry of Health, as an expert on the medical aspects of health insurance.

Committee of Experts on the rights of performers :

- Mr. Romain Coolus, President of the International Federation of Societies of Authors and Composers.

The Governing Body took note of the following appointments :

Advisory Committee on Professional Workers.

Representation of the International Committee on Intellectual Co-operation :

1. Confirmation of the appointment of Mr. Julien Cain (French);
2. Appointment of Mr. Bénigne Mentha (Swiss), Director of the Bureau of the International Union for the protection of literary and artistic property, Berne, in place of Mr. Ostertag.

Joint Maritime Commission.

Mr. A. L. W. MacCallum (Canadian), formerly a deputy member, appointed by the shipowners' group as a regular member in place of Mr. Perosio, resigned.

Reappointment of members of Committees.

The Governing Body reappointed the following members of Committees whose term of office has expired :

Correspondence Committee on Women's Work :

Miss Mary Anderson, Miss Atanatskovitch, Mrs. Avril de Sainte-Croix, Miss Baers, Dr. A. I. Balfour, Dr. Dagny Bang, Dr. F. Baumgarten-Tramer, Mrs. Lily Becker, Miss Louie Bennett, Miss Helny Bergbom, Mrs. Fanny Blatny, Mrs. Isabelle Blume, Miss C. Bonnin, Mrs. Calypso Botez, Mr. Brussel, Mrs. Jeanne Chévenard, Mrs. Coullaud-Minier, Prof. Winifred C. Cullis, Mrs. M. Delabit, Miss Cora Deng, Miss Dorothy Evans, Mrs. Ada Fischmann, Dr. Zofja Garlicka, Mrs. Kirsten Gloerfelt-Tarp, Miss Emilie Gourd, Dr. Tatiana Grigorovici, Miss C. Haslett, Mr. van der Heeg, Miss Kerstin Hesselgren, Miss May Holman, Dr. Nelly Jaussi, Mrs. Bella Jobson, Miss Alida de Jong, Mr. K. de Jonge, Mr. Juitsu Kitaoka, Miss Mary van Kleeck, Mrs. Halina Krahelska, Miss Lafeuille, Miss Marie Langlois, Miss Susan Lawrence, Mrs. Letellier, Mrs. Levanto, Mrs. Burnita Shelton Matthews, Mrs. Marie Neumann, Mrs. Karin Nilsson, Miss Brigit Nissen, Mrs. Valérie Novotna, Mr. Sieji Onishi, Dr. Ethel Osborne, Mrs. Isabelle Palencia, Mrs. Frantiska Plaminkova, Mrs. Plasky, Shrimati Anasuya Sarabhai, Dr. Dora Schmidt, Mrs. Minna Sillanpää, Miss Ethel Smith, Miss B. Stafford, Dr. Emma Steiger, Dr. Alma Sundquist, Mrs. Svolos, Mrs. Setsuko Tanino, Prof. A. Vetterova-Becvarova, Mrs. Wasniewska, Mrs. Signe Wessman, Miss Charlotte Whitton.

Correspondence Committee on Social Insurance :

Dr. Barla-Szabo (Hungarian).
 Mr. Bisqueret (Belgian).
 Mr. Clow (Indian).
 Dr. Hahn (Yugoslav).
 Mr. Kahlmeter (Swedish).
 Mr. Penris (Netherlands).
 Mr. de Voghel (Belgian).
 Mr. Ferguson (Irish).
 Mr. McCarron (Irish).

Correspondence Committee on Industrial Hygiene :

Dr. Diego Hernandez Pacheco (Spanish).
 Dr. de Barros Barreto (Brazilian).
 Dr. Charoff (Bulgarian).
 Prof. Gortvay (Hungarian).
 Dr. Russell (United States of America).
 Dr. Thompson (United States of America).

Committee of Experts on Native Labour

Mr. Lejeune (French).

Mr. d'Almada (Portuguese).

Mr. Marchand (French).

Committee of Statistical Experts :

Mr. Coats (Canadian).

Mr. Ramsbottom (British).

Mr. Szturm de Sztrem (Polish).

Mr. Jahn (Norwegian).

Mr. Huber (French).

Resignation of members of Committees.—The Governing Body noted the resignation of a number of Austrian members of various Committees.

It also noted the resignation of Mr. Kemball Cook (British) from the Committee on Recreation.

Date and place of the next session.

The Governing Body decided that its Eighty-sixth Session should open at Geneva on Thursday, 2 February 1939.

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.

It decided to request the Council of the League of Nations to agree that the representative of the Governing Body on the Committee on the Standing Charges of the institutions of the League of Nations set up by the Council should be accompanied by two substitutes chosen from the other two groups, who would not have the right to vote.

It appointed Mr. Goodrich as its representative on the Committee for the Reduction of Standing Charges, with Mr. Oersted and Mr. Hallsworth as substitutes.

Report of the Preparatory Committee on the Textile Industry.

The Governing Body took note of the interim report submitted by this Committee, and noted that a further report would be submitted to it at its Eighty-sixth Session.

Report of the Committee on Periodical Reports.

The Governing Body considered the report of this Committee, and approved various suggestions for improving the working of the machinery set up to supervise the application of international labour Conventions.

Record of the meeting of the Committee on Recreation.

The Governing Body adjourned the discussion of this question until its Eighty-sixth Session, but authorised the Director to give wide publicity without delay to the report submitted to the

Committee, as well as to the considerations and suggestions formulated by the Committee as regards the means of facilitating the utilisation of the workers' holidays with pay, and in particular to communicate these documents to Governments.

Invitation of the Norwegian Government.

The Governing Body gratefully accepted the invitation of the Norwegian Government to hold its session in the autumn of 1939 at Oslo.

The Governing Body adjourned the following questions until its Eighty-sixth Session (February 1939) :

Consideration of the decisions of the Assembly of the League of Nations which affect the International Labour Organisation.

Report of the Office on the question of discrimination against elderly workers.

Representations concerning the application of International Labour Conventions.

Representation submitted by the Société de Bienfaisance des Travailleurs de l'Île Maurice concerning the application of certain international labour Conventions in the Island of Mauritius.

The decision of the Governing Body at its Eighty-fifth Session regarding the representation concerning international labour Conventions made by the *Société de Bienfaisance des Travailleurs de l'Île Maurice* has already been published in the *Official Bulletin*.¹ It has been considered desirable to publish also the reports on this question which had previously been adopted by the Governing Body at its Eighty-first and Eighty-second Sessions.

REPORT OF THE COMMITTEE OF THE GOVERNING BODY DATED 9 OCTOBER 1937.

1. Members of the Governing Body will remember that at the Seventy-ninth Session (May 1937) the Governing Body had before it a "representation" concerning the application of certain international labour Conventions in the Island of Mauritius, made by the Labour Party of the Island, of which Mr. J. M. Curé is President.

In accordance with the conclusions of the Committee of three members which it has set up to report to it in regard to this representation, the Governing Body declared it to be not receivable, since it was not made by an "industrial association of workers" within the meaning of Article 23 of the Constitution.

2. The same representation is now submitted to the Governing Body by Mr. J. M. Curé, but is made by a new organisation, namely, the *Société de Bienfaisance des Travailleurs de l'Île Maurice*.

A copy of the letter from this Society has been circulated to members of the Governing Body.

3. As the Governing Body rejected the representation of the Labour Party of Mauritius as not receivable on the ground that it was not made by an "industrial association" within the meaning of the Constitution, and as it therefore was not called upon to consider the representation as regards substance, this new presentation of the representation by another organisation requires that the question should again be placed on the agenda of the Governing Body.

It will be for the Governing Body to decide whether the *Société de Bienfaisance des Travailleurs de l'Île Maurice* is better qualified than the Labour Party to make a representation receiv-

¹ See Vol. XXIII, No. 2, p. 60.

able under the terms of the Constitution and of the Standing Orders concerning the procedure for the discussion of representations.

4. Paragraph 3 of Article 2 of the Standing Orders concerning the procedure for the discussion of representations provides 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 this Session, held at Prague in October 1937, the Governing Body gave effect to the above provisions by setting up a Committee of three members composed as follows :

Mr. Riddell, representative of the Government group,
 Mr. Oersted, representative of the employers' group,
 Mr. Mertens, representative of the workers' group.
 The Committee met on 9 October 1937.

Members of the Governing Body will find below the conclusions at which the Committee arrived, as well as the reasons which led to those conclusions.

The duties of the Committee are specified in paragraph 3 of Article 2 of the Standing Orders concerning the procedure for the discussion of representations. Those duties consist in submitting to 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 is to enable the Governing Body to take a decision on the two following points, namely :

- A. Is the representation receivable?
- B. Is the representation well founded?

A.—*Is the representation receivable?*

5. In accordance with Article 3 of the the Standing Orders, the receivability of a representation is subject to various conditions set out in clauses (a) to (f) of paragraph 2 of Article 3. The representation made by the *Société de Bienfaisance des Travailleurs de l'Ile Maurice* must conform to each of these conditions in order to be receivable, that is to say, in order to be examined by the Governing Body as regards substance.

Members of the Governing Body will remember that in the opinion of the Committee set up to examine the representation made by the Labour Party of Mauritius, that representation fulfilled the purely formal conditions laid down in clauses (a), (c), (d), (e) and (f) of paragraph 2 of Article 3 of the Standing Orders. It was communicated to the International Labour Office in writing (a); it was specifically submitted as a representation (c); it concerned a Member of the Organisation (d); it referred to a Convention ratified by the Member against which it was made (e); finally, the representation alleged that the Member against which it was made had failed to secure in some

respect the effective observance within its jurisdiction of the said Convention (f).

As the representation made by the *Société de Bienfaisance des Travailleurs de l'Île Maurice* is identical with that made by the Labour Party, the Committee is of opinion that those same conditions have been fulfilled.

6. On the other hand, in examining the question whether the *Société de Bienfaisance des Travailleurs de l'Île Maurice* is in fact an "industrial association" within the meaning of Article 23 of the Constitution and of clause (b) of paragraph 2 of Article 3 of the Standing Orders concerning the procedure for the discussion of representations, the Committee of the Governing Body met with the same difficulty as had been encountered in regard to the Labour Party of Mauritius.

The *Société de Bienfaisance des Travailleurs de l'Île Maurice* has put forward no proof that it is an "industrial association" within the meaning of Article 23 of the Constitution. It merely states that "in the absence of any industrial association, the Labour Party was forced to constitute this Society in order to obtain a certain legal status"

The Rules and Regulations of the *Société de Bienfaisance des Travailleurs de l'Île Maurice* and the list of its members, have been circulated to the Governing Body. These documents cannot be said to establish clearly that the Society is an industrial association.

7. In its endeavour to find a solution for the question which was submitted to it, the Committee of the Governing Body has not failed to refer to the following passage in the report¹ adopted by the Governing Body in May 1937 in regard to the receivability of the representation made by the Labour Party of Mauritius :

"According to the Constitution, the right to make a representation belongs to an 'industrial association of employers' or of workers; but there is no further definition of these terms. It is, therefore, for the Governing Body to examine in each individual case what the nature of the association making the representation in fact is, irrespective of its name, which may be determined by local circumstances having no bearing on its real character. For example, in one country, the right of workers and employers to form industrial associations may be subject to restrictions, and trade unions in the true sense may exist under a name concealing their exact identity. In another country an industrial association may bear a name that would suggest that it is of the character of a political party. It is the duty of the Governing Body to determine in each case, independently of the terminology employed and of the name that may have been imposed on the association by circumstances or selected by it, whether the association from which the representation emanates is in fact an 'industrial association of employers or workers' in the natural meaning of the words."

8. The question arises whether the *Société de Bienfaisance des Travailleurs de l'Île Maurice*, in spite of appearances to the contrary, is in fact an "industrial association" the true nature of which cannot be shown for reasons which have not been clearly explained to the Committee of the Governing Body.

The Committee considers that owing to lack of time it is impossible for it at present to decide whether or not the *Société*

¹ *Official Bulletin*, Vol. XXII, No. 2, p. 68.

de Bienfaisance des Travailleurs de l'Île Maurice is really an industrial association within the meaning of Article 23 of the Constitution, and that it is consequently impossible for it to suggest that the Governing Body should take a decision on this point.

The Committee therefore proposes that the Governing Body should adjourn the question to its Eighty-second Session and instruct the Office to obtain in the meanwhile any information which might enable the Governing Body to take a decision with all the facts before it.

B.—Is the representation well founded?

This question does not at present arise, and cannot be examined unless the representation is subsequently declared to be receivable.

Prague, 9 October 1937.

(Signed) W. A. RIDDELL,

(Signed) H. C. OERSTED,

(Signed) C. MERTENS.

**REPORT OF THE COMMITTEE OF THE GOVERNING BODY
DATED 4 FEBRUARY 1938.**

1. Members of the Governing Body will remember that at the Eighty-first Session held at Prague (October 1937) the Governing Body had before it a representation concerning the application of certain international labour Conventions in the Island of Mauritius, signed by Mr. J. M. Curé and emanating from the *Société de Bienfaisance des Travailleurs de l'Île Maurice*.

2. Members of the Governing Body will also remember that the Committee of the Governing Body which was set up to examine this representation found that, in the absence of the necessary information, "it is impossible for it at present to decide whether or not the *Société de Bienfaisance des Travailleurs de l'Île Maurice* is really an industrial association within the meaning of Article 23 of the Constitution"—the condition on which the receivability of the representation depends.

The Committee therefore proposed that the Governing Body "should adjourn the question to its Eighty-second Session and instruct the Office to obtain in the meanwhile any information which might enable the Governing Body to take a decision with all the facts before it". The Governing Body accepted that proposal.

3. As the letter which the Director of the International Labour Office has sent to the President of the *Société de Bienfaisance des Travailleurs de l'Île Maurice* in order to give effect to the Governing Body's decision has not so far received any reply, the Committee of the Governing Body proposes that the Governing Body should once more adjourn the question.

Geneva, 4 February 1938.

(Signed) HUME WRONG,

(Signed) H. C. OERSTED,

(Signed) C. MERTENS.

Interpretation of the Decisions of the International Labour Conference

Convention (No. 62) concerning safety provisions in the building industry (1937).

The following correspondence relating to the interpretation of the above-named Convention has been exchanged between the Egyptian Government and the International Labour Office.

(1) Letter from the *Chargé d'Affaires* of the Permanent Office of the Delegation of the Kingdom of Egypt accredited to the League of Nations and to the International Labour Office.

(Translation.)

Geneva, 30 June 1938.

Sir,

I have the honour to inform you that a Committee has been set up within the Ministry of Commerce and Industry of my country to examine the draft Convention concerning safety provisions in the building industry prepared by the International Labour Office and adopted at the Twenty-third Session of the International Labour Conference.

In the opinion of this Committee the text of Article 7, paragraph 7, which provides that scaffolds shall be periodically inspected by a competent person, is not very clear, since it does not specify whether the competent person should be a servant of the employer or a public official.

I should therefore be grateful if you would kindly let me have more precise explanations on this point so that I may transmit them to the Ministry of Commerce and Industry.

I have the honour to be, etc.

(Signed) A. EL BABA,
Chargé d'Affaires of the Permanent Office.

(2) Letter from the Director of the International Labour Office to the Permanent Delegate of the Royal Egyptian Government accredited to the League of Nations and to the International Labour Office.

(Translation.)

Geneva, 30 July 1938.

Sir,

By letter of 30 June 1938 (No. 388/1938/65) you were good enough to inform the Office that a Ministerial Committee set up to examine the draft Convention concerning safety provisions in the building industry (1937) (No. 62) would appreciate further information as regards the effect of Article 7, paragraph 7, of the said Convention, which is as follows: "Scaffolds shall be periodically inspected by a competent person."

In reply to your request, and subject to the usual reservation that the Constitution of the International Labour Organisation has not conferred upon the International Labour Office any special authority to interpret the provisions of the Conventions adopted by the International Labour Conference, I have the honour to make the following observations.

As has been observed by the Egyptian Committee which is studying the draft Convention, the Conference did not find it necessary to define the expression "competent person" in the text of the provision in question. The effect of this, in the opinion of the Office, is that inspection may be entrusted either to public officials or to persons designated by the employer, subject to the reservation in both cases that the condition of competence laid down by the Convention is complied with.

Normally, the periodical inspection of scaffolds required by Article 7, paragraph 7, of the Convention will most frequently be left to the employer, who will designate one of his qualified employees or an expert. In practice the former of these methods will doubtless be the more usual.

I hope that these indications will be sufficient to enlighten the competent Committee on the effect of this clause of the Convention. At the same time I am always ready to furnish as far as possible such additional information as may be useful to it.

I have the honour to be, etc.

For the Director,
(Signed) J. G. WINANT,
Assistant Director.

Convention (No. 52) concerning annual holidays with pay (1936).

The following correspondence relating to the interpretation of the above-named Convention has been exchanged between the Danish Government and the International Labour Office :

(1) Letter from the Director of the Department of International Co-operation in Social Policy in the Ministry of Social Affairs at Copenhagen to the Director of the International Labour Office.

(Translation.)

Copenhagen, 30 September 1938.

Sir,

In the Danish Holidays Act of 13 April 1938, a copy of which is enclosed, it is laid down that persons to whom the Act applies are entitled to paid holidays, namely, one day for each month of work, so that each person to whom the Act applies and who has been employed for the whole year is entitled to an annual holiday of twelve working days. In addition, the provisions of the Act are considered to fulfil the requirements of the Holidays with Pay Convention adopted by the Twentieth International Labour Conference at Geneva.

The Act, however, contains no provision corresponding to paragraph 5 of Article 2 of the Convention, which stipulates that the duration of the annual holiday with pay, under conditions to be prescribed by national laws or regulations, should increase with the length of service. As it is recommended in Recommendation No. 47, adopted at the same time as the Convention (paragraph 3) 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 would be attained after a prescribed number of years, for example, twelve working days after seven years of service, and since the Danish Holidays Act as mentioned above entitles all persons to whom it applies and who have been employed for one year continuously to a holiday of twelve working days, the Danish Government considers that there is nothing to prevent the ratification of the Convention by Denmark.

It would be desirable, however, before a possible Parliamentary resolution is submitted to Parliament, which will hold a session at the beginning of October, to have a declaration from the Office on the question whether the fact that the Danish Holidays Act contains no stipulation as to the increase

in the length of holiday with the length of service does, in the opinion of the Office, prevent ratification by Denmark of the Holidays with Pay Convention.
I have the honour to be, etc.

(Signed) DE JONQUIÈRES,
(Signed) EGEDORF.

(2) Letter from the Director of the International Labour Office to the Director of the Department of International Co-operation in Social Policy in the Ministry of Social Affairs at Copenhagen.

(Translation.)

Geneva, 17 October 1938.

Sir,

By letter of 30 September 1938 you informed me of the intention of your Government to submit to Parliament a proposal for the ratification of the Holidays with Pay Convention, 1936, No. 52, and asked, at the same time, whether the provisions of the Act of 13 April 1938 were quite in accordance with Article 2, paragraph 5, of the Convention.

I have the honour to enclose herewith a memorandum containing the opinion of the International Labour Office on the question, subject to the usual reservation that the Constitution of the International Labour Organisation confers no special competence upon the International Labour Office to give an authentic interpretation of the provisions of Conventions adopted by the International Labour Conference.

As the reply to your question is in the affirmative, I venture to hope that it will shortly be possible to number Denmark among the Members which have ratified the Holidays with Pay Convention, and I desire to thank you in particular for the efforts which you are making in this direction. I should be greatly obliged if you would kindly keep me informed of the action which may be taken by Parliament in connection with the proposal which will be laid before it by your Government.

I have the honour to be, etc.

(Signed) E. J. PIELAN.

APPENDIX

Convention concerning annual holidays with pay, 1936 (Article 2).

MEMORANDUM OF THE INTERNATIONAL LABOUR OFFICE

(1) Article 2, paragraph 1, of the Convention concerning annual holidays with pay provides that "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." Paragraph 5 of the same Article provides that "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."

(2) The Danish Government observes in this connection that Danish legislation allows a holiday of twelve days at the end of one year but does not provide for progressive increase in the holiday with length of service. The Government raises the question whether this legislation is in conformity with paragraph 5 of Article 2 of the Convention.

(3) This question must be answered in the affirmative. The Convention stipulates that the annual holiday with pay should include at least six working days (Article 2, paragraph 1) and that the duration of this holiday shall increase with the length of service (Article 2, paragraph 5). The provision relating to the increase in the holiday only has a plausible meaning if account is taken of the provision concerning the minimum duration of the holiday: these two provisions, which throw light on each other, must be interpreted together. It follows from Article 2 of the Convention that a State which allowed a paid holiday of six days and which provided that this

paid holiday should increase progressively to twelve days with the length of service would be correctly observing the Convention. It must be concluded, *a fortiori*, that a State which allows twelve days of holiday with pay immediately at the end of one year is going beyond the strict obligations of the Convention and is consequently complying with it. The Danish legislation in this respect thus appears entirely compatible with the Convention concerning annual holidays with pay.

Withdrawal of Nicaragua from the International Labour Organisation

The following letter, dated Paris, 26 June 1938, was addressed by the Permanent Delegate of Nicaragua accredited to the League of Nations to the Director of the International Labour Office.

(Translation.)

Sir,

By order of my Government, I have the honour to inform you that, its two years' notice having expired, Nicaragua regards its withdrawal from the League of Nations and the International Labour Organisation as having taken effect as from to-day.

As my Government continues to feel the same admiration for the objects for which your important Organisation was set up, it will not cease to wish you every success in pursuing them.

I retain the most pleasant memories of my relations with you and of my work in your meetings, and I should like to express my personal regret at the termination of our collaboration.

I have the honour to be, etc.

(Signed) T. F. MEDINA.

The following letter, dated Paris, 27 June 1938, was addressed by the Minister of Nicaragua in Paris to the Director of the International Labour Office :

(Translation.)

Sir,

I have the honour to inform you that I have received orders from my Government by telegram to confirm the fact that the withdrawal of Nicaragua from the International Labour Office has become effective, in accordance with the notice previously given.

I request you to be good enough to acknowledge the receipt of this letter.

I have the honour to be, etc.

(Signed) CONSTANTINO HERDOCIA,
Minister of Nicaragua.

The following letter, dated Geneva, 27 July 1938, was sent by the Director of the International Labour Office to the Permanent Delegate of Nicaragua accredited to the League of Nations :

(Translation.)

Sir,

You were good enough to notify me, by your letter of 26 June 1938, that the withdrawal of Nicaragua from the International Labour Organisation had become effective. In acknowledging the receipt of this communication, I thank you cordially for the sentiments which you express both on behalf of your Government and on your own behalf. I should like to convey to you in turn the sincere regret which I feel at the termination of our collaboration.

I may take this opportunity of reminding you that the participation of Nicaragua in the International Labour Organisation was given a precise

form by the ratification of thirty Conventions. I venture to hope that the Nicaraguan Government will not contemplate denouncing these Conventions but will, in this limited form, continue its co-operation in the work of international labour legislation.

I have the honour to be, etc. (Signed) HAROLD BUTLER.

The following letter dated Geneva, 27 July 1938, was sent by the Director of the International Labour Office to the Minister of Nicaragua in Paris :

(Translation.)

Sir,

I have the honour to acknowledge the receipt of your letter of 27 June, in which you were good enough to notify me that the withdrawal of Nicaragua from the International Labour Organisation had become effective. I shall not fail to bring this communication to the notice of the Governing Body of the International Labour Office.

I may mention in this connection that Nicaragua has ratified thirty international labour Conventions, and I venture to hope that your Government intends to remain bound by the special undertakings which it has contracted in this form.

I have the honour to be, etc. (Signed) HAROLD BUTLER.

At its eighty-fifth session (October 1938) the Governing Body adopted the following resolution :

The Governing Body takes note of the fact that in consequence of the letters sent by the Permanent Delegate of Nicaragua accredited to the League of Nations and by the Nicaraguan Minister in Paris, informing the International Labour Office that the withdrawal of Nicaragua from the League of Nations also implied its withdrawal from the International Labour Organisation, Nicaragua ceased, on the expiry of its notice of withdrawal, to be a Member of the International Labour Organisation.

Further, the following letter dated Paris, 29 August, 1938, was addressed by the Acting *Chargé d'Affaires* of Nicaragua in Paris to the Director of the International Labour Office :

(Translation.)

Sir,

I have the honour to acknowledge the receipt of your letter of 27 July 1938, No. D.O/44/1, the contents of which I have communicated to my Government.

The Minister for Foreign Affairs of Nicaragua authorises me to inform you in reply that the Government of Nicaragua intends to remain bound by the International Labour Conventions to which it has adhered.

I have the honour to be, etc.

(Signed) LEON BAUM,
Acting Chargé d'Affaires.

Situation of Venezuela with regard to the International Labour Organisation

The following telegram, dated Caracas, 21 July 1938, was sent by the Minister for Foreign Affairs of Venezuela to the Director of the International Labour Office :

(Translation.)

I have the honour to inform you that, notwithstanding its decision to withdraw from the League of Nations, of which that institution has already been notified, the Government of Venezuela will continue its participation in the International Labour Office, and will co-operate in its valuable work.

E. GIL BORGES,
*Minister for Foreign Affairs
of Venezuela.*

The Director of the International Labour Office replied to the Minister for Foreign Affairs of Venezuela, by the following telegram dated Geneva, 22 July 1938 :

(Translation.)

I have the honour to acknowledge the receipt of your telegram of 21 July to the International Labour Organisation. I express my profound gratitude for this decision, and assure you that the International Labour Office will be glad to continue its active co-operation with your country for the improvement of the conditions of the workers.

HAROLD BUTLER.

Official Action on the Decisions of the International Labour Conference

United States of America.

Formal ratification of the Conventions (No. 53) concerning the minimum requirement of professional capacity for masters and officers on board merchant ships (1936); (No. 54) concerning annual holidays with pay for seamen (1936); (No. 55) concerning the liability of the shipowner in case of sickness, injury or death of seamen (1936); (No. 57) concerning hours of work on board ship and manning (1936); (No. 58) fixing the minimum age for the admission of children to employment at sea (revised 1936).

By letters of 9 November 1938 the Secretary-General of the League of Nations informed the Office that, by letters of 27 October 1938, the Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Berne had communicated to him the formal ratification by the Government of the United States of America of the above-named Conventions.

These ratifications were registered by the Secretariat of the League of Nations on 29 October 1938.

The letter from the Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Berne to the Secretary-General of the League of Nations relating to the ratification of the Convention concerning the minimum requirement of professional capacity for masters and officers on board merchant ships is as follows :

Bern, 27 October 1938.

Sir,

Acting under instructions from my Government, I have the honour to transmit herewith, for registration in accordance with Article 8 of the Convention, the instrument of ratification on the part of the United States of America of the draft Convention concerning the minimum requirement of professional capacity for masters and officers on board merchant ships, adopted by the International Labor Conference, at its twenty-first session, held at Geneva October 6-24, 1936.

I am further directed to advise you that this draft Convention was ratified by the United States of America subject to the following understandings, which are made a part of the ratification :

“ That the United States Government understands and construes the words ‘ vessels registered in a territory ’ appearing in this Convention to include all the vessels of the United States as defined under the laws of the United States.

“ That the United States Government understands and construes the words ‘ maritime navigation ’ appearing in this Convention to mean navigation on the high seas only.

“ Nothing in this Convention shall be so construed as to prevent the authorities of the United States from making such inspection of any vessel referred to in Article V, paragraph 3, within the jurisdiction of the United States, as may be necessary to determine that there has been a compliance with the terms of this Convention, or to prevent such authorities from withholding clearance to any such vessel which they find has not complied with the provisions of the Convention until such time as any such deficiency shall be corrected.

“ That the provisions of this Convention shall apply to all territory over which the United States exercises jurisdiction, except the Government of the Commonwealth of the Philippine Islands and the Panama Canal Zone, with respect to which this Government reserves its decision.”

These understandings are deemed not to be reservations which would require the acceptance of other governments, but to be merely clarifications of definitions to show that the definitions accepted by the United States of America are in fact those that were intended by the Conference. The last understanding is in accordance with Article 7 of the draft Convention.

Please accept, etc.

(Signed) LELAND HARRISON
American Minister.

The instrument of ratification of the Convention is as follows :

FRANKLIN D. ROOSEVELT,
President of the United States of America,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING :

KNOW YE, That whereas a draft convention (No. 53) 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, was adopted on the twenty-fourth day of October, nineteen hundred and thirty-six, by the General Conference of the International Labor Organisation at its twenty-first session held at Geneva October 6-24, 1936 :

AND WHEREAS, the United States of America being a member of the International Labor Organisation, the Secretary-General of the League of Nations, acting in conformity with a requirement in the nineteenth Article of the Constitution of the said Organisation, communicated to the Government of the United States of America, a certified copy of the said draft convention, the text of which in the French and English languages is word for word as follows :

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

AND WHEREAS the Senate of the United States of America by their resolution of June 13, 1938 (two-thirds of the Senators present concurring therein) did advise and consent to the ratification of the said draft convention (No. 53), subject to the following understandings to be made part of such ratification :

“ That the United States Government understands and construes the words ‘ vessels registered in a territory ’ appearing in this Convention to include all the vessels of the United States as defined under the laws of the United States.

“ That the United States Government understands and construes the words ‘ maritime navigation ’ appearing in this Convention to mean navigation on the high seas only.

“ Nothing in this Convention shall be so construed as to prevent the authorities of the United States from making such inspection of any vessel referred to in Article V, paragraph 3, within the jurisdiction of the United States, as may be necessary to determine that there has been a compliance with the terms of this Convention, or to prevent such

authorities from withholding clearance to any such vessel which they find has not complied with the provisions of the Convention until such time as any such deficiency shall be corrected.

“That the provisions of this Convention shall apply to all territory over which the United States exercises jurisdiction, except the Government of the Commonwealth of the Philippine Islands and the Panama Canal Zone, with respect to which this Government reserves its decision.”

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, having seen and considered the said draft convention (No. 53) 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, do hereby in pursuance of the aforesaid advice and consent of the Senate ratify and confirm the same and every article and clause thereof, subject to the understandings hereinabove recited and made part of this ratification.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States of America to be hereunto affixed.

DONE at the City of Washington this first day of September in the year of our Lord one thousand nine hundred and thirty-eight and of the Independence of the United States of America the one hundred and sixty-third.

FRANKLIN D. ROOSEVELT.

By the President :
CORDELL HULL,
Secretary of State.

The letter from the Envoy Extraordinary and the Minister Plenipotentiary of the United States of America at Berne to the Secretary-General of the League of Nations relating to the ratification of the Convention concerning annual holidays with pay for seamen is as follows :

Bern, 27 October 1938.

Sir,

Acting under instructions from my Government, I have the honor to transmit herewith, for registration in accordance with Article 12 of the draft Convention, the instrument of ratification on the part of the United States of America of the draft Convention (No. 54) concerning annual holidays with pay for seamen, adopted by the International Labor Conference at its twenty-first session, held at Geneva October 6-24, 1936.

I am further directed to advise you that this draft Convention was ratified by the United States of America subject to the following understandings, which are made a part of the ratification :

“That the United States Government understands and construes the words ‘vessels registered in a territory’ appearing in this Convention to include all vessels of the United States as defined under the laws of the United States.

“That the provisions of this Convention shall apply to all territory over which the United States exercises jurisdiction except the Government of the Commonwealth of the Philippine Islands and the Panama Canal Zone, with respect to which this Government reserves its decision.”

These understandings are deemed not to be reservations which would require the acceptance of other governments but to be merely clarifications of definitions to show that the definitions accepted by the United States of America are in fact those thought to be intended by the Conference. The second understanding meets the requirements of Article 11 of the draft Convention.

Please accept, etc.,

(Signed) LELAND HARRISON,
American Minister.

The instrument of ratification of the Convention is as follows :

FRANKLIN D. ROOSEVELT,

President of the United States of America,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING :

KNOW YE, That whereas a draft convention (No. 54) with regard to holidays with pay for seamen, was adopted on the twenty-fourth day of October, nineteen hundred and thirty-six, by the General Conference of the International Labor Organisation at its twenty-first session held at Geneva October 6-24, 1936;

AND WHEREAS, the United States of America being a member of the International Labor Organisation, the Secretary-General of the League of Nations, acting in conformity with a requirement in the nineteenth Article of the Constitution of the said Organisation, communicated to the Government of the United States of America, a certified copy of the said draft Convention, the text of which in the French and English languages is word for word as follows :

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

AND WHEREAS the Senate of the United States of America by their resolution of June 13, 1938 (two-thirds of the Senators present concurring therein), did advise and consent to the ratification of the said draft convention (No. 54), subject to the following understandings to be made a part of such ratification :

“ That the United States Government understands and construes the words ‘ vessels registered in a territory ’ appearing in this Convention to include all vessels of the United States as defined under the law of the United States.

“ That the provisions of this Convention shall apply to all territory over which the United States exercises jurisdiction except the Government of the Commonwealth of the Philippine Islands and the Panama Canal Zone, with respect to which this Government reserves its decision.”

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, having seen and considered the said draft convention (No. 54) with regard to holidays with pay for seamen, do hereby in pursuance of the aforesaid advice and consent of the Senate ratify and confirm the same and every article and clause thereof, subject to the understandings hereinabove recited and made part of this ratification.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States of America to be hereunto affixed.

DONE at the City of Washington this fifteenth day of August in the year of our Lord one thousand nine hundred and thirty-eight and of the Independence of the United States of America the one hundred and sixty-third.

FRANKLIN D. ROOSEVELT.

By the President :

CORDELL HULL,
Secretary of State.

The letter from the Envoy Extraordinary and the Minister Plenipotentiary of the United States of America at Berne to the Secretary-General of the League of Nations relating to the ratification of the Convention concerning the liability of the

shipowner in case of sickness, injury or death of seamen is as follows :

Bern, 27 October 1938.

Sir,

Acting under instructions from my Government, I have the honor to transmit herewith, for registration in accordance with Article 14 of the draft Convention, the instrument of ratification on the part of the United States of America of the draft Convention (No. 55) concerning the liability of the shipowner in case of sickness, injury or death of seamen adopted by the International Labor Conference at its twenty-first session, held at Geneva, October 6-24, 1936.

I am further directed to advise you that this draft Convention was ratified by the United States of America subject to the following understandings, which are made a part of the ratification :

“ That the United States Government understands and construes the words ‘ vessels registered in a territory ’ appearing in this Convention to include all vessels of the United States as defined under the laws of the United States.

“ That the United States Government understands and construes the words ‘ maritime navigation ’ appearing in this Convention to mean navigation on the high seas only.

“ That the provisions of this Convention shall apply to all territory over which the United States exercises jurisdiction except the Government of the Commonwealth of the Philippine Islands and the Panama Canal Zone, with respect to which this Government reserves its decision.”

These understandings are deemed not to be reservations which would require the acceptance of other governments but are merely clarifications of definitions to show that the definitions accepted by the United States of America are in fact those thought to be intended by the Conference. The third understanding is in accordance with Article 13 of the draft Convention.

Please accept, etc.

(Signed) LELAND HARRISON,
American Minister.

The instrument of ratification of the Convention is as follows :

FRANKLIN D. ROOSEVELT,

President of the United States of America,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING :

KNOW YE, That whereas a draft convention (No. 55) with regard to the liability of the shipowner in case of sickness, injury or death of seamen, was adopted on the twenty-fourth day of October nineteen hundred and thirty-six, by the General Conference of the International Labor Organisation at its twenty-first session, held at Geneva October 6-24, 1936;

AND WHEREAS, the United States of America being a member of the International Labor Organisation, the Secretary-General of the League of Nations, acting in conformity with a requirement in the nineteenth Article of the Constitution of the said Organisation, communicated to the Government of the United States of America, a certified copy of the said draft convention, the text of which in the French and English languages is word for word as follows :

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

AND WHEREAS the Senate of the United States of America by their resolution of June 13, 1938 (two-thirds of the Senators present concurring therein), did advise and consent to the ratification of the said draft conven-

tion (No. 55), subject to the following understandings to be made a part of such ratification :

“ That the United States Government understands and construes the words ‘ vessels registered in a territory ’ appearing in this convention to include all vessels of the United States as defined under the laws of the United States.

“ That the United States Government understands and construes the words ‘ maritime navigation ’ appearing in this Convention to mean navigation on the high seas only.

“ That the provisions of this Convention shall apply to all territory over which the United States exercises jurisdiction except the Government of the Commonwealth of the Philippine Islands and the Panama Canal Zone, with respect to which this Government reserves its decision.”

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, having seen and considered the draft convention (No. 55) with regard to the liability of the shipowner in case of sickness, injury or death of seamen, do hereby in pursuance of the aforesaid advice and consent of the Senate ratify and confirm the same and every article and clause thereof, subject to the understandings hereinabove recited and made part of this ratification.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States of America to be hereunto affixed.

DONE at the city of Washington this fifteenth day of August in the year of our Lord one thousand nine hundred and thirty-eight and of the Independence of the United States of America the one hundred and sixty-third.

FRANKLIN D. ROOSEVELT.

By the President :

CORDELL HULL,
Secretary of State.

The letter from the Envoy Extraordinary and the Minister Plenipotentiary of the United States of America at Berne to the Secretary-General of the League of Nations relating to the ratification of the Convention concerning hours of work on board ship and manning is as follows :

Bern, 27 October 1938.

Sir,

Acting under instructions from my Government, I have the honor to transmit herewith, for registration in accordance with Article 23 of the draft Convention, the instrument of ratification on the part of the United States of America of the draft Convention (No. 57) concerning hours of work on board ship and manning adopted by the International Labor Conference at its twenty-first session, held at Geneva, October 6-24, 1936.

I am further directed to advise you that this draft Convention was ratified by the United States of America subject to the following understandings, which are made a part of the ratification :

“ That the United States Government understands and construes the words ‘ vessels registered in a territory ’ appearing in this Convention to include all vessels of the United States as defined under the laws of the United States.

“ Nothing in this Convention shall be so construed as to prevent the authorities of the United States from making inspection of any vessel referred to in Article 19, paragraph 2, within the jurisdiction of the United States, as may be necessary to determine that there has been a compliance with the terms of this Convention, or to prevent such authorities from withholding clearance to any such vessel which they find has not complied with the provisions of the Convention, until such time as any such deficiency shall be corrected.

“ That the provisions of this Convention shall apply to all territory over which the United States exercises jurisdiction except the Government of the Commonwealth of the Philippine Islands and the Panama Canal Zone, with respect to which this Government reserves its decision.”

These understandings are deemed not to be reservations which would require the acceptance of other governments but are merely clarifications of definitions to show that the definitions accepted by the United States of America are in fact those thought to be intended by the Conference. The third understanding meets the requirements of Article 22 of the draft Convention.

Please accept, etc.

(Signed) LELAND HARRISON,
American Minister.

The instrument of ratification of the Convention is as follows :

FRANKLIN D. ROOSEVELT,

President of the United States of America,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING :

KNOW YE, That whereas a draft convention (No. 57) with regard to the regulation of hours of work on board ship and manning in conjunction with hours of work on board ship, was adopted on the twenty-fourth day of October nineteen hundred and thirty-six, by the General Conference of the International Labor Organisation at its twenty-first session, held at Geneva October 6-24, 1936;

AND WHEREAS, the United States of America being a member of the International Labor Organisation, the Secretary-General of the League of Nations, acting in conformity with a requirement in the nineteenth Article of the Constitution of the said Organisation, communicated to the Government of the United States of America, a certified copy of the said draft convention, the text of which in the French and English languages is word for word as follows :

(Here follows the text of the convention in the French and English languages.)

AND WHEREAS the Senate of the United States of America by their resolution of June 13, 1938 (two-thirds of the Senators present concurring therein), did advise and consent to the ratification of the said draft convention (No. 57), subject to the following understandings to be made a part of such ratification :

“ That the United States Government understands and construes the words ‘ vessels registered in a territory ’ appearing in this Convention to include all vessels of the United States as defined under the laws of the United States.

“ Nothing in this Convention shall be so construed as to prevent the authorities of the United States from making inspection of any vessel referred to in Article 19, paragraph 2, within the jurisdiction of the United States, as may be necessary to determine that there has been a compliance with the terms of this Convention, or to prevent such authorities from withholding clearance to any such vessel which they find has not complied with the provisions of the Convention, until such time as any deficiency shall be corrected.

“ That the provisions of this Convention shall apply to all territory over which the United States exercises jurisdiction except the Government of the Commonwealth of the Philippine Islands and the Panama Canal Zone, with respect to which this Government reserves its decision.”

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, having seen and considered the draft convention (No. 57) with regard to the regulation of hours of work on board

ship and manning in conjunction with hours of work on board ship, do hereby in pursuance of the aforesaid advice and consent of the Senate ratify and confirm the same and every article and clause thereof, subject to the understandings hereinabove recited and made part of this ratification.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States of America to be hereunto affixed.

DONE at the city of Washington this fifteenth day of August in the year of our Lord one thousand nine hundred and thirty-eight and of the Independence of the United States of America the one hundred and sixty-third.

FRANKLIN D. ROOSEVELT.

By the President :
CORDELL HULL,
Secretary of State.

The letter from the Envoy Extraordinary and the Minister Plenipotentiary of the United States of America at Berne to the Secretary-General of the League of Nations relating to the ratification of the Convention fixing the minimum age for the admission of children to employment at sea (revised) is as follows :

Bern, 27 October 1938.

Sir,

Acting under instructions from my Government, I have the honour to transmit herewith, for registration in accordance with Article 6 of the draft Convention, the instrument of ratification on the part of the United States of America of the draft Convention (No. 58) fixing the minimum age for the admission of children to employment at sea adopted by the International Labor Conference at its twenty-second session, held at Geneva, October 22-24, 1936.

I am further directed to advise you that this draft Convention was ratified by the United States of America subject to the following understandings, which are made a part of the ratification :

“ That the United States Government understands and construes the words ‘ maritime navigation ’ appearing in this Convention to mean navigation of the high seas only.

“ That the provisions of this Convention shall apply to all territory over which the United States exercises jurisdiction except the Government of the Commonwealth of the Philippine Islands and the Panama Canal Zone, with respect to which this Government reserves its decision.”

These understandings are deemed not to be reservations which would require the acceptance of other governments but are merely clarifications of definitions to show that the definitions accepted by the United States of America are in fact those thought to be intended by the Conference. The second understanding is in accordance with Article 35 of the Constitution of the International Labor Organisation.

Please accept, etc.

(Signed) LELAND HARRISON,
American Minister.

The instrument of ratification of the Convention is as follows :

FRANKLIN D. ROOSEVELT,
President of the United States of America,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING :

KNOW YE, That whereas a draft convention (No. 58) fixing the minimum age for the admission of children to employment at sea, was adopted on the twenty-fourth day of October nineteen hundred and thirty-six, by

the General Conference of the International Labor Organisation at its twenty-second session, held at Geneva October 22-24, 1936;

AND WHEREAS, the United States of America being a member of the International Labor Organisation, the Secretary-General of the League of Nations, acting in conformity with a requirement in the nineteenth Article of the Constitution of the said Organisation, communicated to the Government of the United States of America, a certified copy of the said draft convention, the text of which in the French and English languages is word for word as follows :

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

AND WHEREAS the Senate of the United States of America by their resolution of June 13, 1938 (two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said convention (No. 58), subject to the following understandings to be made a part of such ratification :

“ That the United States Government understands and construes the words ‘ maritime navigation ’ appearing in this Convention to mean navigation of the high seas only.

“ That the provisions of this Convention shall apply to all territory over which the United States exercises jurisdiction except the Government of the Commonwealth of the Philippine Islands and the Panama Canal Zone, with respect to which this Government reserves its decision.”

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, having seen and considered the draft convention (No. 58) fixing the minimum age for admission of children to employment at sea, do hereby in pursuance of the aforesaid advice and consent of the Senate ratify and confirm the same and every article and clause thereof, subject to the understandings hereinabove recited and made part of this ratification.

IN TESTIMONY WHEREOF, I have caused the Seal of the United States of America to be hereunto affixed.

DONE at the city of Washington this fifteenth day of August in the year of our Lord one thousand nine hundred and thirty-eight and of the Independence of the United States of America the one hundred and sixty-third.

FRANKLIN D. ROOSEVELT.

By the President :
CORDELL HULL,
Secretary of State.

Australia.

Recommendation (No. 44) concerning unemployment provision (1934).

By letter of 11 July 1938 the Secretary-General of the League of Nations communicated to the Office a copy of a letter from the Secretary of the Department of External Affairs of the Commonwealth of Australia enclosing a copy of a communication from the Government of South Australia in respect of the above-named Recommendation.

The letter from the Secretary of the Department of External Affairs is as follows :

Canberra, 2 June 1938.

Sir,

In continuation of previous correspondence relating 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 forward herewith copy of a communication dated 24th May 1938, from the Premier of South Australia, furnishing information as to the extent to which the provisions of these Conventions and Recommendations are covered by South Australian law.

I have the honour, etc.

(Signed) W. R. HODGSON,
Secretary.

The passage affecting the Unemployment Provision Recommendation, 1934 (No. 44) is as follows :

Letter from the Premier of South Australia to the Prime Minister of the Commonwealth of Australia.

Adelaide, 24 May 1938.

Dear Sir,

With reference to your letter of the 3rd May in respect of the provisions of the Conventions and Recommendations adopted at the Eighteenth Session of the International Labour Conference in 1934, I desire to inform you that the legislation in this State covering such matters is as follows :

Unemployment Provision Convention 1934 (No. 44).

Unemployment Provision Recommendation 1934 (No. 44).

It is understood that your Government has under consideration various Unemployment Insurance schemes which may cover some of the provisions of these two instruments.

Yours faithfully,

(Signed) R. L. BUTLER,
Premier.

Formal ratification of the Convention (No. 57) concerning hours of work on board ship and manning (1936).

By letter of 5 October 1938, the Secretary-General of the League of Nations informed the Office that by letter of 18 August 1938 the Minister for External Affairs of the Commonwealth of Australia communicated to him, in accordance with Article 405 of the Treaty of Versailles, the formal ratification by the Government of the Commonwealth of Australia of the above-named Convention.

This ratification was registered by the Secretariat on 24 September 1938.

The letter from the Minister for External Affairs to the Secretary-General of the League of Nations is as follows :

Canberra, A. C. T.,
18 August 1938.

Sir,

In accordance with Article 405 of the Treaty of Versailles, I have the honour to inform you that the draft Convention concerning Hours of Work on Board Ship and Manning adopted at the Twenty-first Session of the International Labour Conference has been formally ratified by His Majesty's Government in the Commonwealth of Australia, and I enclose the Instrument of Ratification.

His Majesty's Government in the Commonwealth of Australia in ratifying the said draft Convention wish to draw attention to the following matters :

(1) That effect is given to certain provisions of the Convention by means of Arbitration Court awards and not by legislation.

(2) That the provisions of the following Articles of the Convention are not covered either by legislation or awards of the Commonwealth Court of Conciliation and Arbitration :

Article 10.

" 1.

(b) there shall be no consistent working of overtime."

There is no law or Arbitration Court award specifically forbidding consistent working of overtime by ratings and deck engineer officers, including apprentices and, cadets. The awards governing the conditions of employment of both officers and ratings, however, prescribe heavy rates for overtime which, in their own interest, employers reduce to a minimum. Thus, in actual practice, there is no consistent working of overtime.

Article 11.

" 1. No rating under the age of 16 years shall work at night."

There is no law or Arbitration Court award prohibiting night work on board ship by ratings under the age of 16 years. In practice, however, boys employed on ships registered in Australia are day workers.

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."

The Commonwealth law with respect to this matter is contained in Sections 43 and 44 of the Navigation Act 1912-1935.

Section 43 requires every ship registered in Australia or engaged in the coasting trade to carry persons of the number and description specified in scales set out in Schedules to the Act, or prescribed, or specified for the ship by the Minister.

Section 44 provides that the owner of such a ship shall not suffer her to go to sea, and the master shall not take her to sea, without carrying the crew so required : penalty £100. The Section also provides that " if a ship proceeds to sea being short in her crew of not more than one-fifth of her engine-room staff, or one-fifth of her deck complement, the master or owner shall not be liable under this Section if it is proved that the breach was not occasioned through any fault of his own."

His Majesty's Government take the view that the law and/or practice in Australia outlined above provides all the protection to seamen that the Convention contemplates in the three Articles referred to and ratifies the Convention on the understanding that such law and/or practice is regarded as specifying the requirements of the said Articles.

As there are no vessels which come within the scope of the Convention registered in the territories of Papua and Norfolk Island and the Mandated Territories of New Guinea and Nauru the Convention will not be applied to these territories.

I have the honour, to be, etc.

(Signed) W. M. HUGHES,
Minister for External Affairs.

The instrument of ratification is as follows :

COMMONWEALTH OF AUSTRALIA

TO WIT
HUNTINGFIELD
ADMINISTRATOR

By His Excellency the Administrator of
the Government of the Commonwealth
of Australia.

WHEREAS at the Twenty-first Session of the International Labour Conference held at Geneva from the sixth day of October one thousand nine hundred and thirty-six to the twenty-fourth day of October one thousand nine hundred and thirty-six a Draft Convention Number 57 was adopted on

the twenty fourth day of October one thousand nine hundred and thirty-six concerning Hours of Work on Board Ship and Manning which Draft Convention is word for word as follows ;

(Here follows the text of the Convention.)

His Majesty's Government in the Commonwealth of Australia having considered the said draft Convention **HEREBY CONFIRM AND RATIFY** the same **AND UNDERTAKE** faithfully to perform and carry out all the stipulations therein contained.

IN WITNESS whereof this Instrument of Ratification is signed by His Excellency the Administrator by and with advice and consent of the Federal Executive Council and the Seal of the Commonwealth of Australia is hereto affixed.

GIVEN at Canberra this eighteenth day of August in the year of our Lord one thousand nine hundred and thirty-eight and the second year of His Majesty's reign.

By His Excellency's command

*(Signed) W. M. HUGHES,
Minister for External Affairs.*

By letter of 5 October 1938 the Secretary-General of the League of Nations replied to the letter of 18 August 1938 from the Minister for External Affairs of the Commonwealth of Australia.

The letter of the Secretary-General of the League of Nations is as follows :

Geneva, 5 October 1938.

Sir,

I have the honour to acknowledge the receipt of your letter of 18 August 1938 informing me, in accordance with the provisions of Article 405 of the Treaty of Versailles, that the Convention concerning Hours of Work on Board Ship and Manning adopted by the International Labour Conference at its Twenty-first Session (Geneva, October 6-24, 1936) has now been formally ratified by His Majesty's Government in the Commonwealth of Australia and enclosing the Instrument of Ratification.

2. As stated in the same communication, the Convention is not applicable to the Territories of Papua and Norfolk Island and the Mandated Territories of New Guinea and Nauru.

3. In reply, I beg to inform you that the above-mentioned ratification was registered with the Secretariat of the League of Nations on September 24, 1938, and I will not fail to inform the Members of the International Labour Organisation and the Director of the International Labour Office of this fact.

4. You have been good enough to inform me at the same time that His Majesty's Government in the Commonwealth of Australia in ratifying the said draft Convention wish to draw attention to the following matters :

(Here follows the text of the letter of 18 August 1938 of the Minister for External Affairs with the exception of the first and last paragraphs.)

5. The terms of your letter have been communicated to the Director of the International Labour Office who has drawn my attention to the fact that if the understanding stated in your letter were to be regarded as constituting a reservation the doctrine approved by the Committee of Experts on the Progressive Codification of International Law, in a report accepted by the Council on 17 June 1927, to the effect that the reservations to international labour conventions are inadmissible, would be applicable to the present case. It is presumed, however, that the Government of the Commonwealth of Australia, which has communicated to the Secretariat an instrument of ratification in unqualified terms, has no intention of purporting to ratify subject to a reservation, but is merely drawing attention to the law and/or practice in Australia, which it understands to be in conformity with the requirements of the Convention.

I have the honour to be, etc.

*For the Secretary-General :
(Signed) L. A. PODESTA COSTA,
Under Secretary-General.*

Brazil.

Formal ratification of the Conventions (No. 45) concerning the employment of women on underground work in mines of all kinds (1935) and (No. 52) concerning annual holidays with pay (1936).

On 23 September 1938 the Secretary-General of the League of Nations informed the Office that, by *notes verbales* of 21 September 1938, the Brazilian Minister in Berne had communicated to him the formal ratification by his Government of the above-named Conventions.

These ratifications were registered by the Secretariat on 22 September 1938.

The note of the Brazilian Minister in Berne, communicating to the Secretary-General the formal ratification of the Convention concerning the employment of women on underground work in mines of all kinds, is as follows :

(Translation.)

The Brazilian Minister in Berne has the honour to hand to the Secretary-General of the League of Nations, with the present *note verbale*, the instrument of ratification by the United States of Brazil of the Convention concerning the employment of women on underground work in mines of all kinds, adopted by the General Conference of the International Labour Organisation at its Nineteenth Session at Geneva from 4 to 25 June 1935.

The Minister would be grateful if the Secretary-General of the League of Nations would inform him of the date of registration of this instrument of ratification.

Berne, 21 September 1938.

The instrument of ratification of the Convention concerning the employment of women on underground work in mines of all kinds 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 Geneva from 4 to 25 June 1935 in its Nineteenth Session, and having adopted various draft Conventions, Brazil has decided to adopt the following :

(Here follows the text of the Convention concerning the employment of women on underground work in mines of all kinds.)

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 this twenty-first day of the month of July, One thousand nine hundred and thirty eight, the 117th of independence and 50th of the Republic.

(Signed) GETULIO VARGAS.

(Signed) OSWALDO ARANHA.

The instrument of ratification of the Convention concerning annual holidays with pay, and the note of the Brazilian Minister in Berne, are in similar terms.

Formal ratification of the Conventions (No. 53) concerning the minimum requirement of professional capacity for masters and officers on board merchant ships (1936), and (No. 58) fixing the minimum age for the admission of children to employment at sea (revised 1936).

By letter of 14 October 1938 the Secretary-General of the League of Nations informed the Office that, by *notes verbales* of 11 October 1938, the Minister of the United States of Brazil in Berne had communicated to him the formal ratification by his Government of the above-named Conventions.

These ratifications were registered by the Secretariat on 12 October 1938.

The note by which the Minister of the United States of Brazil in Berne communicated to the Secretary-General the formal ratification of the Convention concerning the minimum requirement of professional capacity for masters and officers on board merchant ships is as follows :

(Translation.)

The Brazilian Minister in Berne has the honour to deposit with the Secretariat of the League of Nations, with the present *note verbale*, the instrument of ratification by the United States of Brazil of the " Convention concerning the minimum requirement of professional capacity for masters and officers on board merchant ships ", adopted by the General Conference of the International Labour Organisation at its Twenty-first Session at Geneva from 6 to 24 October 1936.

The Minister requests the Secretariat of the League of Nations to be good enough to inform him of the date of registration of this instrument of ratification.

Berne, 11 October 1938.

The instrument of ratification of the Convention concerning the minimum requirement of professional capacity for masters and officers on board merchant ships 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 Geneva from 6 to 24 October 1936 in its Twenty-first Session, and having adopted a Draft Convention concerning the minimum requirement of professional capacity for masters and officers on board merchant ships, which the Government of Brazil has decided to adopt and the tenor of which is as follows :

(Here follows the French text of the Convention.)

And, the Government of Brazil having approved the aforesaid draft as an international Convention, in the above terms, We declare it by the present letter to be in force and valid, in order that it may take full effect, and promise that it shall be observed inviolate.

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 this sixteenth day of the month of August, One thousand nine hundred and thirty-eight, the 117th of independence and 50th of the Republic.

(Signed) GETULIO VARGAS.

(Signed) OSWALDO ARANHA.

The instrument of ratification of the Convention fixing the minimum age for the admission of children to employment at sea (revised 1936) is in similar terms.

Canada.

Formal ratification of the Conventions (No. 22) concerning seamen's articles of agreement, 1926, and (No. 27) concerning the marking of the weight on heavy packages transported by vessels, 1929.

By letter of 15 July 1938 the Secretary-General of the League of Nations informed the Office that the Permanent Delegate of Canada to the League of Nations had handed to him the formal ratification by the Government of Canada of the above-named Conventions.

These ratifications were registered by the Secretariat on 30 June 1938.

The procès-verbal of the deposit of the instrument of ratification of the Seamen's Articles of Agreement Convention, 1926, is as follows :

In execution of the provisions contained in Article 16 of the Convention concerning Seamen's Articles of Agreement, adopted by the International Labour Conference at its Ninth Session in Geneva, on June 24th, 1926, Mr. Hume WRONG, Permanent Delegate of Canada to the League of Nations, presented himself to-day at the Secretariat of the League of Nations, in order to proceed to the deposit of the instrument of ratification by the Government of Canada of the above-mentioned Convention.

The instrument of ratification having been found, after examination, to be in good and due form, has been deposited with the Secretariat of the League of Nations.

In faith whereof the undersigned have drawn up the present Procès-Verbal.

Done in duplicate at Geneva, on the thirtieth day of June one thousand nine hundred and thirty-eight.

(Signed) H. H. WRONG.

(Signed) J. NISOT,
Acting Legal Adviser of the Secretariat.

The instrument of ratification of this Convention is as follows :

DEPARTMENT OF EXTERNAL AFFAIRS CANADA

WHEREAS a Convention concerning Seamen's Articles of Agreement was adopted by the General Conference of the International Labour Organisation of the League of Nations at its Ninth Session on June 24th, 1926, which Convention is, word for word, as follows :

(Here follows the text of the Convention.)

THE GOVERNMENT OF CANADA, having considered the said Convention, hereby confirm and ratify it and undertake to carry out the provisions set forth therein.

IN WITNESS WHEREOF this Instrument of Ratification is signed and sealed by the Secretary of State for External Affairs of Canada.

Done at Ottawa, this 13th day of June 1938.

(Signed) W. L. MACKENZIE KING.

The procès-verbal and the instrument of ratification concerning the Marking of Weight (Packages Transported by Vessels) Convention, 1929, are in similar terms.

Czechoslovakia.

Formal ratification of the Conventions (No. 43) for the regulation of hours of work in automatic sheet glass works (1934) and (No. 49) concerning the reduction of hours of work in glass bottle works (1935).

By letters of 21 September 1938, the Secretary-General of the League of Nations informed the Office that the *Chargé de Services* of the Permanent Office of the Czechoslovak Republic accredited to the League of Nations had communicated to him, by letters of 16th September 1938, the formal ratification by the Czechoslovak Government of the above-named Conventions.

These ratifications were registered by the Secretariat of the League of Nations on 19 September 1938.

The letter from the *Chargé de Services* of the Permanent Office of the Czechoslovak Republic accredited to the League of Nations to the Secretary-General, with which he communicated the ratification of the Sheet Glass Works Convention, is as follows :

(Translation.)

Geneva, 16 September, 1938.

Sir,

I have the honour to communicate herewith the instrument of formal ratification by the Government of the Czechoslovak Republic of the Convention for the regulation of hours of work in automatic sheet glass works, adopted by the International Labour Conference at its Eighteenth Session (Geneva, 4-23 June, 1934). This instrument of ratification was signed by the President of the Czechoslovak Republic on 26 August, 1938.

I have the honour to be, etc.

(Signed) DR. KOPECKY,
Chargé de Services.

The instrument of ratification of the Convention is as follows :

(Translation.)

IN THE NAME OF THE CZECHOSLOVAK REPUBLIC,

At the Eighteenth International Labour Conference,
The following Draft Convention was adopted :

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

Having examined this draft Convention, We approve it and declare that the Czechoslovak Republic adheres to it by means of the present instrument.

In Faith whereof We have signed this document and have caused the Seal of the Czechoslovak Republic to be affixed thereto.

Done at Prague Castle, the twenty-sixth day of August of the year one thousand nine hundred and thirty-eight.

(Signed) DR. EDVARD BENEŠ,
President of the Czechoslovak Republic.

(Signed) DR. K. KROFTA,
Minister of Foreign Affairs.

The letter of the *Chargé de Services* of the Permanent Office of the Czechoslovak Republic accredited to the League of Nations and the instrument of ratification of the Reduction of Hours of Work (Glass Bottle Works) Convention, 1935 (No. 49) are in similar terms.

Denmark.

Formal ratification of the Convention (No. 53) concerning the minimum requirement of professional capacity for masters and officers on board merchant ships.

By letter of 14 July 1938 the Secretary-General of the League of Nations informed the Office that, by letter of 13 July 1938, the Permanent Delegate of Denmark accredited to the League of Nations had communicated to him the formal ratification of the above-named Convention by the Royal Danish Government.

This ratification was registered by the Secretariat of the League of Nations on 13 July 1938.

The letter of the Permanent Delegate of Denmark accredited to the League of Nations is as follows :

(Translation.)

Geneva, 13 July 1938.

Sir,

Under instructions from my Government, I have the honour to forward herewith the instrument of ratification relative to the International Convention concerning the minimum requirement of professional capacity for masters and officers on board merchant ships, adopted at the Twenty-first Session of the International Labour Conference at Geneva, 6-24 October 1936, and request that you may be good enough to cause it to be registered.

A translation of the instrument¹ is enclosed herewith and, in accordance with Article 7 of the Convention, a declaration relating to its application to Danish territories.

I should be obliged if you would kindly supply me with four copies of a list of the countries between which the Convention is in force.

I have the honour to be, etc.

(Signed) WILLIAM BORBERG.

The declaration referred to in the above letter is as follows :

13 July 1938.

In accordance with Article 7 of the International Convention concerning the minimum requirement of professional capacity for masters and officers on board merchant ships, adopted at the Twenty-first Session of the International Labour Conference at Geneva, 6-24 October 1936, I declare that the Danish Government undertakes to apply the provisions of the Convention without modification in all Danish territories except Greenland where navigation is reserved to the Danish State.

(Signed) WILLIAM BORBERG.

¹ Into French.

The text of the instrument of ratification is as follows :

(*Translation.*)

WE, CHRISTIAN THE TENTH,

By the Grace of God, King of Denmark and Iceland, of the Vandals and the Goths, Duke of Slesvig, Holstein, Stormarn, of the Ditmarshes of Lauenburg and Oldenburg,

Hereby make known : that having read and examined the Convention concerning the minimum requirement of professional capacity for masters and officers on board merchant ships, adopted by the International Labour Conference at its Twenty-first Session at Geneva from 6 to 24 October 1936, which Convention is word for word in the following terms :

(*Here follows the text of the Convention.*)

We have approved, confirmed and ratified the said Convention for the Kingdom of Denmark, with the exception of Greenland, as by these presents We approve, confirm and ratify it in the most solemn and binding manner possible, in Our name and that of Our successors, promising by Royal word in Our name and theirs to observe and to cause to be scrupulously observed the said Convention in all its terms and clauses.

In Faith whereof We have signed with Our own hand this instrument of ratification and have caused Our Royal Seal to be affixed thereto.

Given at Marselisborg this thirtieth day of June in the year one thousand nine hundred and thirty-eight and the twenty-seventh year of Our Reign.

(*Signed*) CHRISTIAN R.

(L. S.)

(*Countersigned*) P. MUNCH.

Translation certified in agreement :

(*Signed*) BEN FRITZ FALKENSTJERNE
*Chief of the Politico-legal Department
in the Ministry of Foreign Affairs.*

Formal ratification of the Convention (No. 9) for establishing facilities for finding employment for seamen (1920).

By letter of 24 August 1938 the Secretary-General of the League of Nations informed the Office that by letter of 22 August 1938 the Permanent Delegate of Denmark accredited to the League of Nations had communicated to him the formal ratification of the above-named Convention by the Danish Government.

This ratification was registered by the Secretariat of the League of Nations on 23 August 1938.

The letter of the Permanent Delegate of Denmark accredited to the League of Nations is as follows :

(*Translation.*)

Geneva, 22 August 1938.

Sir,

Under instructions from my Government, I have the honour to forward herewith the instrument of ratification relative to the International Convention for establishing facilities for finding employment for seamen, adopted at the Second Session of the International Labour Conference at Genoa from 15 June to 10 July 1920, and request that you may be good enough to cause it to be registered.

A translation into French of the instrument is enclosed herewith.

I should be obliged if you would kindly supply me with four copies of a list of the countries between which the Convention is in force.

I have the honour to be, etc.

(*Signed*) WILLIAM BORBERG.

The text of the instrument of ratification is as follows :

(*Translation.*)

WE, CHRISTIAN THE TENTH,

By the Grace of God, King of Denmark and Iceland, of the Vandals and the Goths, Duke of Slesvig, Holstein, Stormarn, of the Ditmarshes of Lauenburg and Oldenburg,

Hereby make known : that having read and examined the Convention for establishing facilities for finding employment for seamen, adopted by the International Labour Conference at its Second Session at Genoa from 15 June to 10 July 1920, which Convention is word for word in the following terms :

(*Here follows the text of the Convention.*)

We have approved, confirmed and ratified the said Convention for the Kingdom of Denmark, with the exception of Greenland, as by these presents We approve, confirm and ratify it in the most solemn and binding manner possible, in Our name and that of Our successors, promising by Royal word in Our name and theirs to observe and to cause to be scrupulously observed the said Convention in all its terms and clauses.

In Faith whereof We have signed with Our own hand this instrument of ratification and have caused Our Royal Seal to be affixed thereto.

Given at Marselisborg this twelfth day of August in the year one thousand nine hundred and thirty-eight and the twenty-seventh year of Our Reign.

(*Signed*) CHRISTIAN R.
(L. S.)

(*Countersigned*) P. MUNCH.

Translation certified in agreement.

(*Signed*) BEN FRITZ FALKENSTJERNE
*Chief of the Politico-legal Department
in the Ministry of Foreign Affairs.*

Estonia.

Formal ratification of the Convention (No. 53) concerning the minimum requirement of professional capacity for masters and officers on board merchant ships (1936).

By letter of 22 June 1938 the Secretary-General of the League of Nations informed the Office that, by letter of 17 June 1938, the Minister for Foreign Affairs of Estonia had communicated to him, in accordance with Article 19, paragraph 7, of the Constitution of the International Labour Organisation, the formal ratification by the Government of Estonia of the above-named Convention.

In accordance with Article 20 of the Constitution of the International Labour Organisation this ratification was registered by the Secretariat on 20 June 1938.

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

(*Translation.*)

Tallin, 17 June 1938.

Sir,

I have the honour to inform you, in accordance with paragraph 7 of Article 19 of the Constitution of the International Labour Organisation, that the President-Regent of the Republic ratified on 6 April 1938, by a Legal Decree published on 13 May 1938 in the Official Gazette (*Riigi Teataja*), No. 1, Article 1, which came into force on 23 May 1938, the Draft Convention

(No. 53) concerning the minimum requirement of professional capacity for masters and officers on board merchant ships adopted by the International Labour Conference at its Twenty-first Session.

I have the honour to be, etc.

For the Minister and by authorisation :

(Signed) R. MICKWITZ,
Chief of the Treaty Bureau.

The Legal Decree of 6 April approving the Convention mentioned in the letter reproduced above is as follows :

(Translation.)

Act for the approval of the Convention (No. 53) concerning the minimum requirement of professional capacity for masters and officers on board merchant ships.

Published by Decree of the President-Regent of the Republic on 6 April 1938.

(1) The Draft Convention (No. 53) concerning the minimum requirement of professional capacity for masters and officers on board merchant ships, adopted by the Twenty-first Session of the International Labour Conference at Geneva on 24 October 1936, is recognised to be approved.

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

Tallin, 6 April 1938.

Recommendation (No. 50) concerning international co-operation in respect of public works (1937).

By letter of 4 November 1938 the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which the acting Permanent Delegate of Estonia accredited to the League of Nations informed him of the action taken by his Government in respect of the above-named Recommendation.

The letter from the acting Permanent Delegate of Estonia accredited to the League of Nations is as follows :

(Translation.)

Geneva, 31 October 1938.

Sir,

I am instructed by my Government to inform you, in accordance with Article 19 (405), paragraph 6, of the Constitution of the International Labour Organisation, that the Government of the Estonian Republic has stated that it is ready to carry out, so far as it may be technically possible, the suggestions contained in the Recommendation (No. 50) concerning international co-operation in respect of public works, adopted by the International Labour Conference at its Twenty-third Session (Geneva, 3-23 June, 1937).

With this object, Departments responsible for organising public works have been instructed to supply the Ministry of Social Affairs with statistical and other information, with a view to the preparation of statistics and information concerning the whole country which will be communicated to the International Labour Office.

I have the honour to be, etc.

(Signed) J. KODAR,
Counsellor of Legation,
Acting Permanent Delegate.

India.

Recommendations (No. 50) concerning international co-operation in respect of public works, (No. 51) concerning national planning of public works, (No. 52) concerning the minimum age for admission of children to industrial employment in family undertakings, (No. 53) concerning safety provisions in the building industry, (No. 54) concerning inspection in the building industry, (No. 55) concerning co-operation in accident prevention in the building industry, and (No. 56) concerning vocational education for the building industry.

By letter of 21 May, 1938, the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which the Under-Secretary of State for India informed him of the action taken by the Government of India in respect of the above-named Recommendations.

The letter from the Under-Secretary of State for India is as follows :

London, 17 May, 1938.

Sir,

In accordance with the provisions of paragraph 6, Article 405 of the Treaty of Versailles, I am directed by the Secretary of State for India to enclose, for your information, copy of a letter from the Government of India, with enclosure, reporting the action taken on :

- the Recommendation concerning co-operation in respect of public works;
- the Recommendation concerning international planning of public works;
- the Recommendation concerning minimum age for admission of children to employment in family undertakings;
- the Recommendation concerning safety provisions in the building industry;
- the Recommendation concerning inspection in the building industry;
- the Recommendation concerning co-operation in accident prevention in the building industry; and
- the Recommendation concerning vocational education for the building industry

which were adopted by the Twenty-third Session of the International Labour Conference held at Geneva in June, 1937.

A separate letter regarding the draft Conventions adopted by the Twenty-third Session which are also dealt with in the Government of India's letter, has been addressed to the Director of the International Labour Office.

I am, etc.

(Signed) W. D. CROFT.

The letter from the Government of India is as follows :

Simla, 2 May, 1938.

Sir,

I am directed to say that, in accordance with the provisions of Article 405 of the Treaty of Versailles, the draft Conventions and Recommendations adopted by the Twenty-third Session of the International Labour Conference were laid on the table of the Council of State and the Legislative Assembly on the 8th and 11th April 1938 respectively, along with a statement of which a copy is enclosed.

Copies of the Conventions, Recommendations and Statement were also placed in the hands of the Members of both Houses. A resolution was also

moved in the Council of State on the 2nd March 1938, and in the Legislative Assembly on the 25th March, 1938, on the Draft Convention and Recommendations concerning safety provisions in the building industry. Copies of the Resolutions which were adopted are enclosed.

2. I am to request that with the approval of the Secretary of State for India, the action taken may be communicated to the Director of the International Labour Office in respect of the draft Conventions and to the Secretary-General of the League of Nations in regard to the Recommendations.

I have, etc.

(Signed) N. MAHADEVA AYYAR,
Secretary to the Government of India.

The statement showing the action taken by the Government of India is as follows :

STATEMENT

The following statement gives particulars of the course which the Government of India propose to follow in respect of the Draft Conventions and Recommendations adopted by the Twenty-third Session of the International Labour Conference held at Geneva in June, 1937.

I. (a) *Recommendation concerning International Co-operation in respect of Public Works.*

The Government of India propose to inform the International Labour Office that they are not convinced that international co-operation is essential to effect the action in respect of advance planning of public works, but that they will be prepared, if the Committee contemplated in the Recommendation is set up, to consider the question of co-operation with it and to examine, in consultation with the Provincial Governments, the possibility of supplying such statistics as may be wanted.

(b) *Recommendation concerning the National Planning of Public Works.*

The Recommendation is one which contemplates administrative rather than legislative action, and the Government of India propose to forward the Recommendation to the Provincial Governments.

II. (a) *Draft Convention fixing the Minimum Age for Admission of Children to Industrial Employment (Revised 1937).*

The possibility of ratifying the Draft Convention is under examination. Fresh legislation would be required for this purpose and if ratification is contemplated, legislative proposals will be made in the Central Legislature.

(b) *Recommendation concerning the Minimum Age for Admission of Children to Employment in Family Undertakings.*

No action is required in respect of the Recommendation as the Indian laws do not contain special provisions for family undertakings.

III. *The Draft Convention concerning the Age for Admission of Children to Non-industrial Employment (Revised 1937).*

No Resolution will be moved by Government. The subject was considered by the Council of State in 1932 and the Legislative Assembly in 1933 in connection with the Minimum Age (Non-industrial Employment) Convention, 1932, of which this is a revision. It was then decided that the Convention should not be ratified. The evolution of the Convention with its special Article 9 for India is set out in paragraphs 38 and 39 of the Report of the Delegates of the Government of India. The Convention prevents employment of children under 13 in (a) shops, offices, hotels or restaurants; (b) places of public entertainment; and (c) any other non-industrial occupation to which the provisions of the Convention may be extended by the competent authority. The Government of India do not believe that all-India legislation on the comprehensive lines indicated by the Convention is called for in existing Indian conditions. In their opinion

young children employed in unregulated small-power factories and workshops have prior claim to protection. The Convention will, however, be forwarded to Provincial Governments for consideration.

IV. *Draft Convention concerning the Reduction of Hours of Work in the Textile Industry.*

The Draft Convention is an application of the general principle of the 40-hour week which has been rejected by the Council of State and the Legislative Assembly, and no Resolution will be moved by Government.

- V. (a) *Draft Convention concerning Safety Provisions in the Building Industry.*
 (b) *Recommendation concerning Safety Provisions in the Building Industry.*
 (c) *Recommendation concerning Inspection in the Building Industry.*
 (d) *Recommendation concerning Vocational Education for the Building Industry.*

A Resolution on the subject was moved in the Council of State and the Legislative Assembly on the 2nd and 25th March 1938, respectively, and adopted with an amendment.

The Resolution adopted by the Legislative Assembly at its meeting held on the 25th March, 1938, is as follows :

This Assembly, having considered the Draft Convention and Recommendations relating to safety in the building industry, adopted at the Twenty-third Session of the International Labour Conference, recommends to the Governor General in Council :

(a) that Provincial Governments be consulted regarding the desirability and practicability of legislation to secure greater safety for workers in the building industry and that after such consultation he may be pleased to place his considered decision before the Assembly as soon as practicable; and

(b) that their attention be drawn to the Recommendations concerning co-operation in accident prevention and vocational education.

‘Iraq.

Formal ratification of the Convention (No. 18) concerning workmen’s compensation for occupational diseases (1925).

By letter of 28 November 1938 the Secretary-General of the League of Nations informed the Office that, by letter of 22 November 1938, the Minister for Foreign Affairs of ‘Iraq had communicated to him the formal ratification by the Government of ‘Iraq of the above-named Convention.

This ratification was registered by the Secretariat of the League of Nations on 26 November 1938.

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

Baghdad, 22 November 1938.

Sir,

I have the honour to inform you that the Royal Government of ‘Iraq have now confirmed and approved the draft Convention (No. 18) concerning workmen’s compensation for occupational diseases which was adopted by the International Labour Conference on 10 June 1925, and to transmit herewith the Ratification thereof executed by His Majesty the King, together with an unofficial English translation thereof, and four authenticated copies of the above-mentioned Ratification.

I shall be grateful if in acknowledging the receipt of this communication you will inform me of the date of registration and the consequent date on which the Convention will come into force for ‘Iraq.

I have the honour to be, etc.

(Signed) T. SUWAIDY,
 Minister for Foreign Affairs.

The instrument of ratification of the Convention is as follows :

BY THE GRACE OF GOD

GHAZI THE FIRST, KING OF 'IRAQ.

To all to whom this Instrument shall come, Greeting.

WHEREAS on the 10th of June, 1925, the International Labour Conference adopted a draft Convention (No. 18) concerning Workmen's Compensation for occupational diseases :

And whereas on 13/9/1934, the Secretary-General of the League of Nations communicated to our Minister for Foreign Affairs a certified true copy of the said draft Convention :

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 obtained on May 9, 1937, 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 has been taken :

We, having seen and considered the same draft Convention, have approved, accepted and confirmed the same in all and every one of its Articles and Clauses, as We do by this instrument approve, accept, confirm and ratify them for Ourselves, Our Heirs and Successors; engaging and promising upon Our Royal Word that We will sincerely and faithfully perform and observe all and singular the things which are contained and expressed in the same draft Convention, and that We will never suffer the same to be violated by anyone, or transgress in any manner, as far as lies in Our power. For the greater testimony and validity of all which We have caused Our Royal Seal to be affixed to this instrument, which We have signed with Our Royal Hand.

DONE at Our Royal Palace at Baghdad, the 2nd day of Rabi' al Awal 1357 of the Hijra, corresponding with the 2nd day of May 1938 of the Christian Era and in the 5th year of Our Reign.

(Seal)

(Signature)

GHAZI.

BY HIS MAJESTY'S COMMAND.

T. SUWAIDY,

Minister for Foreign Affairs.

Japan.

Recommendations (No. 48) concerning the promotion of seamen's welfare in ports and (No. 49) concerning hours of work on board ship and manning.

By letter of 13 June 1938 the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which the Delegation of the Japanese Government to the International Labour Organisation informed him of the action taken by the competent authority in Japan in respect of the above-named Recommendations.

The letter from the Delegation of the Japanese Government is as follows :

Geneva, 6 June 1938.

Sir,

Further to my letter (Ref : KT/81) of 6 May 1938, I have the honour to inform you that the competent authority to which the *Recommendation*

(No. 48) concerning the promotion of seamen's welfare in ports and the Recommendation (No. 49) concerning hours of work on board ship and manning had been submitted, decided not to adopt them.

As regards Recommendation No. 48, the Japanese Government is always anxious to secure seamen's welfare in ports and measures to this effect are taken in close collaboration with private organisations. However it is as yet difficult to enforce all the provisions of the above-mentioned Recommendation.

As regards Recommendation No. 49, the actual conditions of hours of work and manning on board Japanese ships do not permit the adoption of the said Recommendation.

I have the honour to be, etc.

(Signed) J. KITAOKA.

Formal ratification of the Convention (No. 50) concerning the regulation of certain special systems of recruiting workers (1936).

On 9 September 1938 the Secretary-General of the League of Nations informed the Office that, by letters of 7 September 1938 and 29 July 1938 respectively, the Acting Director of the Japanese Bureau for International Conferences and the Japanese Minister for Foreign Affairs had communicated to him the formal ratification by the Japanese Government of the above-named Convention.

This ratification was registered by the Secretariat of the League of Nations on 8 September 1938.

The letter of the Acting Director of the Japanese Bureau for International Conferences is as follows :

(Translation.)

7 September 1938.

Sir,

Under instructions from my Government, I have the honour to transmit to you herewith a letter dated 29 July 1938 from the Minister for Foreign Affairs, in which he informs you of the ratification by His Majesty the Emperor of Japan of the Convention concerning the regulation of certain special systems of recruiting workers, adopted at the 20th Session of the International Labour Conference, together with a copy of the Instrument of Ratification of the said Convention appended to the above-mentioned letter.

I beg that you may be so good as to acknowledge the receipt of the said letter, and to inform me of the date of registration of the ratification.

I have the honour to be, etc.

(Signed) U. USANI,
Acting Director of the Japanese Bureau
for International Conferences.

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

Tokyo, 29 July 1938.

Sir,

Pursuant to the provisions of Article 19, paragraph 7 of the Constitution of the International Labour Organisation, I have the honour, on behalf of the Japanese Government, to inform you that, the necessary formalities stipulated in Article 19 of the Constitution of the International Labour Organisation having been fulfilled in respect of the draft conventions adopted at the 20th Session of the International Labour Conference, His Majesty the Emperor of Japan has now been pleased to ratify the Convention concerning the Regulation of Certain Systems of Recruiting Workers.

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 also to Tyosen, Taiwan, Karahuto, the Leased Territory of Kwantung and the South Sea Islands under Japanese Mandate.

I avail myself of this occasion to tender, etc.

(Signed) K. UGAKI,
Minister for Foreign Affairs.

The instrument of ratification is as follows :

(Translation ¹)

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 the Regulation of Certain Special Systems of Recruiting Workers, which was adopted at the Twentieth Session of the International Labour Conference held at Geneva in the eleventh year of Syōwa, 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 the Imperial Palace in Tokyo, this twenty-seventh day of the seventh month of the thirteenth year of Syōwa, being the two thousand five hundred and ninety-eighth year from the Accession of the Emperor Zinmu.

(Signed) HIROHITO
Countersigned : KAZUSHIGE UGAKI,
Minister for Foreign Affairs.

Seal
of the Empire

Netherlands.

Formal ratification of the Convention (No. 48) concerning the establishment of an international scheme for the maintenance of rights under invalidity, old-age, widows' and orphans' insurance (1935).

By letter of 6 October 1938 the Secretary-General of the League of Nations informed the Office that the Acting *Chargé d'Affaires* of the Netherlands at Berne had communicated to him, by letter of 5 October 1938, the formal ratification by the Government of the Netherlands of the above-named Convention.

This ratification was registered by the Secretariat on 6 October 1938.

The letter from the Acting *Chargé d'Affaires* of the Netherlands at Berne is as follows :

(Translation.)

Berne, 5 October 1938.

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 Amsterdam on 22 September 1938, of the Draft Convention concerning the establishment of an international scheme for the

¹ Supplied by the Minister for Foreign Affairs.

maintenance of rights under invalidity, old-age and widows' and orphans' insurance; this Draft Convention was adopted on 22 June 1935 by the General Conference of the International Labour Organisation of the League of Nations at its Nineteenth Session held at Geneva from 4 to 25 June 1935; the clause relating to the competence to adhere to this Draft Convention was approved by the Netherlands Act of 21 November 1936 (Law Bulletin of the Kingdom of the Netherlands, No. 99¹).

In forwarding this act of ratification for registration by the League of Nations, I venture to draw your attention to the fact that the ratification of the Netherlands is subject to the reservation mentioned in the third paragraph of Article 10 of the Draft Convention.¹

I request you to be good enough to inform me of the date on which this ratification has been registered.

I have the honour to be, etc.

(Signed) G. A. VAN HAMEL,
Acting Chargé d'Affaires of the
Netherlands.

The instrument of ratification is as follows :

(Translation.)

WE, WILHELMINA,

BY THE GRACE OF GOD, QUEEN OF THE NETHERLANDS,
PRINCESS OF ORANGE-NASSAU, ETC.

To all who may see these Presents, Greeting!

Having seen and examined the Draft Convention concerning the establishment of an international scheme for the maintenance of rights under invalidity, old-age and widows' and orphans' insurance adopted on 22 June 1935 by the General Conference of the International Labour Organisation of the League of Nations at its Nineteenth Session held at Geneva from 4 to 25 June 1935, the tenour 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.

This ratification is subject to the reservation mentioned in the third paragraph of Article 10 of the Draft Convention.¹

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 Amsterdam this twenty-second day of the month of September in the year of Grace one thousand nine hundred and thirty-eight.

(Signed) WILHELMINA.

(Signed) J. PATIJN.

Norway.

Formal ratification of the Convention (No. 59) fixing the minimum age for admission of children to industrial employment (revised) 1937.

On 27 August 1938 the Secretary-General of the League of Nations informed the Office that by letter of 26 August 1938 the

¹ The stipulation made by the Government of the Netherlands does not itself constitute a reservation, but is in application of an express clause of the Convention.

Article 10, paragraph 3, of the Convention is as follows :

" Provided also that, for a period of five years from the first coming into force of this Convention, a Member may reserve the payment of any subsidy or supplement to or fraction of a pension which is payable out of public funds to the nationals of Members with which it has concluded supplementary agreements to that effect."

Permanent Delegate of Norway accredited to the League of Nations had communicated to him the formal ratification by the Royal Government of Norway of the above-named Convention.

This ratification was registered by the Secretariat on 26 August 1938.

The letter from the Permanent Delegate of Norway accredited to the League of Nations to the Secretary-General is as follows :

(Translation.)

Geneva; 26 August 1938.

Sir,

Under instructions from my Government, I have the honour to communicate to you herewith the letter of adherence concerning the Convention fixing the minimum age for admission of children to industrial employment (revised in 1937), adopted as a Draft Convention by the International Labour Conference on 22 June 1937.

I have the honour to be, etc.

(Signed) EINAR MASENG,
Permanent Delegate of Norway
accredited to the League of Nations.

The instrument of ratification of the Convention is as follows :

(Translation.)

WE, HAAKON,
KING OF NORWAY,

Hereby make known that :

Having seen and examined the Convention fixing the minimum age for admission of children to industrial employment (revised in 1937), adopted as a Draft Convention by the International Labour Conference at its Twenty-third Session on 22 June 1937, 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.

Royal Palace,
Oslo, 29 July 1938.

(Signed) HAAKON R.
(Signed) TRYGVE LIE.

Sweden.

Formal ratification of the Convention (No. 32) concerning the protection against accidents of workers employed in loading or unloading ships (revised 1932).

By letter of 4 August 1938 the Secretary-General of the League of Nations informed the Office that, by letter of 1 August 1938 the Acting *Chargé d'Affaires* of Sweden at Berne had communicated to him the formal ratification by the Swedish Government of the above-named Convention.

This ratification was registered by the Secretariat of the League of Nations on 3 August 1938.

The letter from the Acting *Chargé d'Affaires* of Sweden at Berne is as follows :

(Translation.)

Berne, 1 August 1938.

Sir,

The King's Government having decided to ratify the Convention concerning the protection against accidents of workers employed in loading or unloading ships, revised by the International Labour Conference in 1932, I have the honour to forward herewith for registration the instrument of ratification of the said Convention followed by a French translation.

According to instructions received, and with reference to Article 15 of the said Convention, I have the honour to enclose, for transmission to the International Labour Office, an *aide-mémoire* containing the exceptions to the application of certain articles of the Convention which it is intended to make in virtue of the aforesaid Article in applying the Convention through Swedish legislation. The text of the two Royal Decrees mentioned in the *aide-mémoire* are also enclosed for the International Labour Office.

I have the honour to be, etc.

(Signed) ÔSTEN LUNDBORG.

Acting *Chargé d'Affaires* of Sweden.

The instrument of ratification is as follows :

(Translation.)

WE, GUSTAF,

BY THE GRACE OF GOD, KING OF THE SWEDES, THE GOTHES
AND THE WENDS,

Hereby make known that :

The Resolutions adopted by the Conference of the International Labour Organisation at Geneva in 1932 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. 32) concerning the protection against accidents of workers employed in loading or unloading ships (revised 1932) :

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.

Done at the Castle of Stockholm, 3 June 1938.

(M. R.) GUSTAF R.

L. S.

(c.s.) RICKARD SANDLER.

The *aide-mémoire* enclosed with the above letter from the Acting *Chargé d'Affaires* of Sweden at Berne is as follows :

(Translation.)

Ministry of Foreign Affairs.

Aide-mémoire.

In applying in Swedish legislation the Convention concerning the protection against accidents of workers employed in loading or unloading ships (revised 1932), the following exceptions are made, under Article 15 of the Convention, to the articles indicated.

A. Article 1.

The term "processes" does not apply to the work referred to in the article, in the case not only of ships of war but also :

(i) any ship belonging to the Swedish State or to a foreign State not engaged in the public transport of persons or goods. (See Decree No. 815 of 8 October 1937, the text of which is appended.)

(ii) any ship of less than 20 registered tons. (See Article 1 of Decree No. 815 mentioned above.)

(iii) in any port in which the schedules of dues has not been fixed by a central authority. Further, the higher authority of the technical inspectorate may authorise exceptions, if desirable, in the case of ports or parts of ports with a schedule of the kind mentioned above. (See Decree No. 816 of 8 October 1937, the text of which is inserted in the above-mentioned appendix—Article 1.)

B. Article 9, paragraphs 1-4.

Any ship of less than 300 registered tons. (See Decree No. 815, Article 2, paragraph 1, sub-paragraphs (a) and (b).)

Stockholm, 19 July 1938.

Union of South Africa.

Recommendation (No. 56) concerning vocational education for the building industry (1937).

By letter of 18 August 1938 the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which the accredited representative of the Union of South Africa to the League of Nations informed him of the action taken by the Government of the Union of South Africa in respect of the above-named Recommendation.

The letter from the accredited representative of the Union of South Africa is as follows :

Geneva, 15 August 1938.

Sir,

I have the honour to inform you at the instance of the Minister of External Affairs of the Union of South Africa that, in accordance with Article 405 of the Treaty of Peace, 1919, Recommendation No. 56 concerning Vocational Education for the Building Industry, adopted by the Twenty-third Session of the International Labour Conference, was duly approved and adopted by the Union Government on June 28th, 1938.

I have the honour to be, etc.

(Signed) H. T. ANDREWS,
Accredited Representative.

Errata.

Vol. XXIII, No. 3, p. 86.

Line 10: for " Article 23 " read " Article 24 ".

Line 20: for " Article 23 " read " Article 24 ".

Vol. XXIII, No. 4, p. 117.

Line 6: for " Eighty-fifth Session " read " Eighty-third Session ".

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