

**INTERNATIONAL LABOUR
CONFERENCE**

THIRTIETH SESSION

GENEVA, 1947

**REPORTS ON THE APPLICATION OF CONVENTIONS
(ARTICLE 22 OF THE CONSTITUTION)**

Sixth Item on the Agenda

INTERNATIONAL LABOUR OFFICE

GENEVA, 1947

TABLE OF CONTENTS

	Page		Page
Introduction	1	16th Session (Geneva, 1932)	96
1st Session (Washington, 1919)	3	32. Protection against Accidents (Dockers) (Revised)	96
1. Hours of Work (Industry)	3	33. Minimum Age (Non-Industrial Employment)	98
2. Unemployment	8	17th Session (Geneva, 1933)	99
3. Childbirth	14	34. Fee-Charging Employment Agencies	99
4. Night Work (Women)	16	35. Old-Age Insurance (Industry, etc.)	100
5. Minimum Age (Industry)	18	36. Old-Age Insurance (Agriculture)	102
6. Night Work (Young Persons)	22	37. Invalidity Insurance (Industry, etc.)	103
2nd Session (Genoa, 1920)	27	38. Invalidity Insurance (Agriculture)	105
7. Minimum Age (Sea)	27	18th Session (Geneva, 1934)	107
8. Unemployment Indemnity (Shipwreck)	29	41. Night Work (Women) (Revised)	107
9. Placing of Seamen	31	42. Workmen's Compensation (Occupational Diseases) (Revised)	111
3rd Session (Geneva, 1921)	35	43. Sheet-Glass Works	114
10. Minimum Age (Agriculture)	35	44. Unemployment Provision	115
11. Rights of Association (Agriculture)	37	19th Session (Geneva, 1935)	118
12. Workmen's Compensation (Agriculture)	40	45. Underground Work (Women)	118
13. White Lead (Painting)	43	46. Hours of Work (Coal Mines) (Revised)	121
14. Weekly Rest (Industry)	46	47. Forty Hour Week	121
15. Minimum Age (Trimmers and Stokers)	50	48. Maintenance of Migrants' Pension Rights	122
16. Medical Examination of Young Persons (Sea)	52	49. Reduction of Hours of Work (Glass-Bottle Works)	123
7th Session (Geneva, 1925)	55	20th Session (Geneva, 1936)	125
17. Workmen's Compensation (Accidents)	55	50. Recruiting of Indigenous Workers	125
18. Workmen's Compensation (Occupational Diseases)	58	52. Holidays with Pay	125
19. Equality of Treatment (Accident Compensation)	62	21st Session (Geneva, 1936)	127
20. Night Work (Bakeries)	68	53. Officers' Competency Certificates	127
8th Session (Geneva, 1926)	70	54. Holidays with Pay (Sea)	128
21. Inspection of Emigrants	70	55. Shipowners' Liability (Sick and Injured Seamen)	129
9th Session (Geneva, 1926)	72	57. Hours of Work and Manning (Sea)	131
22. Seamen's Articles of Agreement	72	22nd Session (Geneva, 1936)	132
23. Repatriation of Seamen	74	58. Minimum Age (Sea) (Revised)	132
10th Session (Geneva, 1927)	76	23rd Session (Geneva, 1937)	134
24. Sickness Insurance (Industry, etc.)	76	59. Minimum Age (Industry) (Revised)	134
25. Sickness Insurance (Agriculture)	78	61. Reduction of Hours of Work (Textiles)	135
11th Session (Geneva, 1928)	80	62. Safety Provisions (Building)	135
26. Minimum Wage-Fixing Machinery	80	24th Session (Geneva, 1938)	136
12th Session (Geneva, 1929)	87	63. Statistics of Wages and Hours of Work	136
27. Marking of Weight (Packages Transported by Vessels)	87	Appendix	
28. Protection against Accidents (Dockers)	90	Report of the Committee of Experts appointed to examine the annual reports made under Article 22 of the Constitution of the International Labour Organisation.	
14th Session (Geneva, 1930)	91	(This Appendix has been bound separately but accompanies the present volume.)	
29. Forced Labour	91		
30. Hours of Work (Commerce and Offices)	94		

INTRODUCTION

Article 22 of the Constitution of the International Labour Organisation imposes three distinct obligations, the aim of which is to ensure effective and uniform application of the Conventions adopted by the International Labour Conference: (1) an obligation on Governments to make annual reports to the International Labour Office on the measures which have been taken to give effect to the provisions of Conventions to which their respective countries are parties; (2) an obligation on the Governing Body to prescribe the form of such reports and the particulars which they should contain; (3) an obligation on the International Labour Office to lay a summary of the reports before the next meeting of the Conference.¹

The present summary is submitted to the Conference in pursuance of the obligation prescribed by Article 22 of the Constitution and contains information on the 52 Conventions in force for which annual reports have become due. The period covered by the summary is 1 October 1945 - 30 September 1946.

A total of 737 annual reports in respect of the above-mentioned Conventions were requested from Governments for this period. In the table under each Convention, however, a complete list of ratifications is given for statistical purposes only. It is realised that in respect of certain of these ratifications registered between 1921 and 1938, for which no reports were requested for the period 1945-1946, a number of complicated legal and constitutional problems arise, varying from case to case, touching on the questions whether reports are due in these cases.

Apart from the tables indicating the dates of ratification by each country and the dates

of receipt of the annual reports, the summary is limited to providing a list of the relevant legislation and a brief survey of application during the period covered, in which an analysis is given of fresh information supplied by Governments, including points of special interest, e.g., the restoration of legislative provisions which were suspended on account of emergency conditions. Wherever possible, an attempt has also been made to indicate briefly the information supplied by Governments on the administration of the relevant provisions, including decisions given by courts of law, as well as any observations which employers' or workers' organisations may have made concerning the practical fulfilment of the conditions prescribed by the Conventions. Care has, however, been taken to draft the summaries, so far as possible, in such a way as to make each item of information intelligible without reference to previous volumes. It should further be explained that the annual reports themselves will be available at the Conference for consultation.¹

Voluntary reports in respect of Conventions which have not yet come into force have been submitted by the Government of *Australia* for Convention No. 57 (Hours of Work and Manning (Sea)); by the Government of *Belgium* for Conventions No. 54 (Holidays with Pay (Sea)) and No. 57 (Hours of Work and Manning (Sea)); by the Government of the *United Kingdom* with regard to the application of Conventions No. 39 (Survivors' Insurance (Industry, etc.)), and No. 40 (Survivors' Insurance (Agriculture)) in Colonies, protectorates and possessions which are not fully self-governing; by the Government of *Mexico* for Conventions No. 46 (Hours of Work (Coal Mines) (Revised)), and No. 54 (Holidays with Pay (Sea)); and by the Government of *New Zealand* for Conventions No. 47

¹ The text of Article 22 is as follows:

"Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of Conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request. The Director shall lay a summary of these reports before the next meeting of the Conference."

¹ The Roman numerals given in brackets after each heading of the summary refer to the relevant sections of the forms prescribed by the Governing Body for annual reports under Article 22 of the Constitution.

(Forty-Hour Week) and No. 61 (Reduction of Hours of Work (Textiles)). The Government of *France* has supplied reports for the first time on the application of Conventions No. 1 (Hours of Work (Industry)) and No. 21 (Inspection of Emigrants), whose ratification was made conditional upon ratification by certain specified countries. These reports have been summarised in the present volume.

* * *

The report of the 17th Session (Geneva, 24-29 March 1947) of the Committee of Experts on the Application of Conventions

is communicated to the Conference as usual in the form of an appendix to the summary, but is printed separately for convenience.

Any information under Article 22 received by the Office too late for inclusion in the present volume will be made available at the Conference for consideration by the Committee on the Application of Conventions.¹

Geneva, June 1947.

¹ The following abbreviations are used throughout the summary :

B.B. = *Bulletin of the International Labour Office* (Basle).

L.S. = *Legislative Series* of the International Labour Office.

FIRST SESSION (WASHINGTON, 1919)

1. Convention limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week

This Convention came into force on 13 June 1921

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Argentine Republic	30.11.1933	
Austria ¹	12. 6.1924	
Belgium	6. 9.1926	26. 2.1947
Bulgaria	14. 2.1922	22. 3.1947
Canada	21. 3.1935	9. 1.1947
Chile	15. 9.1925	15. 2.1947
Colombia	20. 6.1933	
Cuba	20. 9.1934	21. 2.1947
Czechoslovakia	24. 8.1921	3. 3.1947
Dominican Republic	4. 2.1933	12. 3.1947
France ¹	2. 6.1927	14. 2.1947
Greece	19.11.1920	24. 3.1947
India	14. 7.1921	
Italy ¹	6.10.1924	
Latvia ¹	15. 8.1925	
Lithuania	19. 6.1931	
Luxembourg	16. 4.1928	
New Zealand	29. 3.1938	27. 3.1947
Nicaragua	12. 4.1934	
Peru ²	8.11.1945	5. 4.1947
Portugal	3. 7.1928	20. 1.1947
Rumania	13. 6.1921	
Spain	22. 2.1929	
Uruguay ²	6. 6.1933	21. 3.1947
Venezuela	20.11.1944	
***	***	***
Burma ³	14. 7.1921	26. 2.1947

¹ Conditional ratification.

² Cf. introductory note.

³ It may be recalled that, although under the new Government of India Act Burma ceased to be part of India as from 1 April 1937, it is agreed that Burma remains bound by the 14 Conventions (Nos. 1, 2, 4, 6, 11, 14, 15, 16, 18, 19, 21, 22, 27, 41) which India had ratified up to 31 March 1937.

INTRODUCTORY NOTE

The Government of *Canada* states that, during the period covered by its report, there has been no change in the situation with respect to the three Conventions it ratified in 1935, i.e., Hours of Work (Industry) (No. 1), Weekly Rest (Industry) (No. 14), and Minimum Wage-fixing Machinery (No. 26).

In a telegram dated 4 April 1947, the Government of *Peru* stated as follows: "As regards application of Conventions Nos. 1, 4, 11, 14, 19, 24, 35, 37, 39, 41 and 45, which Peru has ratified, there are divergencies only between national legislation and Conventions Nos. 24, 25, 37 and 39 with respect to domestic servants; according to

the Conventions in question, domestic servants must be covered by compulsory sickness, old-age, invalidity and survivors' insurance, whereas under Peruvian legislation they are so covered on a voluntary basis only. The recently issued Act No. 10,807 establishes social insurance for salaried employees, but the scope of the insurance is subject to the provisions of an appropriate constitutional Act which is to be prepared by a committee."

In a telegram dated 19 March 1947, the Government of *Uruguay* stated as follows:

"The Ministry has not received letter No. D/600/3000/0 (1945-1946). As regards the annual reports on international labour Conventions, the Government of Uruguay would refer to a letter from the Ministry of Industry and Labour, No. 3770/45 of 4 June 1946, stating that the only change is the temporary suspension of the application of Acts Nos. 5646 and 7293, of 19 March 1918 and 15 October 1920 respectively, which ensure harmony between Convention No. 20 and Uruguayan legislation. During the same period, Acts relating to holidays with pay and to distribution of labour have been issued, but these have had no effect on the degree of conformity between the ratified Conventions and Uruguayan social legislation."

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Act of 14 June 1921 to provide for an eight-hour day and 48-hour week (L.S. 1921, Bel. 1).

Ministerial Orders of 16 April and 21 August 1945 to authorise, in the "Veredeling" section of the textile industries, certain exceptions to the provisions of the Act of 14 June 1921 concerning the eight-hour day and the 48-hour week.

Legislative Decree of 5 May 1944 to repeal the Orders and other administrative decisions issued during the period of enemy occupation. Various Orders and Ministerial Decrees issued from 1939 to 1941 relating to exceptions and to the conditions of labour in certain industries and commercial undertakings.

Bulgaria.

Health and Safety of Workers Act, 1917 (B.B. 1918, Vol. XIII, p. 26).
 Decree No. 24 of 24 June 1919 concerning the eight-hour and six-hour day.
 Order No. 2834 of 2 August 1919 in application of Decree No. 24 of 24 June 1919.
 Decree No. 9844 of 26 May 1936 concerning hours of work in commercial establishments, amended and supplemented by Decree No. 13272 of 20 July 1936 (L.S. 1936, Bulg. 2).

Canada.

See introductory note.

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1).
 Decree No. 224 of 16 March 1932 approving the Regulations concerning hours of work in private railway undertakings, superseded by Decree No. 702 of 8 June 1935.
 Act No. 7173 of 15 May 1942 to authorise the President of the Republic to regulate and apportion the use of motorised means of transport and to introduce and issue Regulations respecting a uniform working day.
 Decree No. 4392 of 4 August 1942 to introduce a uniform continuous working day of eight hours in the principal districts of the Republic.
 Act No. 7747 of 24 December 1943 (Paragraph A, Article 27) to amend § 30 of the Labour Code, establishing paid rest periods in the working day.

Cuba.

Article 66 of the Constitution (1940).
 Decree No. 3185 of 1940, respecting the application of Article 66 of the Constitution.
 Various Decrees and Regulations issued in 1944, 1945 and 1946 respecting hours of work for certain categories of workers.
 Decree No. 1813 of 3 July 1945 establishing, for commercial enterprises, the continuous working day from 8.30 a.m. to 1 p.m. on Thursdays during the summer months.
 Regulation No. 804 of 26 October 1944 suspending the limitations regarding hours of work for repair work necessitated by the Caribbean hurricane.
 Regulation No. 870 of 10 April 1945 establishing the six-hour day for train despatchers.

Czechoslovakia.

Act of 19 December 1918 respecting the eight-hour working day (B.B. 1919, Vol. XIV p. 26).
 Order of 11 January 1919 in pursuance of the above Act (L.S. 1919, Cz. 1-3).
 Circular of the Ministry of Social Welfare to all administrative authorities respecting the interpretation of the provisions relating to the eight-hour day, dated 21 March 1919 (L.S. 1919, Cz. 1-3).
 Government Order No. 287 of 13 August 1942 regulating working hours (issued by the "Protectorate Government". In operation in Bohemia and Moravia until 31 December 1945).
 Notification No. 650 of the Minister of Labour and Social Welfare of 22 December 1945 introducing temporarily a five-day working work.
 Decree No. 104 of 24 October 1945 concerning works' councils (L.S. 1945, Cz. 1).

Dominican Republic.

Order No. 1075 of 4 January 1946 concerning hours of work (L.S. 1946, Dom. 2).

France.

Act of 21 June 1936 respecting the forty-hour week and hours of work in mines (L.S. 1936, Fr. 8).
 Act No. 46/283 of 25 February 1946 respecting remuneration for overtime work (L.S. 1946, Fr. 2).
 Various Decrees regarding the application of the Act of 21 June 1936 by industry and occupation.

Greece.

Act No. 2269 of 24 June 1920 to ratify the Convention.
 Decree of 27 June 1932 to consolidate and supplement the provisions relating to the eight-hour working day (L.S. 1932, Gr. 2A).
 Decree of 3 June 1935 to amend § 14 of the preceding Decree (L.S. 1935, Gr. 3A).
 Decree of 7 December 1932 to extend the provisions respecting the eight-hour day to Italian paste factories (L.S. 1932, Gr. 2B).
 Decree of 7 December 1932 respecting the regulation of hours of work for the staff of motor omnibuses (L.S. 1932, Gr. 2C).
 Decree of 23 November 1933 to extend the provisions respecting the eight-hour day to mechanical engineering workshops not operating independently (L.S. 1933, Gr. 3B).
 Decree of 29 December 1933 to extend the provisions respecting the eight-hour day to factories for the manufacture of boots and shoes (including army boots) by machinery (L.S. 1933, Gr. 3C).
 Decree of 9 July 1935 to extend the provisions concerning the eight-hour day to establishments for the manufacture of oil, cement, oxygen, calcium, carbide, soap and beer (L.S. 1935, Gr. 3B).
 Decree of 15 September 1935 relating to the application of the Eight-Hour Day Act to the furniture industry (L.S. 1935, Gr. 3C).
 Royal Decree of 18 February 1936 to extend the provisions respecting the eight-hour day to ironing work.
 Royal Decree of 30 June 1936 to extend the provisions respecting the eight-hour day to the work of welding with oxygen and of soldering articles made of lead and lead substances.
 Royal Decree of 10 July 1936 to extend the provisions respecting the eight-hour day to manufactories of wines and alcohol, sugar, dried raisins, spirituous liquors and malt.
 Royal Decree of 23 July 1936 to extend the provisions respecting the eight-hour day to all departments of glass works.
 Royal Decree of 14 August 1936 to extend the provisions respecting the eight-hour day to different industries and occupations.
 Act No. 199/1936 amending certain labour laws.
 Act No. 547/1937 amending and supplementing certain labour laws.
 Decree of 28-29 April 1937 to extend the provisions respecting the eight-hour day to the textile industry.
 Decree of 10-29 September 1937 to extend the provisions respecting the eight-hour day to all chemical industries as well as to the processes enumerated under § 1 of Act No. 2269 of 24 June 1920 ratifying the Convention.
 Decree of 3-15 September 1937 fixing 60 hours as the maximum amount of overtime which may be allowed in tanneries and gut factories.
 Decree of 28 January 1938 concerning the hours of work of crews of motor lorries (L.S. 1938, Gr. 1).
 Decree of 14 April 1938 concerning hours of work in bakeries (L.S. 1938, Gr. 2).

New Zealand.

Coal Mines Act, 1925 (L.S. 1925, N.Z. 2), as amended by the Acts of 1927, 1935, 1936 and 1937 (L.S. 1937, N.Z. 2) and 1941.

Statutes Amendment Acts of 1939, as amended by the Acts of 1941 and 1944.
 Mining Act, 1926 (L.S. 1926, N.Z. 1), as amended by the Acts of 1927, 1931, 1934, 1935 and 1937.
 Statutes Amendment Acts of 1938, 1939, 1941, 1944 and 1945.
 Factories Act, 1921-22, as amended by the Factories Amendment Act, 1936 (L.S. 1936, N.Z. 2), and by Act No. 39 of 1945.
 Industrial Conciliation and Arbitration Amendment Act, 1936.
 Transport Licensing Act, 1931, amended by the Transport Licensing Amendment Law of 1939.
 Various Orders, Regulations and Awards made in virtue of the above Acts between 1926 and 1942.

Peru.

See introductory note.

Portugal.

Legislative Decree No. 24402 of 26 August 1934 to regulate hours of work in commercial and industrial undertakings (L.S. 1934, Port 5). Act No. 1952 of 10 March 1937.
 Legislative Decree No. 32193 of 13 August 1942 (§ 1) relating to the extension of hours of work.
 Legislative Decree No. 32647 of 29 January 1943 relating to hours of work in land transport.
 Various resolutions relating to hours of work, nightwork, overtime and payment for overtime issued by the Under-Secretary for Corporations and Social Welfare between 31 March 1942 and 15 July 1946.

Uruguay.

See introductory note.

* * *

Burma.

Indian Factories (Consolidation) Act, 1934. (L.S. 1934, Ind. 2) as subsequently amended (L.S. 1936, Ind. 3).
 Mines Manual, 1937.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Belgium* mentions two Orders issued during the period covered by the report. The first of these, dated 31 December 1945, applies to the personnel of the Charleroi electric tramways, and enables actual working time (8 hours a day and 48 hours a week) to be averaged over periods not exceeding 8 weeks. The second, dated 12 June 1946, applies to workers employed in the Antwerp building industry, and introduces the Saturday half-holiday. On the other days of the week hours may be increased to not more than 9, provided the 48-hour week is not exceeded.

The report refers also to a Royal Order of 26 August 1939, issued under the Act of 16 June 1937, authorising the Government to suspend the operation of the Act of 14 June 1931 in certain industries working for national defence. This authority was used in only 12 cases.

During the period under review, proceedings for infringement of the Eight-Hour

Day Act were instituted in 196 cases. The number of undertakings visited by the labour inspection service during the period under review was 29,918, with a total personnel of 438,296. A table is appended to the report giving statistical information concerning authorisations granted for overtime worked under § 8 of the Act of 14 June 1921.

The workers' organisations have asked the Government to study the possibility of extending the legislation in question to homeworkers.

The Government of *Bulgaria* states that §§ 18, 19 and 20 of the Act respecting the health and safety of workers, and Decrees Nos. 9844, 2834, and 13272, provide for the application of the provisions of the Convention. Where work is done in shifts, and in case of accidents, hours may be extended by two in the day. For processes of a continuous character, hours are fixed at 60 in the week. These processes occur in the following: sugar factories, glass works, manufacture of yeast, electricity works and others.

No decisions were given by courts of law. Supervision of the enforcement of the relevant legislation is entrusted to the Directorate-General of Labour and its inspectors. The number of workers affected by the legislation is 366,861. The number of infringements notified was 2,185. No observations have been received from employers' or workers' organisations.

Canada. See introductory note.

The Government of *Chile* appends to its report the texts of two judicial decisions regarding infringements of the legislation on hours of work. The reports of the labour inspection service show that the regulations concerning the 8-hour day and the 48-hour week are applied in a satisfactory manner throughout the whole country and that there has been marked progress, as compared with previous years, regarding the application of the Convention. The number of persons employed in industrial, building, transport and other undertakings was 423,205, of whom 371,155 were wage-earners and 52,050 salaried employees. The number of persons covered by the legislation regarding hours of work on the railroads was 39,886 manual workers and 8,277 salaried employees, or 48,156 persons in all.

During the year 1945, the inspection service did not note any case of infringement of the Act applying the provisions of the Convention. No observations have been received from employers' and workers' organisations.

The Government of *Cuba* states that, during the period covered by its report, the 8-hour day and 44-hour week continued to be in force for all categories of workers except those employed in the sugar industry during the cane-cutting season (8 hours a day, 56 hours a week). Further, work was authorised on the four public holidays and days of national mourning in a nickel

factory regarded as belonging to a war industry.

The Directorate-General of the National Factory Inspectorate under the Ministry of Labour, and the provincial inspectorates, supervise the enforcement of the relative legislation. Police courts are competent to inflict fines on persons guilty of breaches of the legislation (§ 575 of the Penal Code). No decisions were given by courts of law. The Government appends to its report a general table of present statistics and the texts of provisions issued recently to improve such statistics. No observations have been received from employers' and workers' organisations.

The Government of *Czechoslovakia* states that the legislation mentioned in reports submitted before the war remains in force. The Order of 13 August 1942, to regulate hours of work during wartime, which was issued by the so-called Protectorate Government, ceased to operate on 31 December 1945. A Notification of the Minister of Labour and Social Welfare dated 22 December 1945, temporarily introducing a five-day week, was in force from 7 January to 4 March 1946. This Notification provided that, in order to save coal, electric power and gas, work should be permitted only from Monday to Friday in all employments, with the exception of agriculture and of any other employment where the public interest or the nature of the operations would not allow the limitation. The Ministers concerned, after consulting the chief economic organisations and the Central Trade Union Council, determined the establishments to which the above restriction should not apply. Hours of work were permitted to exceed eight in the day, provided no electric current was used during the additional hours.

Under Decree No. 104/1945 concerning works councils, these councils are required to collaborate in the enforcement of the above Notification and to ensure control of its provisions. The enforcement of the Eight-Hour Day (Industry) Act is entrusted to the labour inspectorates, which are at present attached to district labour boards established under Order No. 13 of 4 June 1946, but are independent as far as the performance of their technical duties is concerned.

There are at present 24 labour inspectorates in Bohemia and Moravia (including two special inspectorates for the building industry in Praha and Brno) and 8 in Slovakia. Their areas cover 1-3 district labour boards. Inspection in Bohemia, Moravia and Silesia is at present carried out by 56 officers with university degrees, 20 employees holding secondary school certificates and 43 employees from among the workers.

The report adds that, in general, the Eight-Hour Day Act is very fully observed, and that the trade union representatives and works councils, which co-operate with the

labour inspectors, may be considered "the best guarantors of strict compliance with the legal provisions concerning the protection of workers". Except for a few unimportant violations of the legislation in the smallest enterprises, there has been practically no tendency, even on the part of employers, to evade the provisions of this Convention; the workers, however, being fully aware of the needs of the national economy, voluntarily increased their efforts in many instances during the year, and this sometimes resulted in an extension of working hours.

Regular publication of labour inspection reports, prohibited by the Germans during the war, is to be revived. As far as the statistics of overtime are concerned, the necessary steps are being taken in co-operation with the State Statistical Office.

The Government of the *Dominican Republic* states that the legislation regarding hours of work in force before the war was replaced by Decree No. 623 of 24 December 1942, to enable hours of work to be fixed freely during the war. Act No. 152 of 13 January 1943, and Regulations No. 2189 of 29 September 1944, required employers to notify the Department of Labour of any extension of hours of work and of the cash payment given to their personnel for such overtime. After the end of the war, Act No. 1075 of 4 January 1946 repealed the provisions issued during the war period and included the standards laid down in the international labour Conventions ratified by the Dominican Republic.

The report gives detailed information regarding each Article of the Convention except Article 5 (agreements between employers' and workers' organisations concerning hours of work calculated over a long period).

Although no Regulations have so far been issued to establish a list of continuous processes, the report gives a list of processes so regarded by the Department of Labour. This Department gave 101 overtime permits during 1946.

The Department of Labour, attached to the Ministry of Labour and National Economy, is responsible for supervising the enforcement of social legislation. The report contains detailed information concerning the organisation of the inspection service and the duties of the inspectors.

During 1946, the courts convicted in 56 cases of infringement of the provisions regarding hours of work. The legislation on this subject covers approximately 108,000 industrial and commercial workers, of whom 40,000 are in industry. No observations have been received from employers' and workers' organisations.

The Government of *France* states that the scope of its legislation is more extensive than that of the Convention. The Act of 21 June 1936 applies to industrial, commercial, handicraft and co-operative establishments, public or private, of whatever sort,

as well as establishments ancillary to them. The Act of 21 June 1936 provides that the effective hours of workers and salaried employees of either sex, irrespective of age, may not exceed 40 in the week. A system of exceptions introduced by an Act of 25 March 1941 has been abrogated by an Act of 25 February 1946. The Decrees issued under the Act of 21 June 1936 provide, as a rule, for three methods of distributing these hours, namely: (1) limitation of hours to eight in the day on five working days; (2) limitation of hours to six hours 40 minutes on six working days; (3) unequal distribution of the 40 hours of work over six working days, with a maximum of 8 hours on any one day. Notwithstanding these provisions, an Order of 3 December 1943 introduced a temporary modification of the provisions regarding hours of work and the weekly rest owing to the restrictions in the consumption of electric power. Establishments open to the public were obliged to remain closed for two consecutive days in the week, namely Sunday and Monday. Further, an Order dated 18 November 1946, reverts to a similar scheme introduced during the winter of 1945-46 and imposes on industrial establishments, for the same reason, work schedules spread over four days, permitting them, however, to employ their staff during the night between the two week-days on which no work is being done.

Administrative Decrees permit the hours of work limits to be exceeded in case of accident or *force majeure*. For work of a continuous character, weekly hours of work may average 42, spread over a period of twelve weeks, provided that the daily hours of work in no case exceed 8, and that each worker is given a rest period of 24 consecutive hours per week.

The permanent exceptions which the Convention permits in case of preparatory or complementary work are also provided for in Administrative Decrees. As regards temporary exceptions, the report states that, under the Decrees in question, hours worked in order to deal with exceptional pressure of work are considered as overtime and paid at higher rates. The applicable rate may in no case be less than time-and-a-quarter and a higher rate must be paid if so laid down in existing collective agreements or established by custom. The number of hours of overtime thus authorised is limited to 75 in the year. The regulations on this subject underwent certain changes during the period immediately preceding the Second World War and at the beginning of the war itself. The present overtime system is based on the Act of 25 February 1946, which provides that the hours worked in excess of 40 in the week shall carry with them an increased rate of pay which may not be less than time-and-a-quarter for the 41st to 48th hour inclusive, and not less than time-and-a-half for all hours in excess of 48. The quota of overtime which may be used is limited to 20 hours a week, and requires a permit from the factory inspector,

issued after consultation with the workers' organisations. Maximum hours of work may thus be increased to ten in the day. The report adds that, whereas the Act of 1936 regarded recourse to overtime as an exceptional measure which should not be encouraged, the new Act has an opposite tendency, in view of the requirements of production.

The Government of *Greece* states that the stage of economic recovery which was reached during the period covered by its report has necessitated an effective 8-hour day, a figure which had not been attained either during the occupation period or immediately after liberation. A collective agreement has recently been concluded between the employers' organisations and printers providing for an 8-hour day.

During the period covered, the factory inspectorate, in agreement with the employment service, gave 107 overtime permits covering 380 men and 1,001 women, to enable undertakings to meet exceptional pressure of work, particularly on Christmas Eve and New Year's Eve.

Legislation embodying a list of processes of a necessarily continuous character, within the meaning of Article 4 of the Convention, has not yet been issued. No agreement as provided for in Article 5 of the Convention was concluded during the period under review.

The control of the application of the relevant legislation continues to be entrusted to the factory inspection service, as reorganised by a Legislative Decree of 30 April 1946. This service is now under the Director-General of the Ministry of Labour, and has three departments, responsible respectively for Southern Greece, Northern Greece and the Isles. Its personnel has been increased by the appointment of 35 sub-inspectors, which will permit both more frequent inspection of undertakings and the drafting of general reports on the activities of the service. Meanwhile, about 500 infringements have been noted in the Athens area. In the first factory inspection area, the inspectors made 2,553 visits during 1946, and reported infringements in 945 establishments. Four summonses were issued for infringement of the 8-hour day Act. No observations have been received from employers' or workers' organisations.

The Government of *New Zealand* supplies detailed information on the application of the Convention. With regard to Article 14, it states that the suspension orders issued during the war have practically all been revoked, and gives a list of the few still in operation. The report also contains a list of continuous processes. In nearly all these cases hours of work are 40 in the week, though in a few the hours of certain workers are 44.

The Government adds that, apart from the cases covered by Article 14, where the suspension orders are being revoked, the 40-hour week and 8-hour day apply to all

workers engaged in the industries covered by the Convention, save for certain authorised exceptions. Statistics available to the Government do not show under a separate heading breaches of the hours of work clauses in the various Acts. No complete figures are available to show the number of workers covered by the relevant legislation, but an official estimate shows that, on 31 December 1943, 165,900 male and 48,900 female workers were employed in industrial undertakings concerned, and that, during 1945, inspectors of factories granted permission for an aggregate of 1,529,704 hours of overtime as compared with 1,786,359 hours in 1944. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Portugal* states that the fundamental principles of the Convention are embodied in the majority of the collective agreements concluded during the period covered by the report, and that there is nothing of importance to report with regard to the application of the Convention.

COLONIES, ETC. (ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that the provisions of the Forty-Hour Week Act of 21 June 1936 were made applicable to Martinique, Guadeloupe, Reunion, Guiana and New Caledonia by Decree dated 2 March 1939. Application of this Decree, by industry or occupation, to each of these territories is to be regulated by the Governor by Order.

Furthermore, the Act of 26 February 1946 respecting payment for overtime was made applicable to Martinique, Guadeloupe, Reunion and Guiana by Decree dated 11 June 1946.

The Government of *New Zealand* states that the instrument of ratification is being regarded as operative only in the Dominion proper (namely, North Island, South Island, Stewart Island, with their adjacent islets, and the Chatham Islands). Extension to the Mandated Territory of Western Samoa and the Cook Islands is being considered.

2. Convention concerning unemployment

This Convention came into force on 14 July 1921

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Argentina Republic	30.11.1933	
Austria	12. 6.1924	
Belgium	25. 8.1930	
Bulgaria	14. 2.1922	
Chile	31. 5.1933	15. 2.1947
Colombia	26. 6.1933	
Denmark	13.10.1921	14. 3.1947
Estonia	20.12.1922	
Finland	19.10.1921	7. 2.1947
France	25. 8.1925	
Germany	6. 6.1925	
United Kingdom	14. 7.1921	24. 3.1947
Greece	19.11.1920	
Hungary	1. 3.1928	29. 1.1947
India ¹	14. 7.1921	
Ireland	4. 9.1925	28. 3.1947
Italy	10. 4.1923	
Japan	23.11.1922	
Luxembourg	16. 4.1928	
Netherlands	6. 2.1932	6. 2.1947
New Zealand	29. 3.1938	21. 2.1947
Nicaragua	12. 4.1934	
Norway	23.11.1921	
Poland	21. 6.1924	19. 2.1947
Rumania	13. 6.1921	
Spain	4. 7.1923	
Sweden	27. 9.1921	3. 2.1947
Switzerland	9.10.1922	15. 1.1947
Union of South Africa	20. 2.1924	28.12.1946
Uruguay ²	6. 6.1933	21. 3.1947
Venezuela	20.11.1944	
Yugoslavia	1. 4.1927	
* * *	* * *	* * *
Burma ³	14. 7.1921	26. 2.1947

¹ Ratification denounced 16.4.1938.

² See under Convention No. 1, introductory note.

³ See footnote 3 to Convention No. 1.

INTRODUCTORY NOTE

The *Netherlands* Government refers to previous reports and adds that, in general, during the period under review, no change has taken place either in the measures to implement the Conventions ratified or in regard to the application of these Conventions.

The difficult circumstances which prevailed in the country both before and after liberation had an appreciable effect on compliance with and control of the relative legislative provisions. For this reason it is not yet possible to furnish any details with regard to application. Statistical information is not available for the period 1 January to 30 September 1946. For several Conventions, therefore, the Government refers to the data supplied for 1944-1945.

Uruguay. See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Chile.

Decree No. 113 of 12 March 1926 concerning labour contracts.

Decree No. 1636 of 3 September 1928 concerning collective placing in agriculture.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1).

Decree No. 399 of 5 May 1934, concerning the placing of dockers and seamen (L.S. 1934, Chile 3), amended by Decree No. 481 of 4 April 1935.

Notices of the General Inspection Service, No. 9095 of 1936 and Nos. 3699, 5211 and 5566 of 1937 concerning the supervision of the collective placing of workers.

Decree No. 98 of 3 February 1943 to amend Chapter IV of Regulation No. 445 of 4 May 1936 to issue Regulations (under § 346 of the Labour Code) for a registration book which workers in bakeries and similar establishments must possess, amended by Ministry of Labour Decree No. 818 of 15 November 1944, and by Decree No. 346 of 25 April 1945.

Decree of the General Directorate of Labour, No. 98 of 20 January 1945, to approve the Regulations under § 27 (B) of Act No. 7747 of 24 December 1943 respecting reduction of work and stoppages of undertakings (L.S. 1943, Chile 1B).

Denmark.

Act of 14 April 1937 relating to employment exchanges and unemployment insurance (L.S. 1937, Den. 1), amended and supplemented by the Employment Act of 29 July 1942 (L.S. 1942, Den. 2).

Notification No. 185 of 14 May 1937 (L.S. 1937, Den. 1), to promulgate Act No. 205 of 20 May 1933 (L.S. 1933, Den. 7), relating to employment agencies and unemployment insurance, as amended by the Acts of 31 March 1937 and 14 April 1937, and Regulations No. 191 of 4 May 1938, and the Regulations of 17 March 1945.

Notification No. 339 of 29 July 1942 to promulgate the consolidated text of the Act relating to employment exchanges and unemployment insurance.

Finland.

Act of 23 March 1934 concerning unemployment exchanges entitled to a subsidy from public funds.

Order of 23 March 1934 for the application of the above Act.

Order of 30 December 1936 to amend the Act concerning unemployment exchanges entitled to a subsidy from public funds (L.S. 1936, Fin. 3).

Order of 30 December 1936 to amend the Order of 23 March 1934 concerning the application of the Act of 23 March 1934, concerning unemployment exchanges entitled to a subsidy from public funds.

Act of 23 July 1936 concerning the finding of employment (L.S. 1936, Fin. 2).

Order of 23 July 1936 for the application of the above Act.

Order of 23 July 1936 concerning placings effected by the Society of Hospital Nurses.

Order of 2 November 1945 concerning regional and local manpower administration.

United Kingdom.

Labour Exchanges Act, 1909 (B.B., Vol. V, 1910, p. 21).

Unemployment Insurance Act, 1935 (consolidated text) (L.S. 1935, G.B. 1), as amended.

Unemployment Insurance (Agriculture) Act, 1936 (L.S. 1936, G.B. 1), as amended.

The Ministry of National Insurance Act, 1944.

The Ministry of National Insurance (Unemployment Insurance and Assistance) Order, 1945, as amended by the Family Allowances Act, 1945 and the National Insurance Act, 1946.

Various Orders and Regulations relating to unemployment insurance enacted in 1946.

The Government of Northern Ireland states that both the legislation on unemployment and the methods of applying it continue to correspond in all essential respects with those in force in Great Britain.

Hungary.

Ordinance No. 6490/1945 ME of 15 August 1945, respecting the placing of manual labourers, supplemented by Ordinance No. 3530/1946 ME of 31 March 1946.

Ordinance No. 100.800/1945 FM of 25 October 1945, to regulate placing in agriculture and to ensure the rational use of agricultural manpower.

Ordinance No. 48.400/1946 IpM. of 11 July 1946, to issue regulations for the application of the above-named Ordinances.

Ireland.

The Labour Exchanges Act, 1909.

Unemployment Insurance Acts, 1920-1935 (L.S. 1920, G.B. 3; 1921, G.B. 2; 1922, G.B. 1; 1923, I.F.S. 2; 1924, I.F.S. 1 and 4; 1926, I.F.S. 3; 1930, I.F.S. 1; 1933, I.F.S. 3).

Unemployment Insurance Act, 1941, Emergency Powers (No. 93) Order, 1941 and Emergency Powers (No. 104) Order, 1941, to amend the Unemployment Insurance Acts, 1920-1933.

Unemployment Insurance Act, 1943 to amend the Unemployment Insurance Acts, 1920-1941.

Unemployment Insurance Act No. 23 of 1945 to amend the Unemployment Insurance Acts, 1920-1943.

Unemployment Insurance (Subsidiary Employments) Special Order, 1944.

Unemployment Insurance (Inclusion) Order, 1944.

Unemployment Assistance Act, 1933.

Unemployment Assistance (Amendment) Acts, 1935 and 1938.

Unemployment Assistance (Amendment) Act, 1940.

Emergency Powers (No. 236), 1942 to amend the Unemployment Assistance Acts.

Unemployment Assistance (Employment Periods) Orders, 1945 and 1946.

Netherlands.

Decrees of 31 October and 21 December 1944 concerning the approval and the granting of subsidies for suspension allowances to the staff employed by private undertakings (non-liberated regions).

Decree of 20 December 1944 concerning the approval of and the granting of subsidies for suspension allowances to the staff employed by private undertakings (liberated regions).

See also introductory note.

New Zealand.

Rules relating to benefits in respect of unemployment, 1938.

Social Security Act, 1938 (more particularly §§ 51 to 54 and 58).

Employment Act of 12 November 1945.

Poland.

Decree concerning employment offices, dated 2 August 1945.

Order of the Minister of Labour and Social Welfare, dated 24 September 1945, concerning the placing of workers and apprentices.

Decree concerning registration for employment and compulsory labour service, dated 8 January 1946.

Order of the Minister of Labour and Social Welfare, dated 29 April 1946, concerning the organisation of employment offices.

Order of the Minister of Labour and Social Welfare, dated 29 April 1946, concerning the transfer of activities of the employment offices to autonomous local authorities and to the trade unions.

Sweden.

- Act of 15 June 1934 concerning the public employment exchange service (L.S. 1934, Swe. 3).
- Royal Order No. 264 of 15 June 1934 respecting recognised unemployment funds, as amended by Royal Orders of 21 May 1937 (L.S. 1937, Swe. 2) and 21 April 1943 (L.S. 1943, Swe. 1).
- Royal Decree of 23 November 1934 concerning the co-ordination of public employment exchanges.
- Royal Decree of 23 November 1934, concerning methods of procedure with regard to State subsidies for the public employment exchange service.
- Act of 18 April 1935 to issue certain provisions respecting employment agencies (L.S. 1935, Swe. 1).
- Instruction No. 326 of 7 May 1940 concerning the State Employment Market Commission.
- Notice No. 327 of 7 May 1940 concerning the transfer to the State Employment Market Commission of the functions of the State Unemployment Commission.
- Notice No. 328 of 7 May 1940 creating provincial employment councils.
- Notice No. 329 of 7 May 1940 subordinating placing activities to central State control.

Switzerland.

- Federal Order of 29 October 1909 respecting the promotion of employment bureaux by the Federal Government (B.B., Vol. V, 1910, p. 68).
- Regulations of 25 June 1923 concerning the use of a uniform procedure in the finding of employment.
- Order of the Federal Council of 11 November 1924 respecting public employment exchanges (L.S. 1924, Switz. 5).
- Federal Act of 17 October 1924 respecting the payment of subsidies for unemployment insurance (L.S. 1924, Switz. 3).
- Orders of 9 April 1925, 20 December 1929, 26 September 1932, 27 February 1934, 27 March 1936 and 19 January 1937 relating to the above Act.
- Federal Order of 13 April 1933 granting emergency assistance to the unemployed, extended by Federal Order of 11 December 1935.
- Order of 23 October 1933 regulating the distribution of relief funds to the unemployed in various industries, as supplemented by an Order of the Federal Council of 28 May 1937.
- Federal Order of 21 December 1934, concerning the campaign against the depression and the creation of openings for employment (L.S. 1934, Switz. 3), as amended and supplemented by Federal Order of 23 December 1936 and Order of 12 February 1937.
- Order of 24 May 1935 concerning placing, occupational development, and suitable measures for facilitating the transfer of unemployed workers.
- Federal Order of 20 June 1936 concerning assistance for internal settlement and settlement in foreign countries.
- Federal Order of 1 April 1938 concerning assistance to emigrants.
- Federal Order of 17 May 1940 concerning compulsory labour service, as amended and supplemented by Orders of 28 May 1942, 9 June 1944, 17 August 1945 and 5 October 1945, and amended by Federal Order of 20 September 1946 to repeal the provisions relating to compulsory labour and the allocation of manpower.
- Federal Order of 7 October 1941 concerning the funds necessary for the payment of subsidies to mobilised men to compensate wage loss, the creation of employment opportunities, and assistance to the unemployed.
- Federal Order of 14 July 1942 concerning assistance to the unemployed during the emergency resulting from the war, as amended

and supplemented by Executive Provisions of 11 January 1944 and by Order No. 3 of the Federal Department of Public Economy of 24 August 1945.

Federal Order of 29 July 1942 concerning the creation of employment opportunities during the emergency resulting from the war.

Various Federal Orders and Resolutions in 1945 relating to assistance to the unemployed and to employment.

Union of South Africa.

- Native Labour Regulations Act, No. 15 of 1911.
- Native (Urban Areas) Act, No. 21 of 1923, as amended by Acts Nos. 25 of 1930, 46 of 1937, No. 36 of 1944 and No. 43 of 1945.
- Juveniles Act No. 33 of 1921 (L.S. 1921, Part II, S.A. 1).
- Unemployment Benefit Act No. 25 of 1937 (L.S. 1937, S.A. 1), amended by Act No. 17 of 1942.
- Industrial Conciliation Act, No. 36 of 1937.
- Soldiers and War Workers Employment Act, No. 40 of 1944 (to replace War Measure No. 38 of 1941 and amendments thereto).
- Regulations (provision and control of labour) under § 2 of the Housing (Emergency Powers) Act No. 45 of 1945.

Uruguay.

See under Convention No. 1, introductory note.

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Burma.

See under Summary of additional information (b).

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Convention covers three specific subjects: (a) information concerning unemployment and measures taken to combat unemployment; (b) the establishment of a public employment service; and (c) equality of benefit treatment for foreign workers under unemployment insurance schemes.

(a) *Information concerning Unemployment*

Chile: The report contains statistical information regarding unemployment and the national employment service for the year 1945. The Government sends each month to the International Labour Office information of this kind.

Denmark: A publication on unemployment statistics is transmitted to the International Labour Office once a year, and in addition the Government is resuming the transmission of the annual report made by the Director of Labour on the employment service and unemployment insurance. It is proposed to keep the International Labour Office fully informed concerning all measures taken to combat unemployment.

Finland: Quarterly reports on unemployment are forwarded to the International Labour Office. In addition, the Ministry of Social Affairs publishes in the *Social Review*, which it forwards each month to the Office, monthly, quarterly and annual surveys on

unemployment and placing operations and an annual report on the activity of unemployment funds subsidised by the State.

Hungary: Ordinance No. 48,400 of 11 July 1946 contains provisions relating to the collection of statistical information respecting the labour market, but the results of statistical enquiries in this connection are not yet available.

Netherlands: See introductory note.

New Zealand: The following publications, which contain statistical information concerning unemployment, have been transmitted to the International Labour Office: *Monthly Review of Employment* (National Employment Service); *Half Yearly Employment Information Review* (National Employment Service); *New Zealand Statistical Reports* (yearly); *New Zealand Year Book*; *Annual Report of Department of Labour*, Parliamentary Paper, H. 11; *Annual Report of the National Service Department*, Parliamentary Paper, H. 11 A. In addition, special reports or statements are sent as issued.

Poland: There has been no problem of unemployment in Poland during the period under review. In August 1946, the employment offices started to make an occupational census of the population of the country, in order to implement a Resolution of the Economic Committee of the Council of Ministers of 14 June 1946.

Sweden: The Government sends to the International Labour Office information published each month in *Sociala Meddelanden*.

Switzerland: The Government continues to forward regularly to the International Labour Office detailed information on the measures taken to combat unemployment.

Union of South Africa: Statistics are included to show the number of persons employed on Government projects designed to provide employment for unemployed manual workers, mainly those considered semi-fit for ordinary industry employment. During the July-September quarter of 1946, 242 persons were employed on afforestation, 25 on soil erosion, 183 on railway works, and 1,639 on all other subsidised employment. So far as Natives are concerned, the demand continues to outpace the supply, and all able-bodied Natives desirous of working can find employment.

(b) Public Employment Service

Chile: During the year 1945, 13,435 placings were effected by the employment offices. The number of registered unemployed workers was 3,066 in January, 4,022 in July and 3,232 in December, representing a monthly average of 3,506.

Denmark: Free public employment offices are functioning throughout the country; there are now 31 main offices and 6 branch offices. During the year 1944-1945, a total

number of 1,379,164 persons were registered as unemployed, and 409,878 of these were placed in employment by the employment offices (most of the remainder being placed either by their own efforts or through the unemployment benefit clubs). Each employment office is managed by a head appointed by the Minister of Labour and Social Affairs and by a supervisory committee composed of employers and workers in equal numbers with an independent chairman. At the national level, the Employment Division of the Labour Board comprises a central committee, consisting of 4 employers and 4 workers, appointed by the Minister on the recommendation of the Danish Employers' Confederation and the Confederation of Danish Trade Unions respectively, and acts in an advisory capacity to the Director of Labour.

The activities of private employment agencies are controlled by the Minister of Labour and Social Affairs in accordance with the Regulations of 4 May 1938 and 17 March 1945. Associations of employers and workers in certain branches of trades, commercial and technical schools, etc., may obtain permission to carry on placing activities. Permission may also be obtained for establishing domestic employment agencies and employment agencies for emergency housekeepers which function in co-operation with the public employment service.

Finland: The Government refers to previous reports and states that no fundamental change has been made in the public employment service by the new Acts and Orders issued in 1936 other than improvements to ensure that the employment service is not burdened with work connected with employment relief or other duties not connected with its primary function of placing. Under the new legislation, the placing in employment of special categories of workers (e.g. seamen, juveniles and intellectual workers) has been made more effective. The State contributes to a greater extent than in the past to the expenses connected with placing and with specialised placing in the communes. Placing committees have been set up by municipal and communal boards with an independent chairman, including equal numbers of representatives of employers and workers. The special advisory committees may set up, under their direction and supervision, specialised placing sections for seamen and juveniles and for other special placing activities.

No private employment agencies exist, except those operated by particular associations (numbering 16 altogether, including 10 fee-charging agencies), which are authorised by the State to carry on specialised placing work for a period of five years, subject to renewal. As these agencies operate in certain special fields in which the public employment service is relatively unimportant, their activities do not interfere in any way with the work of this service.

In accordance with the Order of 1 April 1938 concerning the entry of foreigners into Finland and their status in Finland, an effort is made to reserve available employment in the country for nationals and to grant employment permits to foreigners only in cases where suitable labour is not available or where special circumstances justify the granting of the permit.

United Kingdom: There are now in *Great Britain* 1,651 free employment agencies. This total is made up of: 11 regional offices, 534 employment exchanges, 494 employment offices, 175 branch employment offices, 193 local agencies, 197 juvenile bureaux, 35 district manpower offices, 12 appointment offices. In *Northern Ireland*, there are 66 free employment agencies, made up of 28 employment agencies, 35 paying offices and 3 local agencies.

In *Great Britain*, the average number of applicants registered for employment was 337,184 (excluding an average of 22,479 persons classified as unsuitable for ordinary employment). Figures are not available for the number of vacancies filled. In *Northern Ireland*, the average number of applicants registered for employment was 36,042. The number of vacancies filled was 39,837.

Hungary: The public employment service was reorganised by a series of Ordinances issued in 1945 and 1946, under which two separate services were set up, one for workers in industry under the control of the Minister for Industry, and the other for agricultural workers under the Minister of Agriculture. The first of these services, which is not yet completely organised, comprises a system of trade union placing offices, with 52 occupational and 23 non-occupational offices. Attached to each of these offices is a joint committee made up of an equal number of employers' and workers' representatives, with an independent chairman. Since they were set up, and up to the end of the period under review, these offices have registered 247,814 applications and 198,213 vacancies. The number of placings effected was 164,489.

Placing in agriculture is handled entirely by the placing offices of the National Federation of Landworkers and Smallholders. The offices of the Federation must be used for all employment of more than three days' duration, and, as regards harvesting and threshing work, irrespective of the duration of the employment. It is laid down that joint committees shall be set up for each placing office of the Federation. In this connection, 1,000 offices have so far been set up, of which only 500 are in operation.

Ireland: The report contains figures for the number of workers on the live register during the months of October, November and December 1945 and January to September 1946. During the 12 months from 27 October 1945 to 28 September 1946, 56,038 vacancies were notified and 54,352 were filled.

Netherlands: See introductory note.

New Zealand: The Employment Act of 1945 provides for the establishment of a national employment service whose principal function is to promote and maintain full employment at all times. It provides complete service for the purpose of placing workers in employment and assisting employers to secure labour. To assist in the administration of the Act, the Minister of Employment is empowered to appoint advisory councils and advisory committees as he thinks fit.

The national employment service came into operation on 1 April 1946, and took over the activities previously exercised by the National Service Department, which in turn had assumed some of the duties of the Department of Labour. To date, the national employment service has set up 25 local offices.

The number of disengaged persons registered with the employment service was 546 (505 men and 41 women) at the end of September 1945, and 268 (261 men and 7 women) one year later. During the same period, the number of vacancies notified at the end of each month was 11,262 (6,110 men and 5,152 women) and 22,714 (9,795 men and 12,919 women). During the nine months from January to September 1946, the employment service made 19,637 placements (16,965 men and 2,672 women).

Thirty one servants' registry offices, dealing mostly with domestic and farm labour and supervised by the Department of Labour, are registered as fee-charging employment agencies under the Servants' Registry Offices Act.

Poland: During the period under review, the system of employment offices and branch employment offices was considerably expanded. In September 1945, 14 employment offices and 49 branch offices (including 3 for dockers) were in operation. In accordance with the Decree of 2 August 1945 and the Order implementing it, the duties of the employment offices were transferred to the autonomous communal and municipal authorities and the trade unions. In September 1946, 260 offices replacing the previous employment offices were in operation, functioning under the competent local authorities, but not yet under the trade unions. The present employment offices are assisted by advisory social committees. During the year 1945-1946, 741,022 applicants for work were registered with the employment offices; 669,382 vacancies were notified, and jobs were found for 516,486 persons. Among the duties of the employment offices are the redistribution of craftsmen and other trained and professional persons over reconquered territories of the country (in collaboration with the State Office of Repatriation) and the supervision of compliance with the provisions granting priority of employment to demobilised ex-service men and obliging undertakings

to employ a fixed percentage (5 per cent.) of ex-service men.

Sweden : The public employment service at present comprises 25 departmental wards attached to which are 25 main offices, 230 branch offices and 1,075 placing officers. There are at present, in addition to the youth placing service (the functions of which were extended during 1944 for the purpose of dealing with youth placing and vocational guidance), a placing service for employees which includes the special bodies set up formerly for students and professors, and four special placing offices for seamen. "Social curators" have been appointed in order to secure employment for persons whose working capacity has been reduced. In order to ensure better results in the placing of women workers, special advisers have been appointed in 20 departmental wards.

Although the Act of 18 April 1935 gave the State greater authority for the co-ordination of the activities of public and private employment agencies, so far no practical measures have been taken in this connection. With regard to the co-ordination of the operations of employment agencies in different countries, a draft agreement was drawn up at Copenhagen in September 1945 between Denmark, Finland, Iceland, Norway and Sweden. Up to the present, the only result achieved in this connection has been a bilateral agreement between Sweden and Denmark respecting the placing of manual labourers. This agreement came into force at the beginning of 1947.

During the period under review, 1,689,782 applications were registered. The number of vacancies was 1,423,363, and the number of placings effected 1,134,461.

Switzerland : There have been no fundamental changes as regards placing. The work of the public employment service has been greatly facilitated by the exceptionally favourable development of the labour market. During the period under review, the public employment offices have registered 143,981 vacancies and 127,984 applications. The number of placings effected was 75,608. During the same period the joint placing offices registered 15,455 vacancies and 11,239 applications and effected 5,172 placings. In comparison with previous years, the number of applications fell considerably, while the number of vacancies continued to increase. This was due mainly to increased activity in the majority of industries and to the influx of foreign visitors which made it possible to engage demobilised soldiers and workers freed from compulsory labour service. It should be pointed out that compulsory labour service as regards improvements to estates, work in coal mines, peat undertakings and the forestry industry came to an end in 1946, and that, during 1946, the number of workers engaged on work of national importance was considerably lower than in 1945.

Union of South Africa : There has been no change in the system of public employment offices under the Ministry of Labour. It is pointed out that there has been little difficulty in placing returned soldiers in civil employment. During the period 1 October 1945 to 30 September 1946, a total of 42,512 European ex-Servicemen and 17,998 Europeans were referred to employment officers of the Ministry of Labour stationed at the dispersal depots.

In September 1946, 8,172 adults and 626 juveniles were registered with the employment service as applicants for work, and 3,804 adults and 502 juveniles were placed in employment.

* * *

Burma : The Government states that a beginning has been made with the establishment of an employment exchange in Rangoon. A good start has been made and a useful and efficient service instituted for employers and workers.

(c) *Equality of Treatment for Foreign Workers in respect of Benefit Rates*

Denmark : Danish citizenship is not a condition for membership of the unemployment benefit clubs, and foreigners entering the country for employment are admitted to such clubs on the same terms and conditions as nationals.

The Danish unemployment benefit clubs, with a few exceptions, have entered into agreements with Swedish clubs providing for reciprocal payment of benefit to members. In this way, the qualifying period required before benefit can be paid is shortened for members of Swedish unemployment benefit clubs qualified for benefit payment, who become unemployed in Denmark before completing the usual qualifying period for benefit required for new members under the rules of the Danish clubs.

Finland : Under existing legislation, Finnish nationality is a requirement for affiliation to the unemployment funds. If, however, the activities of the funds increase and if foreign workers in Finland express a wish to be covered by the funds, and a corresponding wish is expressed by Finnish workers employed abroad, measures will be taken by the Finnish Government to conclude reciprocity agreements on this matter. Such an agreement already exists among the Northern European countries.

Hungary : Since there is no employment insurance system so far in existence, the question of equality of treatment for foreign workers has not yet arisen.

Netherlands : See introductory note.

New Zealand : Insurance against unemployment does not exist in New Zealand, but unemployment benefits are paid from the social security fund. The report does not indicate whether foreign workers enjoy equality of treatment in respect of these benefits.

Poland : No special agreement concerning this question was concluded during the period under review. It is noted that, under the revised system of unemployment insurance, foreign workers in Poland are accorded equality of treatment with nationals.

Sweden : The Government has concluded agreements with several countries whereby the nationals of these countries are admitted to the same rights of unemployment insurance as Swedish workers.

Switzerland : Under the new legislation for employment insurance, the federal authorities continue to apply the principle of equality of treatment to national and foreign workers.

Union of South Africa : The Government has not yet made any arrangements with other States Members who have ratified the Convention to secure for Union nationals employed in other territories treatment similar to that accorded by the Government to national and foreign workers.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of the *United Kingdom* states that the position remains as indicated in its report for the year 1930-1931 except for the following cases :

British Guiana.

Employment Exchanges Ordinance, No. 21 of 1944, to provide for the establishment of employment exchanges in the Colony.

Gibraltar.

A draft Ordinance for the establishment of employment exchanges is in an advanced stage of preparation.

Netherlands. In so far as the *Netherlands Indies* are concerned, the Government states that, as a result of political troubles in the territory, it is unable to supply a report for the period under review.

Unemployment does not exist in *Curaçao*, except in the form of voluntary unemployment. A Labour Office was established in 1946 as an exchange office, free of charge for workers and employers. This Office is a Government institution. No unions, either of employers or workers, have expressed their opinion regarding the office, which is used by a certain number of individuals.

The Convention has not been published or promulgated in *Surinam*. A free unemployment exchange was set up by the Department of Social Affairs and Immigration in February 1946. No rival offices exist. During the period under review, 1,800 unemployed were registered, of which 30 per cent. obtained work. The committees provided for under Article 2 of the Convention have not been established in view of the slight extent of unemployment. Unemployment insurance does not exist in *Surinam*.

The Government of *New Zealand* states that, when the instrument of ratification was adopted, it was never anticipated that application to the Mandated Territory of Western Samoa and the Cook Islands (including Niue Island) would be involved. Owing to the war situation, no further consideration has been given to the matter as raised by the Report of the Committee of Experts on the application of the Convention in 1939. This matter is now, however, receiving attention in connection with the application of the Minimum Standards of Social Policy in Dependent Territories Recommendation, 1944. There is, of course, relatively little employment under a master-servant contract in these areas.

3. Convention concerning the employment of women before and after childbirth

This Convention came into force on 13 June 1921

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Argentine Republic	30.11.1933	
Brazil	26. 4.1934	
Bulgaria	14. 2.1922	22. 3.1947
Chile	15. 9.1925	15. 2.1947
Colombia	20. 6.1933	
Cuba	6. 8.1928	21. 2.1947
Germany	11. 6.1929	
Greece	19.11.1920	24. 3.1947
Hungary	19. 4.1928	29. 1.1947
Latvia	3. 6.1926	
Luxembourg	16. 4.1928	
Nicaragua	12. 4.1934	
Rumania	13. 6.1921	
Spain	4. 7.1923	
Uruguay ¹	6. 6.1933	21. 3.1947
Venezuela	20.11.1944	
Yugoslavia	1. 4.1927	

¹ See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Bulgaria.

Social Insurance Act of 6 March, 1924 (L.S. 1925, Bulg. 1.).

Chile.

Decree No. 34 of 22 January 1926 promulgating the text of Act No. 4054 respecting insurance against sickness and invalidity (L.S. 1926, Chile 1).

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1).

Decree No. 969 of 18 December 1933 to apply Chapter IV of Book I of the Labour Code, §§ 49-51 (maternity leave for women salaried employees in private undertakings).

Decree No. 349 of 19 April 1934, to approve the Regulations for the administration of Part III

of Book II of the Labour Code (maternity leave for women wage-earning employees) (L.S. 1934, Chile 2) as amended by Decree No. 576 of 30 April 1935.

Cuba.

- Political Constitution of 1940, § 68 (L.S. 1940, Cuba 1).
 Legislative Decree No. 781 of 28 December 1934 (concerning the employment of women before and after childbirth) (L.S. 1934, Cuba 5), amended by Legislative Decrees No. 114 of 23 April 1935 and No. 147 of 14 August 1935 (L.S. 1935, Cuba 9).
 Decree No. 787 of 5 April 1935 (L.S. 1935, Cuba 1) [to repeal Decree No. 2761 of 19 October 1934 and to issue in lieu thereof regulations for the administration of Legislative Decree No. 781 of 28 December 1934 concerning the employment of women before and after childbirth].
 Legislative Decree No. 472 of 23 December 1935 extending the rights granted under Legislative Decree No. 781 to women employed by State, provincial, or municipal authorities.
 Act of 15 December 1937 respecting sickness and maternity insurance (L.S. 1937, Cuba 1).
 Decrees Nos. 1300 of 15 April 1942, 3553 of 6 December 1943 and 1316 of 12 May 1944 issued in application of the Act of 15 December 1937.

Greece.

- Act No. 2274 of 1 July 1920 ratifying the Convention (O.B. Vol. II, No. 1, p. 20).
 Act No. 4029 of 24 January/6 February 1912 concerning the work of women and minors (B.B. Vol. VII, 1912, p. 285).
 Royal Decree of 14/27 August 1913, issued in application of Act No. 4029 (B.B. Vol. IX, 1914, p. 219).
 Act No. 6298 of 24 September 1934 concerning social insurance (L.S. 1934, Gr. 7).
 Decree No. 31,181 of 26 June 1937 applying the legislation concerning the protection of women before and after childbirth.
 Ministerial Decree of 28 May 1938 to approve the Sickness Regulations of the Social Insurance Institution.
 Ministerial Decree of 28 February 1946 to determine sickness benefits paid by the Social Insurance Institution.

Hungary.

- Act No. XXVII of 1928, approving the ratification of the Convention.
 Act No. XXI of 1927, respecting compulsory sickness and accident insurance (L.S. 1927, Hung. 1).
 Act No. V of 1928, respecting the protection of children, young persons and women employed in industry and in certain other undertakings (L.S. 1928, Hung. 1).
 Order 150443 of 30 December 1930, respecting the application of §§ 1-3, 8, 12-16, 18-20, 22-24, and 30, of Act No. V of 1928 respecting the protection of children, young persons and women employed in industry, and in certain other undertakings, and the relevant penal provisions of the said Act (L.S. 1930, Hung. 5).
 Orders No. 9090 of 29 December 1931 (L.S. 1931, Hung. 4), No. 9600 of 15 December 1932 (L.S. 1932, Hung. 4E) and No. 6000 of 1933 (L.S. 1933, Hung. 4) amending and supplementing certain provisions of Act XXI of 1927.
 Order 52300 of 3 August 1946 concerning the application of certain provisions of Act No. V of 1928.

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Bulgaria* states that the principles of the Convention are applied to all women (including those employed in households) working in undertakings of all kinds. Joint statistics are prepared for sickness and maternity insurance. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Chile* states that judicial decisions are given fairly frequently regarding the application of the relevant legislation. A copy of one of these decisions accompanies the report. The labour inspection services, which include women specially appointed to supervise the application of the relevant legislation, state that in general in industrial and commercial undertakings the grant of maternity leave and the payment of maternity benefits was carried out in a satisfactory manner. In 1945, no breaches of the provisions of the Convention were noted by the labour inspectors. In the same year, the compulsory insurance fund paid maternity benefits, in addition to \$ 6,290,000 paid by employers, to the value of \$ 3,145,000 in respect of 17,000 workers. No other statistical information is available with regard to the cost of the benefits prescribed under Article 3, paragraph (c) of the Convention.

The report contains figures showing the number of women gainfully employed in various occupations. Out of a total of 242,897 women, 140,471 are employed as domestic workers, and 23,579 in agriculture. No observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that no decisions were given by courts of law. According to statistics which accompany the report, the inspection service made two inspection visits in the Province of Havana. No breaches of the Act of 15 December 1937 were noted.

The Government of *Greece* states that the social insurance system established under Act No. 6298 of 1934 has been extended to several regions of the country. Consequently, only small villages and agricultural groups remain outside the scope of the Act.

With regard to Article 3, paragraph (c) of the Convention, the Government states that during the period under review the daily benefits for maternity and childbirth have been laid down by Ministerial Order of 27 February 1946 to be an amount equal to sickness benefits, the amount of which varies between 1,200 and 4,200 drachma, according to the scale of the daily wages of the insured person (2,000 to 7,000 drachma). It should be noted, however, that the actual salaries paid to workers are often as much as 200 per cent. higher than the above minima.

The application of the provisions of the Convention is entrusted to the labour inspection service, as regards the contracts of employment of women absent from employment during confinement, and to the Social Insurance Institution and other occupational funds for sickness insurance as regards maternity benefits. During the year 1946, 15,000 insured women (insured either personally or as the wives of insured persons) received confinement benefits. Daily confinement benefits were granted to 10,500 women.

Petitions were submitted to the Ministry of Labour by the professional organisations, and, in particular, by the Greek General Federation of Labour, requesting an increase in maternity benefits based on actual salaries paid. This matter is being examined by the competent Departments of the Ministry.

The Government of *Hungary* states that under Order No. 52300 of 3 August 1946, the scope of Act No. V of 1928, §§ 8 and 20 of which contain provisions relating to the employment of women before and after childbirth, has been extended to mining undertakings and blast furnaces and to the factories connected therewith.

The application of the relevant provisions is supervised by the mines' superintendents in the mining undertakings and blast furnaces and the factories connected therewith, these superintendents being the administrative authorities of first instance, under the direct supervision of the Minister of Industry.

COLONIES, ETC. (ARTICLE 35 OF THE CONSTITUTION) (III)

(Does not apply to reporting countries)

4. Convention concerning employment of women during the night

This Convention came into force on 13 June 1921

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Afghanistan	12. 6.1939	
Albania	17. 3.1932	
Argentine Republic	30.11.1933	
Austria	12. 6.1924	
Belgium ¹	12. 7.1924	
Brazil ¹	28. 4.1934	
Bulgaria	14. 2.1922	22. 3.1947
Chile	8.10.1931	15. 2.1947
Colombia	20. 6.1933	
Cuba	6. 8.1928	21. 2.1947
Czechoslovakia	24. 8.1921	3. 3.1947
Estonia ¹	20.12.1922	
France	14. 5.1925	
United Kingdom ¹	14. 7.1921	
Greece ¹	19.11.1920	
Hungary ¹	19. 4.1928	
India ²	14. 7.1921	
Ireland ¹	4. 9.1925	
Italy	10. 4.1923	25. 3.1947
Lithuania	19. 6.1931	
Luxembourg	16. 4.1928	
Netherlands ¹	4. 9.1922	
Nicaragua	12. 4.1934	
Peru ³	8.11.1945	5. 4.1947
Portugal	10. 5.1932	20. 1.1947
Rumania	13. 6.1921	
Spain	29. 9.1932	
Switzerland ¹	9.10.1922	
Union of South Africa ¹	1.11.1921	
Uruguay ³	6. 6.1933	21. 3.1947
Venezuela	7. 3.1933	
Yugoslavia	1. 4.1927	
***	***	***
Burma ⁴	14. 7.1921	26. 2.1947

¹ Has ratified Convention No. 41 and has denounced this Convention.

² Has ratified Convention No. 41 but has not denounced this Convention.

³ See under Convention No. 1, introductory note.

⁴ See footnote 3 to Convention No. 1.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Bulgaria.

Health and Safety of Workers Act of 1917 (B.B., 1918, Vol. XIII, p. 26).

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1).

Cuba.

Legislative Decree No. 598 of 16 October 1934 concerning the employment of women in industry (L.S. 1934, Cuba 10).

Decree No. 1024 of 27 March 1937 concerning the application of the above Decree.

Czechoslovakia.

Act of 19 December 1918 respecting the eight-hour working day (L.S. 1919, Cz. 1).

Order of 11 January 1919 in pursuance of the Act respecting the eight-hour day (L.S. 1919, Cz. 2).

Circular of 21 March 1919 of the Ministry of Social Welfare to all administrative authorities respecting the interpretation of the provisions relating to the eight-hour day (L.S. 1919, Cz. 3).

Government Order No. 287 of 13 August 1942 regulating working hours (issued by the "Protectorate Government". In operation in Bohemia and Moravia until 31 December 1945).

Notification No. 504 of 6 December 1945 issued by the Minister of Labour and Social Welfare concerning certain temporary exceptions to the existing provisions respecting hours of work, wages and salaries when regulating working hours shifted to the night.

Notification of the Minister of Labour and Social Welfare No. 651 of 22 December 1945 concerning the temporary shifting of the regular working hours to the night (in operation from 28 December 1945 to 25 February 1946).
Decree No. 104 of 24 October 1945 concerning works' councils (L.S. 1945, Cz. 1).

Italy.

Act No. 653 of 26 April 1934 to safeguard the employment of women and children (L.S. 1934, It. 6).

Portugal.

Legislative Decree No. 24402 of 24 August 1934 to regulate hours of work in commercial and industrial undertakings (L.S. 1934, Port. 5).
Legislative Decree No. 24403 of 24 August 1934 concerning the supervision of hours of work.

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Bulgaria* states that the night work of women is strictly prohibited in undertakings of all kinds except for certain types of women's work in certain non-industrial establishments. The exceptions provided for under Article 4, paragraphs (a) and (b) of the Convention are permitted, subject to the authorisation of the General Directorate of Labour. The number of women protected by the legislation amounts to approximately 95,000. No breaches of the relevant legislation have been noted. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Chile* states that no judicial decisions regarding application of the Convention were brought to its notice. The number of persons covered by the relevant legislation is 216,954.

During 1945, only four breaches of the prohibition of the night work of women and children were noted by the labour inspectors. The number of workers (including young persons) employed in establishments visited by the section of the labour inspectorate which is concerned with the employment of women and young persons and in homework was 43,396. The reports of the inspection service show that the provisions of the national legislation implementing the Convention are applied in a satisfactory manner.

No observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that, under Article 7 of the Convention, one textile undertaking introduced continuous 4-shift work but each worker concerned only worked 6 hours a day and 36 hours a week. The Ministry of Labour and the national and provincial labour offices for women and children are responsible for the ap-

plication of Legislative Decrees Nos. 598 and 1024. No decisions were given by courts of law. According to statistics which accompany the report, three inspection visits were made by the Inspection Service in the Province of Havana. No breaches of Legislative Decree No. 598 were noted. No observations have been received from employers' or workers' organisations.

The Government of *Czechoslovakia* states that the term "women" is interpreted by Czechoslovak legislation to cover all women employed in industrial undertakings without distinction as to the nature of their duties. In accordance with Notification No. 504 of 1945, women may be employed during the night in undertakings (factories and workshops) in which the supply of electric power and gas has been restricted and where, during the period of this restriction and after consultation with the works councils (workers' deputy) concerned, the regular working hours have been shifted to the night to ensure a better utilisation of electric current and gas.

Certain undertakings made use of this provision during the period 28 December 1945 - 25 February 1946 under Notification No. 651. In accordance with this Notification, the works councils, instituted by Decree No. 104 of 1945, were obliged to co-operate in the administration and control of the relevant provisions. No decisions were given by courts of law regarding the application of the Convention.

See also under Convention No. 1.

The Government of *Italy* states that, under Article 4 of the Convention, authorisations for night work have been granted as the result of changes in the timetable of working hours necessitated by the rationing of electric power. In each case, it was necessary to employ women at night in order to use unemployed workers in factories. Night work is carried out on a system of rotation and is paid at higher rates. With the end of the war and the return to normal conditions, the right to grant exceptions, which under § 1 of the Act of 16 July 1940 was entrusted to the labour inspectorate, is now entrusted to the Ministry of Labour and Social Welfare, after consultation with the trade unions. The latter are responsible for the protection of the health and moral welfare of women engaged in night work and ensure compliance with the Act, except as regards the special exceptions referred to above. No decisions were given by courts of law.

The *Portuguese* Government states that, during the period under review, no new measures were taken regarding the subjects covered by the Convention and that it has nothing to add to its report for the period 1 October 1940 to 30 September 1945.

COLONIES, ETC. (ARTICLE 35 OF THE CONSTITUTION) (III)

No information.

5. Convention fixing the minimum age for admission of children to industrial employment

This Convention came into force on 13 June 1921

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Albania	17. 3.1932	
Argentine Republic	30.11.1933	
Austria	26. 2.1936	
Belgium	12. 7.1924	10. 2.1947
Brazil	26. 4.1934	
Bulgaria	14. 2.1922	22. 3.1947
Chile	15. 9.1925	15. 2.1947
Colombia	20. 6.1933	
Cuba	6. 8.1928	21. 2.1947
Czechoslovakia	24. 8.1921	3. 3.1947
Denmark	4. 1.1923	14. 3.1947
Dominican Republic	4. 2.1933	12. 3.1947
Estonia	20.12.1922	
France	29. 4.1939	
United Kingdom	14. 7.1921	27. 1.1947
Greece	19.11.1920	24. 3.1947
Ireland	4. 9.1925	21. 2.1947
Japan	7. 8.1926	
Latvia	3. 6.1926	
Luxembourg	16. 4.1928	
Netherlands	21. 7.1928	6. 2.1947
Nicaragua	12. 4.1934	
Norway	7. 7.1937	
Poland	21. 6.1924	19. 2.1947
Rumania	13. 6.1921	
Spain	29. 9.1932	
Switzerland	9.10.1922	15. 1.1947
Uruguay ¹	6. 6.1933	21. 3.1947
Venezuela	20.11.1944	
Yugoslavia	1. 4.1927	

¹ See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Act of 28 February 1919, concerning the employment of women and children (L.S. 1919, Bel. 2), amended by the Eight Hour Day Act of 14 June 1921 (L.S. 1921, Bel. 1).

Bulgaria.

Health and Safety of Workers Act of 1917 (B.B., Vol. XII, 1918, page 28).

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1).
Decree of 7 May 1932 to approve the Regulations concerning registers for young persons of under 16 years of age.

Cuba.

§ 66 of the Constitution. Political Constitution (L.S. 1940, Cuba 1).
Legislative Decree No. 647 of 31 October 1934 respecting the night work of young persons employed in industry and the minimum age for admission of children to industrial employment (L.S. 1934, Cuba 11).

Czechoslovakia.

Act of 19 December 1918 respecting the eight-hour working day (L.S. 1919, Cz. 1-3).

Act of 17 July 1919 respecting child labour (L.S. 1920, Cz. 2).

Government Order No. 287 of 13 August 1942 regulating hours of work (issued by the "Protectorate Government". In operation in Bohemia and Moravia until 31 December 1945).

Denmark.

Act No. 145 of 18 April 1925 respecting the employment of children and young persons (L.S. 1925, Den. 1).

Dominican Republic.

Act No. 637 of 16 June 1944 respecting contracts of employment (L.S. 1944, Dom. 1).

Act No. 1075 of 4 January 1946 respecting hours of work (L.S. 1946, Dom. 2).

United Kingdom.

Factory and Workshop Act, 1901, superseded by the Factories Act 1937 (L.S. 1937, G.B. 2) which came into operation on 1 July 1938, and by the Factories Act (Northern Ireland) 1938.

Coal Mines Acts, 1911 (Extracts B.B., Vol. IX, 1914, p. 9).

Employment of Women, Young Persons and Children Act, 1920 (L.S. 1920, G.B. 9).

Greece.

Act No. 2271 of 1 July 1920 to ratify the Convention (O.B. Vol. II, No. 1, p. 20).

Act No. 4029 of 24 January/6 February 1912 concerning the work of women and minors (B.B. Vol. VII, 1912, p. 285).

Royal Decree of 14/27 August 1913, issued in application of Act No. 4029 (B.B. Vol IX, 1914, p. 219).

Act No. 199 of 29 September 1936 amending certain Labour Acts (L.S. 1936, Gr. 9).

Act No. 547 of 15 March 1937 amending and supplementing certain Labour Acts (L.S. 1937, Gr. 2).

Ireland.

Factory and Workshop Act, 1901.

Employment of Women, Young Persons and Children Act, 1920 (L.S. 1920, G.B. 9).

Conditions of Employment Act of 14 February 1936 (L.S. 1936, I.F.S. 1).

Netherlands.

Labour Act, 1919, as amended by Act of 14 June 1930 (the text of which was promulgated by the Decree of 14 September 1930) (L.S. 1930, Neth. 2).

Stonemasons Act, 1921 (L.S. 1921 (Part II), Neth. 3).

Stevedores Act, 1914, as amended by Act of 27 July 1931 (the text of which was promulgated by the Decree of 9 October 1931) (L.S. 1931, Neth. 3).

Mining Regulations, 1906 (B.B., Vol. I, 1906, p. 505), as amended by Royal Order of 7 October 1922 (L.S. 1922, Neth. 4).

Poland.

Act of 2 July 1924 relating to the employment of women and young persons (L.S. 1924, Pol. 2), amended and completed by Act of 7 November 1931 (L.S. 1931, Pol. 2 A).

Order of the Council of Ministers of 11 November 1924 respecting the bringing into operation of the Act of 2 July 1924 relating to the employment of women and young persons (L.S. 1924, Pol. 9 A).

Order of the Minister of Labour and Social Welfare of 24 December 1931 respecting registers and lists of young persons (L.S. 1931, Pol. 2 C), superseding the Decree of 14 December 1924.

Order of the President of the Republic, dated 7 June 1927, concerning industrial law (L.S. 1927, Pol. 4), amended by the Act of 10 March 1934 (L.S. 1934, Pol. 1).

Order of the President of the Republic, dated 14 July 1927, concerning the labour inspectorate (L.S. 1927, Pol. 8).

Decree of 7 April 1945, covering the establishment of works' councils (L.S. 1945, Pol. 2).

Switzerland.

Federal Act of 18 June 1914/27 June 1919 relating to working hours in factories (B.B., Vol. IX, 1914, p. 269 and L.S. 1919, Switz. 3).

Federal Act of 31 March 1922 relating to the employment of young persons in industry (L.S. 1922, Switz. 2).

Administrative Orders of 3 October 1917/17 September 1923/30 June 1927/11 June 1928/9 July 1932 under the Factory Act (L.S. 1919, Switz. 4 and 1923, Switz. 3), amended by Order of the Federal Council of 4 January 1944.

Administrative Orders of 15 June 1923/11 June 1928 respecting the application of the Federal Factory Act relating to the employment of young persons and women in industry (L.S. 1923, Switz. 1 A).

Order of 5 July 1923 relating to the employment of young persons in transport undertakings (L.S. 1923, Switz. 1 B).

Federal Act of 26 June 1930 concerning vocational training (L.S. 1930, Switz. 5).

Order of 9 October 1936 regulating work in the watch and clock-making industry not performed in factories, extended by the Order of 29 December 1937 (L.S. 1936, Switz. .).

Federal Act of 24 June 1938 concerning the minimum age for employment, amended by Order of the Federal Council of 24 February 1940.

Order of the Federal Department of Public Economy of 9 June 1943 respecting the employment of young persons in peat undertakings.

Orders of the Federal Department of Public Economy respecting work in mines: No. 1 of 16 July 1943, No. 2 of 30 July 1943 and No. 3 of 3 August 1943.

Order of the Federal Council of 16 July 1943 respecting work in mines.

Order of the Federal Council of 11 January 1944 concerning the types of work in industry in which the employment of women and young persons is prohibited.

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Belgium* states that there is nothing new to report regarding the application of the Convention, and refers to previous reports. At the same time, in order to comply with the wish

expressed by the Committee on the Application of Conventions, set up at the 17th Session of the International Labour Conference, the Government confirms the following details:

During the period under review there has been no change in the relevant national legislation. Any legal decisions given have merely confirmed the administrative precedents which constitute the basis of the work of the control services. The inspection services have ensured compliance with the provisions of the national legislation respecting the minimum age for admission to employment. In this respect, they are assisted by the communal authorities responsible for issuing work books. No observations have been received from employers' or workers' organisations.

The Government of *Bulgaria* states that heads of undertakings are not obliged to keep a register. Three hundred to 400 breaches of the legislation were noted. No decisions were given by courts of law and no observations have been received from workers' and employers' organisations.

The Government of *Chile* states that no decisions regarding the application of the Convention have come to the notice of the General Directorate of Labour. The reports of the inspection services show that the provisions regarding the prohibition of the employment of minors of over 14 years of age in industry and the registration of minors of 16 years of age are applied satisfactorily. During the period under review, only one breach of the provisions of the Convention was noted. No observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that § 66 of the Political Constitution of 1940 strictly prohibits the admission of children under 14 years of age to employment or apprenticeship. The application of Legislative Decree No. 647 is entrusted to the Ministry of Labour, the Provincial Offices and the National Labour Office for women and young persons. According to statistical information which accompanies the report, 245 inspection visits were made by the national office in the Province of Havana. Seventy breaches of the provisions of Legislative Decree No. 647 were reported. These resulted in 13 convictions. The amount imposed in fines was \$ 155. Forty-six cases are pending. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Czechoslovakia* states that no judicial decisions were given regarding the application of the Convention.

See also under Convention No 1.

The Government of *Denmark* refers to previous reports and states that no legislative amendments were made during the period covered by the report. In the calendar year 1946, there was only one lawsuit

The Government of the *Dominican Republic* states that the Act No. 1075 (§ 1) defines the line of division which separates industry from commerce and agriculture but does not give any definition of commerce. Act No. 1075 of 1946 (§ 12) prohibits the employment of children under the age of 14 years in any industrial establishment. The Labour Department has the right to authorise young persons under 14 years of age to enter industrial establishments as apprentices where such establishments do not endanger the health and safety of young persons.

Act No. 637 of 1944 (§§ 7 and 8) provides that a person under the age of 14 years shall not enter into a contract of employment even with the consent of his father or guardian or the person in whose custody he is. Nevertheless, the Department of Labour may authorise a person under the age of 14 years to enter into a contract for the performance of specified work suited to his age and capacity, provided that an application is made for the purpose by the father or guardian or person having the custody or the said minor and that the work in question does not prejudice the fulfilment of his scholastic obligations or his moral and physical training. Minors shall not be employed in the following cases: (a) on work performed in places where their lack of experience or skill might expose them to the risk of accidents; (b) on work which would prejudice the primary education to be given to young persons (with the exception of young persons who have attained the age of 14 years or whose work is necessary for their maintenance). § 46 of Act No. 637 stipulates that employment and instruction in reformatories and in schools of arts and crafts maintained or recognised by the State, the commune or the District of Santo Domingo, shall be governed by special provisions.

The national legislation does not contain any provision obliging the managers of industrial establishments to keep a register of children under 16 years of age, but in accordance with § 12 of Act No. 1075 and § 7 of Act No. 637, employers may not employ any child under 14 years of age without an authorisation from the Labour Department. This authorisation must be presented to the factory inspectors upon request.

See also under Convention No. 1.

The Government of the *United Kingdom* states that no decisions defining the line which separates industry from commerce and agriculture have so far been given by the competent authority which, in the United Kingdom, would be the courts of law. The transfer of certain functions of the Secretary of State for Home Affairs, under the Factories Act, 1937, and enactments assimilated thereto, to the Minister of Labour and National Service, was made permanent by Order-in-Council under the Ministers of the Crown (Transfer of Functions) Act, 1946.

No legal decisions have been given by courts of law or other courts regarding the application of the Convention. The reports of the inspectors attached to the highly organised Factory and Mines Inspectorates show that, except in isolated instances, the terms of the Convention are fully and carefully observed. In 1946, there were no cases in which it was necessary to prosecute an employer for an offence involving a breach of the Convention and no observations were received from employers' or workers' organisations.

The Government of *Greece* states that it has not yet been possible to define the line which separates industry from commerce and agriculture. The Government refers to its previous report, to which was appended a copy of the work book issued to children between 14 and 16 years of age, as well as a copy of a model register in which entries are made of the ages of persons employed in an undertaking. As stated in the report for 1944-1945, the register must show evidence that an employer has demanded a birth certificate from any young persons who are employed. The report adds that the Convention is strictly applied. See under Convention No. 1 for information regarding the authorities responsible for the application of the Convention.

The Government of *Ireland* states that its report for 1945-1946 is similar to that for the period 1939-1940 in which there were no breaches of the legislation.

The *Netherlands* Government refers to the relevant articles of the Labour Act of 1919. The number of proceedings instituted for employment of children under 14 years of age was 36 in 1944 and 34 in 1945. The amounts imposed in fines varied from 3 to 60 florins. Several of the proceedings were in connection with the employment of very young children in public entertainment undertakings. The number of warnings issued to parents and guardians of children who were engaged below the legal minimum age was 113 in 1944 and 18 in 1945.

See also under Convention No. 2, introductory note.

The Government of *Poland* states that, as the Act of 1924 relating to the employment of women and young persons prohibits the paid employment of children under 15 years of age except in agriculture and in domestic service, it was not necessary to define the line dividing industry from commerce and agriculture.

The labour inspectorate set up under the Decree of 14 July 1927 is responsible for supervising, *inter alia*, the work of minors and facilities for their technical and general education. The inspectorate is composed of: the local inspectors, the district inspectors and the special labour inspectors, medical inspectors and inspection assistants, inspectors and assistant inspectors for women and minors. The labour inspectorate,

together with the works councils set up under the Decree of 7 April 1945, is responsible for the supervision of the application of labour legislation. No decisions by courts of law have been brought to the notice of the Government. Detailed statistics cannot be supplied in view of the fact that, during the period under review, the country was in a state of reorganisation following its liberation in May 1945. On 31 December 1945, the labour inspectorate had registered 48,211 minors, of whom 12,782 were girls. These figures do not include minors employed in handicrafts and in commerce. If the labour inspectorate detects a violation of the Act relating to the employment of women and young persons, proceedings are instituted and an order is made for the immediate suppression of the violation. Non-compliance with this order is subject to a penal sanction. During 1945, 817 children under 15 years of age, of whom the majority were war orphans whose dismissal would have deprived them of their means of subsistence, were employed in industry and in handicrafts. The professional organisations include sections for minors whose duty it is, *inter alia*, to supervise the application of the legislation for the protection of young workers.

The Government of *Switzerland* states that no change has been made in the federal legislation applying the Convention. The Government appends to its report copies of the reports of the federal factory inspectors on their activities during 1945. In the spring of 1946, the cantons were asked to submit reports regarding the application during 1944 and 1945 of the Federal Acts concerning the minimum age for the employment of young persons and women in industry. The reports regarding the application of the first-mentioned Act show that, in general, the application of the relevant provisions is secured. During 1946, the federal authorities were notified of 45 convictions during 1945 and 1946 for breaches of the provisions of the Federal Factories Act relating to the employment of young persons. In all these cases fines were imposed. Forty-two convictions were notified of breaches of the Federal Act relating to the minimum age for employment. The number of breaches and the amounts imposed in fines in this connection continue to increase. As pointed out in the report for 1944-1945, this is due to the great difficulty experienced in recruiting industrial manpower in certain districts.

The Government adds that the Convention continues to be fully applied and refers to the report of the Federal Council to the Chambers on its administration in 1945.

This report contains a general account of the application of the provisions which secure the application of the Convention. No suggestion, complaints or observations were received from employers' or workers' organisations. All professional groups co-operate with the authorities as regards the protection of workers.

COLONIES, ETC. (ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of the *United Kingdom* states that the following legislation was enacted:

Mauritius.

Employment of Women and Young Children (Amendment) Ordinance, 1945 (Ordinance No. 43 of 1945).

Labour Code (Amendment 102) Ordinance No. 44 of 1945.

Nigeria.

Labour Code Ordinance No. 54 of 1945 (Chapter X, § 160). This Ordinance was brought into force on 1 June 1946.

Tanganyika.

Women and Young Persons (Amendment) Ordinance, 1946 (§ 19).

Trinidad.

Factories Ordinance No. 44 of 1946 (§§ 89-97). This Ordinance repeals and replaces §§ 89-97 of Chapter 4 of the Children Ordinance.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

In *Curaçao*, the employment of children under 13 years of age is prohibited in all occupations in industry by an Ordinance of 1939. No children under 13 years of age are admitted to technical schools. Under Article 4, the Government states that, according to the Order for the Registration of Workers (P.B. 106 of 1945), the ages of all workers must be registered. Compliance with this Order is under direct Government control.

The Convention has not been published or promulgated in *Surinam*. As education is compulsory up to the age of 14 years, the employment of children under this age in the industries enumerated in Article 1 of the Convention is excluded. No regulations exist under Article 4.

6. Convention concerning the night work of young persons employed in industry

This Convention came into force on 13 June 1921

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Albania	17. 3.1932	
Argentine Republic	30.11.1933	
Austria	12. 6.1924	
Belgium	12. 7.1924	10. 2.1947
Brazil	26. 4.1934	
Bulgaria	14. 2.1922	22. 3.1947
Chile	15. 9.1925	15. 2.1947
Cuba	6. 8.1928	21. 2.1947
Denmark	4. 1.1923	14. 3.1947
Estonia	20.12.1922	
France	25. 8.1925	
United Kingdom	14. 7.1921	27. 1.1947
Greece	19.11.1920	24. 3.1947
Hungary	19. 4.1928	29. 1.1947
India	14. 7.1921	
Ireland	4. 9.1925	21. 2.1947
Italy	10. 4.1923	25. 3.1947
Latvia	3. 6.1926	
Lithuania	19. 6.1931	
Luxembourg	16. 4.1928	
Mexico	20. 5.1937	9. 9.1946
Netherlands	17. 3.1924	6. 2.1947
Nicaragua	12. 4.1934	
Poland	21. 6.1924	19. 2.1947
Portugal	10. 5.1932	20. 1.1947
Rumania	13. 6.1921	
Spain	29. 9.1932	
Switzerland	9.10.1922	15. 1.1947
Uruguay ¹	6. 6.1933	21. 3.1947
Venezuela	7. 3.1933	
Yugoslavia	1. 4.1927	
***	***	
Burma ²	14. 7.1921	26. 2.1947

¹ See under Convention No. 1, introductory note.

² See footnote 3 to Convention No. 1.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Act of 28 February 1919 concerning the employment of women and children (L.S. 1919, Bel. 2), amended by the Act of 14 June 1921 concerning the eight-hour day (L.S. 1921, Bel. 1).

Royal Order of 22 January 1924 in pursuance of § 10 of the Act concerning the employment of women and children, authorising heads of enamelling and paper works to employ boys over 16 years of age after 10 p.m. and before 5 a.m. on work which, by reason of the nature of the process, cannot be interrupted (L.S. 1924, Bel. 7 A).

Royal Order of 2 December 1924 authorising the employment of young persons between 16 and 18 years of age after 10 p.m. and before 5 a.m. on work which, by reason of the nature of the process, cannot be interrupted, in the iron and steel industries, in zinc, lead and silver smelting works, in zinc rolling mills and in works in which iron or steel tubes are manufactured (L.S. 1924, Bel. 7 B).

Royal Order of 18 February 1926 in pursuance of § 10 of the Act concerning the employment of women and children, authorising heads of glass and plate-glass works to employ boys over 16 years of age after 10 p.m. and before 5 a.m. on work which, by reason of the process, cannot be interrupted (L.S. 1926, Bel. 6 A).

Royal Order of 23 April 1926 to authorise the employment of young male persons during the night in copper works (L.S. 1926, Bel. 6 B).

Bulgaria.

Health and Safety of Workers Act, 1917 (B.B. 1918, Vol. XIII, p. 28).

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1). Decree No. 655 of 25 November 1940, to approve the Regulations respecting industrial hygiene and safety (supersedes Decree No. 217 of 30 April 1926).

Cuba.

Legislative Decree No. 647 of 31 October 1934 concerning the night work of young persons employed in industry and the minimum age for admission of children to industrial employment (L.S. 1934, Cuba 11).

Denmark.

Act No. 145 of 18 April 1925 respecting the employment of children and young persons (L.S. 1925, Den. 1).

Act of 7 May 1937 respecting apprenticeship. Circular of the Labour and Factory Inspection Directorate of 30 March 1938.

United Kingdom.

Factory and Workshop Act, 1901, superseded by the Factories Act, 1937 (L.S. 1937, G.B. 2), which came into operation on 1 July 1938, and by the Factories Act (Northern Ireland) 1938.

Coal Mines Act, 1911 (Extracts, B.B., Vol. IX, 1914, p. 9).

Employment of Women, Young Persons and Children Act, 1920 (L.S. 1920, G.B. 9).

Night Employment of Young Persons (Reverberatory or Regenerative Furnaces) Order, 17 January 1924 (L.S. 1924, G.B. 1).

Greece.

Act No. 2272 of 1 July 1920 (O. B. Vol. II, No. 1, p. 20).

Act No. 4029 of 24 January/6 February 1912 concerning the work of women and minors (B.B. Vol. VII, 1912, p. 285).

Royal Decree of 14/27 August 1913, issued in application of Act No. 4029 (B.B. Vol. IX, 1914, p. 219).

Circulars No. 31 of 17 September 1913 and No. 23 of 16 July 1920, of the Ministry of National Economy.

Hungary.

Act No. XXVI approving the ratification of the Convention.

Act No. V of 1928 respecting the protection of children, young persons and women employed in industry and in certain other undertakings (L.S. 1928, Hung. 1).

Order No. 150443 of 30 December 1938, respecting the application of §§ 1-3, 8, 12-16,

18-20, 22-24 and 30 of Act No. V of 1928 (L.S. 1930, Hung. 5).
 Act No. XV of 24 March 1923 on work in bakeries (L.S. 1923, Hung. 1), amended by Act No. V of 1929 (L.S. 1929, Hung. 1 A).
 Order No. 33469 of 2 June 1933 to provide for a nightly rest period of 11 hours for young persons and women employed in brickmaking (L.S. 1933, Hung. 5).
 Order No. 52300 of 3 August 1946, concerning the application of certain provisions of Act No. V of 1928.

Ireland.

Employment of Women Young Persons and Children Act, 1920 (L.S. 1920, G.B. 9).
 Conditions of Employment Act, 1936 (L.S. 1936, I.F.S. 1).
 Conditions of Employment (Sugar Beet Factories) (Employment of Young Persons at Night) Order, 1936, made under § 47 (2) of the Conditions of Employment Act, 1936.
 Conditions of Employment (Glass-Bottle Works) (Employment of Young Persons at Night) Order of 1936, made under § 47 (2) of the Conditions of Employment Act, 1936.
 Conditions of Employment (Manufacture of Paper) (Employment of Young Persons at Night) Regulations, 1938, made under § 47 (2) of the Conditions of Employment Act, 1936.
 Conditions of Employment (Manufacture of Paper) (Proportion of Young Persons to other Workers) Regulations, 1938, made under § 15 (1) of the Conditions of Employment Act, 1936.

Italy.

Act No. 653 of 26 April 1934 to safeguard the employment of women and children (L.S. 1934, It. 6).
 Decree No. 1720 of 7 August 1936 regarding the occupations which are considered as dangerous and unhealthy for children and young persons (L.S. 1936 It. 7).

Mexico.

Political Constitution of the United States of Mexico of 1917.
 Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).
 Regulations of 31 July 1934 respecting the employment of women and children in dangerous and unhealthy occupations (L.S. 1934, Mex. 3).
 Regulations of the Federal Factory Inspectorate of 23 October 1934.

Netherlands.

Labour Act, 1919, as amended by the Act of 14 June 1930 (text promulgated by the Decree of 17 September 1930) (L.S. 1930, Neth. 2).
 Mining Regulation No. 248, 1906 (B.B. Vol. I, 1906, p. 505), as amended by Decree of 7 October 1922 (L.S. 1922, Neth. 4).
 Decree of 15 May 1933 to issue general service Regulations for railways (L.S. 1933, Neth. 3 A).
 Tramway Regulations of 24 February 1920, as amended by Royal Decrees of 4 November 1922 (L.S. 1922, Neth. 5 H), and 23 November 1931 (L.S. 1931, Neth. 5 B).

Poland.

Act of 18 December 1919 relating to hours of work in industry and commerce, consolidated text as promulgated by Notification of the Minister of Social Welfare of 25 October 1933 (L.S. 1933, Pol. 1 C).
 Act of 2 July 1924 respecting the employment of women and young persons (L.S. 1924, Pol. 2) amended and supplemented by Act of 7 November 1931 (L.S. 1931, Pol. 2 A).

Order of the Council of Ministers of 17 November 1924, respecting the bringing into operation of the Act of 2 July 1924 respecting the employment of women and young persons (L.S. 1924, Pol. 9 A).
 Order of the President of the Republic of 7 June 1927 concerning industrial law (L.S. 1927, Pol. 4) amended by the Act of 10 March 1934 (L.S. 1934, Pol. 1).
 Order of the President of the Republic of 14 July 1927 concerning the labour inspectorate (L.S. 1927, Pol. 8).
 Order of 7 April 1945 relating to the setting up of works councils (L.S. 1945, Pol. 2).

Portugal.

Legislative Decree No. 24402 of 24 August 1934 to regulate hours of work in commercial and industrial undertakings (L.S. 1934, Port. 5).
 Legislative Decree No. 24403 of 24 August 1934 concerning the supervision of hours of work.
 Legislative Decree No. 26917 of 24 August 1936 to amend and supplement Legislative Decree No. 24402 (L.S. 1936, Port. 3).

Switzerland.

Federal Act of 18 June 1914/27 June 1919 relating to work in factories (B.B., Vol. IX, 1914, p. 269, and L.S. 1919, Switz. 3).
 Federal Act of 31 March 1922 relating to the employment of young persons and women in industry (L.S. 1922, Switz. 2).
 Administrative Orders of 3 October 1919/7 September 1923/30 June 1927/11 June 1928/9 July 1932 under the Factory Act (L.S. 1919, Switz. 4 and 1923, Switz. 3).
 Administrative Orders of 15 June 1923/11 June 1928 respecting the application of the Federal Act relating to the employment of young persons and women in industry (L.S. 1923, Switz. 1 A).
 Order of 5 July 1923 relating to the employment of young persons in transport undertakings (L.S. 1923, Switz. 1 B).
 Order of 9 October 1936 regulating work in the watch and clock-making industry not performed in factories, extended by the Order of 29 December 1937 (L.S. 1936, Switz. 1).
 Order of 24 September 1943 of the Wartime Office for Industry and Labour concerning hours of work and economy in fuel in private undertakings and public undertakings.

Uruguay.

See under Convention No. 1, introductory note.

* * *

Burma.

Indian Factories Act 1934 (L.S. 1934, Ind. 2) as subsequently amended by Act No. XI of 1935 (L.S. 1935, Ind. 3 B) and Act No. VIII of 1936 (L.S. 1936, Ind. 3 A).
 Burma Factories Rules, 1935.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The *Belgian* Government refers to previous reports and adds that there is nothing new to report regarding the application of the Convention. At the same time, in order to comply with the wish expressed by the Committee on the Application of Conventions set up at the 17th Session of the International Labour Conference, the Government confirms the following details:

During the period under review there has been no change in the relevant national

legislation. Any legal decisions given have merely confirmed the administrative precedents which constitute the basis of the work of the inspection services. These services have ensured compliance with the prohibition of the night work of young persons, laid down in the national legislation, which is in conformity with the Convention. As regards the exceptions provided for in Articles 2, 3 and 4 of the Convention, the report states that generally speaking only a strictly limited use was made of them. The exceptions granted were within the limits prescribed by the national legislation and were supervised by the inspection services. No observations were received from employers' and workers' organisations.

The Government of *Bulgaria* states that the legislation authorises the application of Article 7 of the Convention by means of an edict, but no edict of this kind has been issued. The Government is unable to supply details regarding the manner in which the Convention is applied. No decisions were given by courts of law and no observations were received from workers' and employers' organisations.

The Government of *Chile* states that no judicial decisions regarding the application of the Convention were brought to the notice of the General Directorate of Labour. The inspection services ensured the application of the relevant legislation and such application is considered satisfactory. The number of minors protected by the legislation is approximately 65,000. The number of young persons of both sexes employed in industrial establishments visited by the section of the labour inspectorate for women and young persons and in homework was 1,902. No breaches of the provisions of the Convention were noted. In the majority of cases, simple intervention by the administrative services is sufficient to ensure compliance with the legislation. No observations were received from employers' or workers' organisations.

The Government of *Cuba* states that § II of Legislative Decree 647 reproduces the 5 exceptions provided for in paragraph (2) of Article 2 of the Convention, but that only sugar refineries work day and night without interruption during the harvesting and grinding of sugar cane.

See also under Convention No. 5.

The Government of *Denmark* refers to previous reports and adds that no legislative amendments were made during the period under review. No decisions were given by courts of law.

The Government of the *United Kingdom* states in its report that no decisions defining the line which separates industry from commerce and agriculture have so far been given by the competent authority, which in the *United Kingdom* would be the courts of law. As regards Article 7, the report

states that Regulation 59 of the Defence (General) Regulations, 1939, which confers on the Minister of Labour and National Service power of exemption from the provisions of the Factories Act, was continued by an Order made in 1945 under the Supplies and Services (Transitional Powers) Act, 1945. It has been necessary to continue to permit the employment of male young persons at night in certain cases during the period of transition, but the number of such cases rapidly decreased during 1946. The transfer of certain functions of the Secretary of State for Home Affairs to the Minister of Labour and National Service was made permanent (see under Convention No. 5).

No decisions were given by courts of law or other courts regarding the application of the Convention. The reports of the inspectors show that, except in isolated instances, the terms of the Convention are fully and carefully observed. Seventeen firms were prosecuted in Great Britain during 1946 for breaches of the Convention involving the illegal employment of 39 young persons. No complete figures are available for the number of young persons employed in factories in 1946 in Great Britain, but in 1945 the number was estimated at 800,000; 26,665 (26,129 males and 536 females) persons under the age of 20 (excluding clerks and salaried persons) were employed above ground at mines, and 1,374 (1,347 males and 27 females) above ground at quarries (excluding quarries producing less than 1,000 tons per annum). No observations were received from employers' or workers' organisations.

In *Northern Ireland* no decisions were given by courts of law or other courts. There were no prosecutions for breaches of the Convention. No complete figures are available for the number of young persons concerned. Previous Orders made under Regulation 59 of the Defence (General) Regulations, 1939, authorising the employment of young persons at night in factories engaged on work arising from war conditions, continued in force and, in respect of one factory, a further Order was made which expired before 30 September 1946.

The Government of *Greece* states that it is still not possible to define the line of division which separates industry from commerce and agriculture. Only a limited use was made of the exceptions provided for in paragraph (2) of Article 2 of the Convention, in view of the fact that there are no industries of the type enumerated in sub-paragraphs (a), (b) and (e). No use was made of the exceptions provided for in Article 3. No request has ever been made by employers to implement the provisions of Article 4. With regard to Article 7, no measures have been taken to suspend prohibition of the night work of young persons. The report adds that the Convention is strictly applied.

See under Convention No. 1 for informa-

tion relating to the authorities entrusted with the application of the Convention.

The *Hungarian* Government states that, under Order No. 52300 of 3 August 1946, the scope of Act No. V, 1928, §§12, 15, 16, 17 and 18 of which contain provisions relating to the night work of women and young persons, has been extended to mining undertakings, blast furnaces and to the factories connected therewith. The supervision of the application of the relevant legislative provisions is ensured by the mines' superintendents, who are administrative authorities of first instance, under the strict supervision of the Minister of Industry.

The Government of *Ireland* states that, during the period under review, no exception from the prohibition of the employment of young persons was granted under Article 7 of the Convention. Contraventions were discovered in two cases and the employers were suitably warned.

The Government of *Italy* states that under Article 4 of the Convention some exceptions were authorised to the prohibition of the night work of children as the result of changes in the timetable of working hours necessitated by the shortage of electric power. All these exceptions, which moreover were very few in number, were of a temporary nature, and were granted only after consultation with the workers' organisations. Night work is effected by a system of rotation and is paid for at higher rates. The workers' organisations are principally concerned with the difficulties which are experienced by children going to and returning from their work at awkward hours. No decisions were given by courts of law.

The Government of *Mexico* refers to previous reports.

The *Netherlands* Government refers to the relevant articles of the Labour Act of 1919, and adds that there have been no cases in which the nightly rest period of 11 hours was not granted to young persons under 18 years of age. Six proceedings were instituted in connection with the employment of young persons between 10 p.m. and 5 a.m. in bakeries; fines varying from 10 to 25 florins were imposed.

See also under Convention No. 2, introductory note.

The Government of *Poland* states that, as the prohibition of the night work of young persons applies to work places of all categories, it was not necessary to define the line dividing industry from commerce and agriculture. In the event of a justified case of *force majeure* the labour inspectorate, after examining the case, grants an authorisation for the exception provided for under Article 4 of the Convention. No decisions by courts of law regarding the application of the Convention were brought to the notice of the Government. Five hundred and eighteen young persons were

employed during the night, in particular in the sugar and metal industries. In each case, the employers were requested to comply with the legislation. No observations were received from employers' or workers' organisations.

See also under Convention No. 5.

The *Portuguese* Government states that, during the period under review, no measures were taken regarding the subjects covered by the Convention, and that it has nothing to add to its report for the period 1 October 1940 to 30 September 1945.

The Government of *Switzerland* states that, during the period under review, no changes were made in the federal and cantonal legislation applying the Convention. The Government refers to previous reports and adds the following:

Order No. 3 of 12 September 1945 of the Federal Department of Public Economy concerning hours of work, which enforces the prohibition of the night work of young persons under 18 years of age employed in the loading and unloading of goods waggons outside the normal hours of work, and Orders Nos. 1 and 4 of 15 November 1941 and 7 December 1945, concerning hours of work, were abrogated, as from 1 May 1946, by an Order of the Federal Council of 26 April 1946.

In accordance with the exceptions provided for under Article 2 of the Convention, three glassworks continued to make use of the authorisation to employ young persons from 16 to 18 years of age. The Government appends to its reports the report submitted by the federal factory inspectors concerning their activities during 1945.

In the spring of 1946, the cantons were asked to submit reports regarding the application during 1944 and 1945 of the Federal Acts concerning the minimum age for employment, and of the employment of young persons and women in industry. These reports show that, in general, the application of the relevant provisions is secured. During the period under review, the Federal authorities were notified of two convictions for breaches of the prohibition of night work for young persons laid down in the Factories Act, and two convictions for breaches of the Act regarding the employment of young persons and women in industry. In all these cases, a fine was imposed. Among the cases connected with the Factory Act, there were several where the breach was committed, not during the period prohibited by the Convention, but in the interval between 8 p.m. (on Saturdays and on the eve of public holiday, 5 p.m.) and 10 p.m., which is interpreted as "night" according to the national legislation.

The report adds that the Convention continues to be fully applied in Switzerland, and in this connection refers to the report of the Federal Council to the Chambers on its administration in 1945, a copy of which is appended. This report contains a general account of the application of the provisions

which ensure the application of the Convention in Switzerland. Professional groups co-operate freely with the authorities.

* * *

The Government of *Burma* states that, under Article 7 of the Convention, the prohibition of the night work of young persons has not been suspended. The Chief Inspector of Factories and the Chief Inspector of Mines are entrusted with the application of the Convention. Frequent visits are made by the labour inspectors but, in view of the fact that the departments of the factories and mines inspectorates are understaffed, it has not been possible to implement the application of the Convention with any degree of satisfaction. The position in this respect will improve with the strengthening of the inspectorates. No decisions were given by the courts of law. No cases of serious contravention have come to the knowledge of the Government.

COLONIES, ETC. (ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of the *United Kingdom* states that the following legislation has been enacted:

Nigeria.

Labour Code Ordinance No. 54 of 1945, Chapter X, paragraph 167.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

In *Curaçao*, as the night work of children does not exist, it has never been necessary to take any statutory action in this matter.

The Convention has not been published or promulgated in *Surinam*. With regard to the principles laid down in Convention No. 5, no regulation exists in respect of children over 14 years of age.

SECOND SESSION (GENOA, 1920)

7. Convention fixing the minimum age for admission of children to employment at sea

This Convention came into force on 27 September 1921

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Argentine Republic	30.11.1933	
Australia	28. 6.1935	1. 3.1947
Belgium	4. 2.1925	17. 2.1947
Brazil	8. 6.1936	
Bulgaria	16. 3.1923	22. 3.1947
Canada	31. 3.1926	10. 2.1947
Chile	18.10.1935	15. 2.1947
China	2.12.1936	
Colombia	20. 6.1933	
Cuba	6. 8.1928	21. 2.1947
Denmark	12. 5.1924	14. 3.1947
Dominican Republic	4. 2.1933	12. 3.1947
Estonia	3. 3.1923	
Finland	10.10.1925	7. 2.1947
Germany	11. 6.1929	
United Kingdom	14. 7.1921	20. 1.1947
Greece	16.12.1925	24. 3.1947
Hungary	1. 3.1928	29. 1.1947
Ireland	4. 9.1925	13. 3.1947
Italy	14. 7.1932	25. 3.1947
Japan	7. 6.1924	
Latvia	3. 6.1926	
Luxembourg	16. 4.1928	
Netherlands	26. 3.1925	6. 2.1947
Nicaragua	12. 4.1934	
Norway	7.10.1927	
Poland	21. 6.1924	
Rumania	8. 5.1922	
Spain	20. 6.1924	
Sweden	27. 9.1921	3. 2.1947
Uruguay ¹	6. 6.1933	21. 3.1947
Venezuela	20.11.1944	
Yugoslavia	1. 4.1927	

¹ See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Australia.

The Navigation (Maritime Conventions) Act, 1934 (L.S. 1934, Austral. 10).

Belgium.

Act of 5 June 1928 concerning seamen's articles of agreement (L.S. 1928, Bel. 5 A).

Bulgaria.

Health and Safety of Workers Act, 1917 (B.B., Vol. XIII, 1918).

Canada.

Canada Shipping Act, 1934 (L.S. 1934, Can. 7.)

Chile.

Legislative Decree No. 678 of 27 November 1925 concerning recruitment for the military and naval forces.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1), amended by Act. No. 5405 of 8 February 1934 (L.S. 1934, Chile 1 A).

Commercial Code (Book iii, § 823).

Cuba.

Legislative Decree No. 592 of 16 October 1934 concerning, *inter alia*, the minimum age for admission of children to employment at sea (L.S. 1934, Cuba 9).

Denmark.

Seamen's Act No. 181 of 1 May 1923 (L.S. 1923, Den. 2).

Act No. 29 of 26 February 1872 relating to the registration of seamen and the supervision of their engagement and their discharge.

Dominican Republic.

Act No. 637 of 16 June 1944 relating to contracts of employment (L.S. 1944, Dom. 1).

Act No. 1075 of 4 January 1946 relating to hours of work (L.S. 1946, Dom. 2).

Finland.

Seamen's Act of 8 March 1924 (L.S. 1924, Fin. 1) as amended by Act of 26 May 1925 (L.S. 1925, Fin. 2) and Act of 11 May 1928 (L.S. 1928, Fin. 2).

Order of 19 September 1925 respecting the coming into force of the Convention.

Act of 4 June 1937 concerning the registration of seamen and the supervision of their engagement and discharge.

Maritime Code of 9 June 1939, promulgated on 1 January 1940.

United Kingdom.

Employment of Women, Young Persons and Children Act, 1920 (L.S. 1920, G.B. 9).

Greece.

Legislative Decree of 23 September 1925 to ratify the Convention. Act No. 4211 of 1929 confirming the above Decree.

Hungary.

Act No. XVI of 1928 ratifying the Convention. Order No. 32043 of 1933 issued by the Minister of Commerce concerning, *inter alia*, the application of the above Act.

Ireland.

Employment of Women, Young Persons and Children Act, 1900 (L.S. 1920, G.B. 9).

Italy.

Royal Decree No. 591 of 20 March 1924 to ratify the Convention.

Royal Decree No. 640 of 9 May 1932 bringing the provisions of the Convention into force in Italy.

Royal Decree of 30 March 1942 to insert the provisions of the Convention in § 119 of the Shipping Code.

Netherlands.

Labour Act, 1919, as subsequently amended (L.S. 1922, Neth. 1).

Decree No. 369 of 1 December 1927, issued under §§ 71 and 92 of the Labour Act, 1919 (L.S. 1927, Neth. 4B).

Decree of 25 September 1933 (L.S. 1933, Neth. 4) to promulgate the text of the Labour Decree, 1920, as last amended by the Royal Decree of 12 July 1933, issued under the Labour Act 1919 (L.S. 1922, Neth. 1), as amended by an Act of 14 June 1930 (L.S. 1930, Neth. 2 A).

Sweden.

See under Convention No. 58.

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Australia* states that there has been no change in the position regarding the application of the Convention since it furnished its report for the year ending 30 September 1945.

The Government of *Belgium* refers to previous reports, and adds that the maritime superintendent at the port of embarkation is responsible for controlling the age of young persons suggested for registration. The administrative measures employed have prevented any attempt at fraudulent embarkation, and no judicial action was necessary. No observations have been received from employers' or workers' organisations.

The Government of *Bulgaria* states that men under 18 years of age and women of any age are prohibited from employment in ports and on board vessels. The Labour Directorate and the labour inspectors are responsible for the application of the relevant legislation. No statistics are available. No observations have been received from employers' or workers' organisations.

The Government of *Canada* states that this Convention, among others, forms part of the Canada Shipping Act, 1934, and that its provisions are being observed by owners, masters and seamen of Canadian vessels engaged in maritime navigation. No contraventions or difficulties, legal or otherwise, or judicial decisions were reported

during the period under review. No observations have been received from employers' or workers' organisations, and no change has been made in the relevant national legislation.

The Government of *Chile* refers to its report for 1944-1945, and adds that the number of apprentice posts authorised for the period under review was the same as for the previous year. There have been no breaches of the relevant legislation. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Cuba* states that no breaches of the legislation have been reported by the harbourmasters. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Denmark* refers to its report for 1944-1945, and adds that neither the war nor other special conditions have given rise to any discrepancies between the national legislation and the provisions of the Convention.

The Government of the *Dominican Republic* states that § 12 of Act No. 1075 strictly prohibits the employment of children under 14 years of age in work at sea.

The Government of *Finland* states that no decisions by courts of law have come to its notice and that it has no general remarks to make regarding the Convention.

The Government of the *United Kingdom* states that, during the period under review, there has been no change in the position as stated in the report for 1944-1945.

The Government of *Greece* states that § 2 of Act No. 4211 of 1929 provides for penalties for breaches of the regulations. The control of the age of young persons employed on board vessels is ensured by means of the seaman's book, in which the date of birth is entered. Members of the crews of Greek merchant vessels, including seamen between 14 and 16 years of age, are entered in the list of the crew. A list of the crew is compulsory for all vessels. The supervision of the relevant legislation is entrusted to the port authorities.

The Government of *Hungary* states that no new legislation has been introduced in connection with the Convention and adds that, during the period under review, there have been no Hungarian ships at sea and that even river traffic, for the main part, has been discontinued.

The Government of *Ireland* states that there is no change in the position outlined in its report for the period 1939-1940.

The Government of *Italy* repeats the information given in its report for 1944-1945 regarding the application of the Convention. No decisions were given by courts of law.

The *Netherlands* Government refers to the relevant Articles of the Labour Act of 1919.

See also under Convention No. 5 and Convention No. 2, introductory note.

Sweden. See under Convention No. 58.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The *Belgian* Government states that the application of the Convention is not extended to the *Belgian Congo*. At the same time, the Act of 5 June 1928 concerning seamen's articles of agreement ensures, for young persons who are Natives of the Belgian Congo or in mandated territories and who are employed on board Belgian vessels, the guarantees provided for in the Convention.

The Government of the *United Kingdom* states that the following further legislation has been enacted:

Mauritius.

Employment of Women, Young Persons and Children (Amendment) Ordinance, No. 43 of 1945.

Nigeria.

Labour Code Ordinance No. 54 of 1945, Chapter X, paragraphs 170 and 171.

Tanganyika.

Women and Young Persons (Amendment) Ordinance of 1946, § 2 (a).

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

No action is taken in *Curaçao*, as only persons over 18 years of age are employed in the shipping trade. The authorities have no knowledge of any breaches of the legislative provisions.

For *Surinam*, see under Convention No. 6.

8. Convention concerning unemployment indemnity in case of loss or foundering of the ship

This Convention came into force on 16 March 1923

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Argentine Republic	30.11.1933	
Australia ¹	28. 6.1935	1. 3.1947
Belgium	4. 2.1925	17. 2.1947
Bulgaria	16. 3.1923	22. 3.1947
Canada	31. 3.1926	10. 2.1947
Chile	18.10.1935	15. 2.1947
Colombia	20. 6.1933	
Cuba	6. 8.1928	21. 2.1947
Denmark	15. 2.1938	14. 3.1947
Estonia	3. 3.1923	
France	21. 3.1929	3. 4.1947
Germany	4. 3.1930	
United Kingdom	12. 3.1926	20. 1.1947
Greece	16.12.1925	24. 3.1947
Ireland	5. 7.1930	13. 3.1947
Italy	8. 9.1924	25. 3.1947
Latvia	29. 8.1930	
Luxembourg	16. 4.1928	
Mexico	20. 5.1937	9. 9.1946
Netherlands	15.12.1937	6. 2.1947
Nicaragua	12. 4.1934	
Norway	21. 7.1936	
Poland	21. 6.1924	
Rumania	10.11.1930	
Spain	20. 6.1924	
Sweden	1. 1.1935	3. 2.1947
Uruguay ²	6. 6.1933	21. 3.1947
Yugoslavia	30. 9.1929	

¹ Papua and New Guinea only.

² See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Australia.

The Navigation (Maritime Conventions) Act, 1934 (L.S. 1934, Austral. 10).

Belgium.

Act of 5 June 1928 concerning seamen's articles of agreement (L.S. 1928, Bel. 5 A).

Bulgaria.

Act of 12 April 1925, respecting employment exchanges and unemployment insurance (L.S. 1925, Bulg. 2).

Canada.

Canada Shipping Act, 1934, (L.S. 1934, Can. 7).

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1), amended by Act No. 5405 of 8 February 1934 (L.S. 1934, Chile 1 A).
Commercial Code (§§ 823 and 933).

Cuba.

Commercial Code of 1885 (§§ 586-651).
Legislative Decree No. 660 of 6 November 1934 (concerning, *inter alia*, unemployment indemnity to seamen in case of loss or foundering of the ship) (L.S. 1934, Cuba 12 B), supplemented by Decrees No. 3163 of 1942, No. 3643 of 1943, Nos. 3037 and 3372 of 1944, and No. 4063 of 1945.

Denmark.

Seamen's Act of 1 May 1923 (L.S. 1923, Den. 2), supplemented by Act No. 96 of 7 April 1936 (L.S. 1936, Den. 1).
Royal Decree of 15 February 1938 to put alien seamen on the same footing as Danish seamen in certain cases.

France.

Act of 13 December 1926 to issue a Seamen's Code (L.S. 1926, Fr. 13).

Act of 15 February 1929 providing for the payment of an unemployment indemnity to seamen in case of capture, wreck or declaration of unseaworthiness of a vessel (L.S. 1928, Fr. 1).

United Kingdom.

Merchant Shipping (International Labour Conventions) Act, 1925 (L.S. 1925, G.B. 5).

Greece.

Legislative Decree of 23 September 1925 to ratify the Convention.

Act No. 4004 of 1929 to approve the Legislative Decree of 23 September 1925.
Commercial Code.

Ireland.

Merchant Shipping (International Labour Conventions) Act (L.S. 1933, Ire. 2).

Italy.

Legislative Decree No. 2544 of 27 December 1925 bringing the Convention into force in Italy.

Mexico.

Political Constitution of the United States of Mexico (§ 133).

Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).

Act of 30 December 1939 concerning general lines of communication.

Netherlands.

Act to issue new legislative provisions respecting agreements for masters and seamen, dated 14 June 1930 (in force 1 October 1937) and amending, *inter alia*, Book II of the Commercial Code (L.S. 1930, Neth. 1).

Sweden.

Seamen's Act of 15 June 1922 (L.S. 1922, Swe. 1) amended by the Act of 18 May 1934 (L.S. 1934, Swe. 1A).

Royal Notification of 18 May 1934 to place alien seamen on the same footing as Swedish seamen in certain cases (L.S. 1934, Swe. 1B).

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Australia* states that there has been no change in the position regarding the application of the Convention since it furnished its report for the year ending 30 September 1945.

The Government of *Belgium* refers to its report for 1944-1945, and adds that any disputes regarding the application of the Convention, the provisions of which are contained in the Act of 5 June 1928, are settled by means of conciliation before the maritime superintendent and, if no settlement is reached, by the seamen's probiviral

courts. No decisions were given by courts of law as no vessels were lost during 1946.

The Government of *Bulgaria* states that, according to the Act respecting employment exchanges and unemployment insurance, seamen who are unemployed as the result of shipwreck receive, in addition to unemployment indemnity, an indemnity equal to two months' wages, paid by the employer.

Canada. See under Convention No. 7.

The Government of *Chile* states that two vessels, representing a total tonnage of 1,865 tons gross, were sunk during the period under review. The crews received the statutory compensation. The number of persons covered by the legislation is 1,809 officers, 3,982 ratings and 116 apprentices. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Cuba* states that no decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Denmark* refers to its report for 1944-1945.

See also under Convention No. 7.

The Government of *France* refers to its report for 1944-1945 and adds that there has been no change in the application of the Convention.

The Government of the *United Kingdom* states that, during the period under review, there has been no change in the position as stated in the report for 1944-1945.

The Government of *Greece* states that § 2 of the Legislative Decree of 23 September 1925 provides that the indemnity laid down in Article 2 of the Convention shall not exceed two months' wages. Further, any member of the crew not in receipt of monthly wages shall receive a fixed sum from the port or consular authorities who shall take into account the current wages at the time of engagement of the seaman. The provisions of the above Act are applied equally whether the vessel is lost or abandoned. As the Commercial Code provides that the wages of the personnel shall be paid up to the end of the period of service, in all cases of shipwreck the payment of the indemnity provided for in the Convention begins from the day following the shipwreck. The payment of wages ceases on the same day. A proportionate allowance for food is taken into account in calculating the indemnity payable under the Convention. The application of the provisions of the Convention is entrusted to the consular or port authorities. Should the shipowners or the owners of vessels raise objections, the case is brought before the courts.

The Government of *Ireland* states that no case coming within the scope of the Convention arose during the period under review.

The Government of *Italy* repeats the information given in its report for 1944-1945 regarding the application of the Convention. No decisions were given by courts of law.

The Government of *Mexico* refers to its previous reports.

Netherlands. See under Convention No. 2, introductory note.

The Government of *Sweden* refers to its report for 1936-1937, supplemented in certain respects by subsequent correspondence.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* states that as Natives of the Belgian Congo and mandated territories employed on board Belgian vessels are covered by the Act of 5 June 1928, they enjoy all the benefits provided for by the Convention. However, the Con-

vention is not formally considered as extending to colonial territories.

The Government of the *United Kingdom* states that there is nothing to report in respect of the year under review.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

In *Curaçao*, the provisions of the Convention are applied by the Commercial Code (§§ 552 etc.).

The Convention has been published in *Surinam*. The only undertaking owning sea-going vessels is "*N. V. Gemengd Bedryf Vaatelugendienst Suriname*". Up to the present, no sea-going vessel belonging to this undertaking has been lost. There is no reason to apply the Convention, as it is understood that, in the event of the loss of a vessel owned by the above-mentioned undertaking, provision will be made for those who become unemployed.

9. Convention for establishing facilities for finding employment for seamen

This Convention came into force on 23 November 1921

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Argentine Republic	30.11.1933	
Australia	3. 8.1925	1. 3.1947
Belgium	4. 2.1925	17. 2.1947
Bulgaria	16. 3.1923	22. 3.1947
Chile	18.10.1935	15. 2.1947
Colombia	20. 6.1933	
Cuba	6. 8.1928	21. 2.1947
Denmark	23. 8.1938	14. 3.1947
Estonia	3. 3.1923	
Finland	7.10.1922	7. 2.1947
France	25. 1.1928	3. 4.1947
Germany	6. 6.1925	
Greece	16.12.1925	24. 3.1947
Italy	8. 9.1924	25. 3.1947
Japan	23.11.1922	
Latvia	3. 6.1926	
Luxembourg	16. 4.1928	
Mexico	1. 9.1939	9. 9.1946
New Zealand	29. 3.1938	21. 2.1947
Nicaragua	12. 4.1934	
Norway	23.11.1921	
Poland	21. 6.1924	
Rumania	10.11.1930	
Spain	23. 2.1931	
Sweden	27. 9.1921	3. 2.1947
Uruguay ¹	6. 6.1933	21. 3.1947
Yugoslavia	30. 9.1929	

¹ See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Australia.

Navigation Act, 1912-1935.

Belgium.

Act of 5 June 1928 concerning seamen's articles of agreement (L.S. 1928, Bel. 5 A).

Act of 5 June 1928 revising the disciplinary and penal code for the Merchant Marine and sea fisheries (L.S. 1928, Bel. 5 B).

Royal Order of 20 January 1926 respecting the institution of a Joint Committee on the engagement of seamen (L.S. 1926, Bel. 11).

Royal Order of 10 September 1929 respecting maritime police (L.S. 1929, Bel. 6).

Bulgaria.

Act of 12 April 1925, respecting employment exchanges and unemployment insurance (L. S. 1925, Bulg. 2).

Legislative Decree No. 200 of 5 September 1936 concerning the contract of employment (L. S. 1936, Bulg. 4).

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1), amended by Act No. 5405 of 8 February 1934 (L.S. 1934, Chile 1 A).

Decree No. 399 of 5 May 1934 to consolidate the text of the Regulations concerning work in maritime undertakings and allied occupations in harbours.

Decree No. 481 of 4 April 1935 to amend §§ 3 and 6 of the preceding Decree.

Decree No. 97 of 2 January 1945 to amend § B of Article 39 of Decree No. 399 of 5 May 1934.

Act No. 218 of 27 February 1946, replacing Decree No. 195 of 21 February 1945 [to establish permanent committees to regulate the pool (*dotación*) of workers engaged in maritime undertakings, harbours, rivers and lakes].

Shipping Act of 24 June 1878.

Cuba.

Legislative Decree No. 660 of 6 November 1934, concerning, *inter alia*, placing of seamen (L.S. 1934, Cuba 12 B).

§ 575 of the Penal Code.

Denmark.

- Act No. 76 of 31 March 1937 respecting the engagement and signing on and off of ships' crews (L.S. 1937, Den. 1).
- Order of 7 March 1938 respecting the coming into force of the above Act.
- Order of 7 March 1938 respecting the establishment of seamen's employment exchanges outside Copenhagen.
- Notification of 26 March 1938 respecting the operations of seamen's employment exchanges.

Finland.

- Act of 23 July 1936 respecting the finding of employment (L.S. 1936, Fin. 2).
- Order of 23 July 1936 concerning the application of the above Act.

France.

- Act of 13 December 1926 to issue a Seamen's Code (L.S. 1926, Fr. 13).
- Decree of 29 January 1928 for organising joint maritime employment offices (L.S. 1928, Fr. 5).
- Act of 28 December 1910 to codify the labour Laws (Book I of the Code of Labour and Social Welfare) modified by a series of amending Acts; in particular, by the Act of 2 February 1925 to amend § 85 of Book I of the Labour Code with regard to employment exchanges and departmental employment offices (L.S. 1925, Fr. 4).
- Act of 11 July 1938 on the wartime organisation of the nation.
- Order of 6 September 1939 respecting the requisitioning of crews of the mercantile marine.

Greece.

- Act No. 4360 of 1929 to ratify the Convention.
- Act No. 192 of 30 September 1936 concerning the placing of seamen (L.S. 1936, Gr. 1).
- Decree of 28 November 1934 to set up seamen's employment agencies in all towns in which there are port authorities.
- Decree of 3 January 1937 concerning the composition of managing committees of seamen's employment exchanges and the working of these exchanges (promulgated in the Official Gazette, No. 9 of 14 January 1937).

Italy.

- Royal Decree No. 588 of 20 March 1924 to ratify the Convention.
- Royal Decree No. 2543 of 27 December 1925 bringing the Convention into force in Italy.
- Royal Legislative Decree No. 1031 of 24 May 1925 to prohibit the charging of fees for the placing of seamen (L.S. 1925, It. 2), amended by §§ 1176-1177 of the Shipping Code.
- Mercantile Marine Code § 125.

Mexico.

- Political Constitution of the United States of Mexico of 1917.
- Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).
- Regulations of 13 April 1934 concerning employment agencies.

New Zealand.

- Shipping and Seamen Act, 1908, as amended 1909-1936.
- Employment Act of 12 November 1945.

Sweden.

- Act of 15 June 1934 concerning the public employment exchange service (L.S. 1934, Swe. 3).

Royal Order No. 264 of 15 June 1934 respecting recognised unemployment funds, as amended by Royal Orders of 21 May 1937 (L.S. 1937, Swe. 2) and 21 April 1943 (L.S. 1943, Swe. 1).

Royal Decree of 23 November 1934 concerning the co-ordination of public employment exchanges.

Royal Decree of 23 November 1934 concerning methods of procedure with regard to State subsidies for the public employment exchange service.

Act of 18 April 1935 to issue certain provisions respecting agencies (L.S. 1935, Swe. 1).

Instruction No. 326 of 7 May 1940 concerning the State Employment Market Commission.

Notice No. 327 of 7 May 1940 concerning the transfer to the State Employment Market Commission of the functions of the State Unemployment Commission.

Notice No. 328 of 7 May 1940 creating provincial employment councils.

Notice No. 329 of 7 May 1940 subordinating placing activities to central State control.

Uruguay.

See under Convention No.1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Australia* states that the information supplied in last year's report applies to the year under review. It adds that the total number of individual seamen engaged in the Australian shipping industry during the year ended 30 June 1946 was 12,087, and the number of engagements and re-engagements of seamen (including officers) in Australian ports during the same period was 27,899. The estimated daily average of seamen (excluding officers) employed at the principal Australian ports during the above period was 202.

The Government of *Belgium* states that the application of the Convention continues to be entrusted to the Joint Committee on the Engagement of Seamen. It points out, however, that there has been a change in the method of placing. This is now effected on this basis of a roster of seafarers registered with the pool (manning reserve). The master remains free to choose his crew and may, without giving his reasons, decline to accept the seafarer or seafarers who are at the head of the roster. The seafarer, in return for being registered in the pool and accepting pool pay (*gages d'attente*), undertakes to accept the first work offered to him which is suited to his rating and capabilities. No decisions were given by courts of law.

The Government of *Bulgaria* states that the placing of unemployed seamen is effected under general regulations provided for by the Act respecting employment exchanges and unemployment insurance. There are no special provisions relating to the placing of seamen.

The Government of *Chile* supplies statistics on the numbers of seafarers registered and the number of unemployed. No decisions were given by courts of law and no

observations were received from employers' or workers' organisations.

The Government of *Cuba* states that no fee-charging seamen's employment agencies exist. Owing to the fact that the small mercantile marine of the country was reduced by 50 per cent. during the war, and because it is customary for seamen to be engaged direct by shipowners and harbourmasters, it has not been necessary to set up the employment exchanges provided for in §§ X, XI, XIII of Legislative Decree No. 660 of 1934. Article 7 of the Convention is applied under §§ III and VIII of Legislative Decree No. 659 of 1934. The national legislation affords to foreign seamen the same facilities for employment as those accorded to Cuban seamen. The report contains statistical information relating to unemployment at ports. No decisions have been given by courts of law. Owing to the shortage of vessels, no statistics have been supplied by harbourmasters regarding unemployed seamen. No observations have been received from employers' or workers' organisations.

The Government of *Denmark* refers to its report of 1944-1945 and supplies figures showing that the number of engagements effected through the public shipping offices between 1 October 1945 and 30 September 1946 was 15,285.

The Government of *Finland* states that, because of exceptional circumstances, the direction and supervision of all matters connected with placing have been transferred to the Ministry of Communications and Public Works, which is entrusted temporarily with the duties of the Minister of Social Affairs in this connection. The Ministry of Communications and Public Works will deal with these questions until the end of 1947. No decisions by courts of law have come to the notice of the Government and no observations have been received from employers' or workers' organisations.

France. See under Convention No. 8.

The Government of *Greece* states that Act No. 192 of 1936 provides for the creation of seamen's employment exchanges and lays down certain detailed regulations regarding the application of the Convention. The Government repeats the information contained in the report for 1944-1945 regarding the composition and functioning of seamen's employment exchanges, the recruitment of seamen, the application of the relevant legislation, etc.

No statistics are available at present regarding the number of seamen seeking employment or unemployed. In 1945 and 1946, the seamen's employment exchanges drafted a considerable number of unemployed seamen to different ports abroad with a view to placing on board vessels flying the Greek flag unemployed seamen of Greek nationality or foreign seamen who had been engaged contrary to the provi-

sions of the national legislation. In 1945, 877 unemployed seamen were drafted to ports abroad by the employment exchange in the Piræus. In 1946, the number rose to 1,305.

The Government of *Italy* states that § 125 of the Shipping Act lays down that the placing of seamen entered in the Seamen's register is handled exclusively by the special offices set up in conformity with the standards laid down in the legislation, and adds that it has nothing new to report regarding the application of Articles 1, 2 and 3, 5-10 of the Convention. No decisions were given by courts of law. No complaints or observations have been made by workers' organisations on the application of the Convention.

The Government of *Mexico* refers to previous reports.

The Government of *New Zealand* states that the national law is generally in harmony with the terms of the Convention. With regard to Article 4 of the Convention, a register of seamen requiring employment is maintained in the offices of the superintendents of mercantile marine at the principal ports. When crews are required this register is referred to, and the organisations of workers involved are consulted. Should vacancies be notified when the officials of the workers' organisations are not available (as for example outside ordinary official hours, or on Sundays or holidays, or when a vessel may be on the point of departure), the register alone is used. In view of the compulsory unionism requirements of the industrial arbitration law, the workers' organisations are necessarily closely associated with the engagement of seamen. Lists of unemployed seamen are supplied to the superintendent of mercantile marine by the national employment service. No charge is made for these services. Article 6 of the Convention is carried into effect without the necessity for legislative provisions.

The report gives statistics of the number of seafarers disengaged and available for employment at the end of each half-monthly period from 1 October 1945 to 30 September 1946. The maximum number was 31 in November 1945, and this number fell steadily during 1946, being nil on 30 September of that year. Figures are also given of the number of persons placed in employment in "water transport" by the national employment service during each month of 1946 up to September. The average is 24 persons per month.

No decisions were given by courts of law. The report adds that the system for registration and employment of seamen has worked well and has rendered great assistance in meeting the requirements of both shipowners and workers. No observations were received from employers' and workers' organisations.

The Government of *Sweden* supplies detailed information regarding the application

of the Convention. The report contains statistical information showing the number of employment offices now dealing with the placing of seamen, and gives the location of these offices. For the period 1 October 1945 to 30 September 1946, the number of seamen who registered for employment was 72,885. The number of vacant posts reported was 45,015 and the number of vacancies filled was 42,387.

See also under Convention No. 2.

COLONIES, ETC.

ARTICLE 35 OF THE CONSTITUTION (III)

The Government of *Belgium* states that local conditions in the *Belgian Congo* remain unchanged and still justify the exclusion of the Colony from the application of the Convention.

For *New Zealand*, see under Convention No. 1.

THIRD SESSION (GENEVA, 1921)

10. Convention concerning the age for admission of children to employment in agriculture

This Convention came into force on 31 August 1923

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Argentine Republic	26. 5.1936	
Austria	12. 6.1924	
Belgium	13. 6.1928	10. 2.1947
Bulgaria	6. 3.1925	22. 3.1947
Chile	18.10.1935	15. 2.1947
Cuba	22. 8.1935	21. 2.1947
Czechoslovakia	31. 8.1923	3. 3.1947
Dominican Republic	4. 2.1933	12. 3.1947
Estonia	8. 9.1922	
Hungary	2. 2.1927	29. 1.1947
Ireland	26. 5.1925	28. 3.1947
Italy	8. 9.1924	25. 3.1947
Japan	19.12.1923	
Luxembourg	16. 4.1928	
Nicaragua	12. 4.1934	
Poland	21. 6.1924	19. 2.1947
Rumania	10.11.1930	
Spain	29. 8.1932	
Sweden	27.11.1923	3. 2.1947
Uruguay ¹	6. 6.1933	3. 2.1947

¹ See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Basic Act concerning primary education consolidated by Royal Order of 25 October 1921.
Royal Order of 15 May 1928 to issue Regulations for the inspection of primary education.

Bulgaria.

Health and Safety of Workers Act of 1917 (B.B., Vol. XIII, 1918, p. 26).

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1).

Cuba.

§ 66 of the Constitution (L.S. 1940, Cuba 1).

Czechoslovakia.

Act of 17 July 1919, respecting child labour (L.S. 1920, Cz. 2).

Dominican Republic.

Act No. 637 of 16 June 1944 respecting contracts of employment (L.S. 1944, Dom. 1).
Act No. 1075 of 4 January 1946 on hours of work (L.S. 1946, Dom. 2).

Hungary.

Act No. XLV of 30 July 1907 regulating the legal relations between masters and agricultural servants (B.B. Vol. II, 1907, p. 273).
Act No. XXX of 25 July 1921 guaranteeing compulsory education.
Order No. 130,700 of 1922 of the Ministry for Public Instruction, concerning the application of Act No. XXX of 1921.
Act No. II of 15 April 1927 for the ratification of the Convention.
Circular Order No. 85,800 of 1929 of the Minister of Agriculture respecting agricultural labour.

Ireland.

School Attendance Act, 1926, as amended by School Attendance Act, 1936.

Italy.

Consolidated text of the laws relating to elementary, post-elementary and continued education of 5 February 1928.
Royal Decree of 27 December 1925 bringing the Convention into force in Italy.
Act No. 653 of 26 April 1934 to safeguard the employment of women and children (L.S. 1934, It. 6).

Poland.

Constitution of the Republic of Poland, 17 March 1921 (L.S. 1921, Pol. 3).

Sweden.

Order of 26 September 1921 relating to primary education, amended, in particular, by Royal Decrees of 8 May 1925, 18 June 1926, 28 October and 30 December 1932, 31 May 1934 and 12 June 1936.

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Belgium* repeats the information given in its report for 1944-1945 regarding the application of the Convention. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Bulgaria* states that no decisions were given by courts of law. No special statistics are available regarding the employment of young workers in agriculture.

The Government of *Chile* refers to its previous reports and adds that the reports of inspection services show that the relevant provisions of the national legislation are applied more or less satisfactorily. No statistics, however, are available. The General Directorate of Labour has no knowledge of any decisions of courts of law. No observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that § 66 of the Constitution prohibits the employment in any form of children under 14 years of age and is therefore wider than the provisions of the Convention. Compliance with the relevant provisions of the Constitution is ensured by the Ministry of Labour, the National Labour Office for Women and Minors and the Provincial Offices. During the period under review, there were no breaches of the relevant legislation. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Czechoslovakia* states that the district labour boards and the district national committees supervise the observance of the legislative provisions concerning child labour and may, in cases of contravention, impose fines or imprisonment. No decisions were given by courts of law or by other courts. In general, children under 14 years of age are not employed in agriculture. As far as the farmers' own children are concerned, farmers themselves and school managers, as well as district child welfare organisations, ensure that children are not employed on agricultural work during school attendance hours.

The Government of the *Dominican Republic* states that § 12 of Act No. 1075 of 4 January 1946 strictly prohibits the employment of children under 14 years of age. Act No. 637 of 16 June 1944 provides that children under the age of 14 years may not enter into a contract of employment, even with the consent of their father or guardian or the person in whose custody they may be. The legislation, however, authorises the Department of Labour to permit a minor under the age of 14 years to enter into a contract for the performance of specified work suited to his age and capacity, provided that the work in question does not affect his school attendance or his moral and physical education. Both Acts mentioned above apply to agriculture as well as

to industry and therefore fully implement the provisions of the Convention.

The Government of *Hungary* states that there has been no change in the situation as regards the application of the Convention. No statistical information is available.

The Government of *Ireland* states that there is no change in the position outlined in its report for 1940-1941, with the following exception :

In view of the importance in existing conditions of ensuring that the greatest possible supplies of food and fuel should be produced at home, the Minister for Education has decided that managers may, where necessary, close national schools for ten school days in addition to the 40 school days' ordinary vacation in order that school children may be available, if required, to help other members of their families in the winning of turf and the tending and harvesting of the crops and to aid in other suitable light farm work, in the national effort.

Convictions were obtained in the case of contraventions which represented approximately 0.5 per cent. for children between 6 and 14 years of age.

The Government of *Italy* states that it has nothing to add to the information contained in previous reports.

The Government of *Poland* states that there are no special provisions regarding the minimum age for admission to agricultural work, the only provisions in force being § 103 of the Constitution, which prohibits all salaried work for children under 15 years of age. The collective agreement covering all agricultural workers in the territory of the Polish Republic for the year 1945-1946 provides, however, for the employment of minors as day labourers. In practice, the supervision of the application of the provisions of the Convention is entrusted to the school authorities, who are responsible for the enforcement of the legislation concerning compulsory education. No decisions were given by courts of law. No statistical information is available. No observations have been received from agricultural organisations.

The Government of *Sweden* refers to its report for the year 1936-1937, as supplemented by subsequent communications.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* states that, owing to local conditions prevailing in the *Belgian Congo* and *Ruanda-Urundi*, the Convention is not applied in these territories.

11. Convention concerning the rights of association and combination of agricultural workers

This Convention came into force on 11 May 1923

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Argentine Republic	26. 5.1936	
Austria	12. 6.1924	
Belgium	19. 7.1926	10. 2.1947
Bulgaria	6. 3.1925	22. 3.1947
Chile	15. 9.1925	15. 2.1947
China	27. 4.1934	
Colombia	20. 6.1933	
Cuba	22. 8.1935	21. 2.1947
Czechoslovakia	31. 8.1923	3. 3.1947
Denmark	20. 6.1930	14. 3.1947
Estonia	8. 9.1922	
Finland	19. 6.1923	7. 2.1947
France	23. 3.1929	3. 4.1947
Germany	6. 6.1925	
United Kingdom	6. 8.1923	20. 1.1947
India	11. 5.1923	
Ireland	17. 6.1924	21. 2.1947
Italy	8. 9.1924	25. 3.1947
Latvia	9. 9.1924	
Luxembourg	16. 4.1928	
Mexico	20. 5.1937	9. 9.1946
Netherlands	20. 8.1926	6. 2.1947
New Zealand	29. 3.1938	21. 2.1947
Nicaragua	12. 4.1934	
Norway	11. 6.1929	
Peru ¹	8.11.1945	5. 4.1947
Poland	21. 6.1924	19. 2.1947
Rumania	10.11.1930	
Spain	29. 8.1932	
Sweden	27.11.1923	3. 2.1947
Switzerland	23. 5.1940	15. 1.1947
Uruguay ¹	6. 6.1933	21. 3.1947
Venezuela	20.11.1944	
Yugoslavia	30. 9.1929	
***	***	***
Burma ²	11. 5.1923	26. 2.1947

¹ See under Convention No. 1, introductory note.

² See footnote 3 to Convention No. 1.

INTRODUCTORY NOTE

The Government of the *United Kingdom* refers to previous reports, in which it stated that no legislation was necessary to give effect to the Convention, since under existing legislation all workers engaged in agriculture already enjoy the same rights of association and combination as those enjoyed by industrial workers.

The Government of *Sweden* refers to its report for 1936-1937, in which it stated that no legal restriction existed in Sweden preventing the enjoyment by agricultural workers of the immemorial right secured to all Swedish citizens to combine for any legitimate purpose whatever.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Belgian Constitution (§ 20).
Act of 24 May 1921 to guarantee freedom of association (L.S. 1921, Bel. 2-3).
Penal Code (§ 151).

Bulgaria.

Act of 2 January 1947 respecting State control of societies and associations.
Regulations of 2 January 1947 under the above Act respecting the general occupational union for agriculture.

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1).

Cuba.

§ 69 of the Constitution (L.S. 1940, Cuba 1).
Decree No. 2605 of 7 November 1933 to issue Regulations for the formation of industrial associations, amended by Decree No. 3310 of 26 December 1933 (L.S. 1933, Cuba 2 A and B) and by Legislative Decree No. 3 of 6 February 1934, to issue provisional Regulations respecting strikes (L.S. 1934, Cuba 2 A).

Czechoslovakia.

Constitutional Act of 29 February 1920.
Act No. 309/1921 to prohibit coercion and safeguard right of assembly.
Act No. 144/1946 concerning the United Trade Union Organisation.

Denmark.

§ 85 of the Danish Constitution of 5 June 1915.

Finland.

Act of 4 January 1919 respecting the right of association, amended by the Acts of 17 February 1923, 10 January 1930 and 25 May 1934.
Act of 1 June 1923 respecting the coming into force of the Convention.

France.

Chapter I, Book III of the Labour Code (L.S. 1927, Fr. 3).
Act of 25 May 1864 amending §§ 414, 415 and 416 of the Criminal Code.
§ 1 of the Act of 21 March 1884 respecting associations, to repeal § 416 of the Criminal Code.

United Kingdom.

See introductory note.

Ireland.

Trade Union Acts, 1871-1917.

Italy.

Royal Decree of 20 March 1924 bringing the Convention into force in Italy.

Mexico.

Political Constitution of the United States of Mexico of 1917.
Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).

Netherlands.

Constitution of the Netherlands (§ 9).
Act of 22 April 1855 regulating the exercise
of the rights of association and combination.

New Zealand.

Industrial Conciliation and Arbitration Act
(L.S. 1925, N.Z. 1), as amended in 1928, 1932,
1936, 1937, 1939 and 1943.
Finance Acts, 1931 (§ 15-20) and 1936 (Part II,
§ 13-21).
Statutes Amendment Acts, 1940 and 1941.
Various Regulations issued under the above
Acts between 1927 and 1941.

Peru.

See under Convention No. 1, introductory note.

Poland.

Constitution of the Republic of Poland of 17
March 1921 (L.S. 1921, Pol. 3).
Decree of 8 February 1919 on temporary provi-
sions concerning occupational unions of
workers.
Order of the President of the Republic of 27
October 1932 to promulgate the Act relating
to associations (L.S. 1932, Pol. 5).

Sweden.

See introductory note.

Switzerland.

Federal Constitution (§ 56, providing for full
freedom of association without distinction).

Uruguay.

See under Convention No. 1, introductory note.

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Burma.

Indian Trade Union Act, 1926 (L.S. 1926, Ind.
1), as amended by the Act of 1928.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Belgium* states that, as the national legislation is in complete harmony with the provisions of the Convention, no additional measures have been found necessary to implement the Convention. The application of the relevant legislation is entrusted to the ordinary judiciary. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Bulgaria* appends to its reports a copy of the Regulations of the general occupational union for agriculture, issued under the Act of 2 January 1947.

The Government of *Chile* refers to previous reports, and adds that the inspection services have recently registered important progress in the membership of agricultural trade unions, of which there are at present 122, with a total of 10,014 members. Fifty other agricultural trade unions, with a total of 6,000 members, are in process of

registration. The National Congress is at present considering a Bill to regulate the organisation of agricultural trade unions, taking into account the particular conditions of agriculture. The agricultural employers' organisations have pressed the adoption of this Bill, as they fear that the constitution of trade unions might lead to strikes during the sowing and harvesting seasons. The leaders of workers' organisations, on the other hand, have been promoting an extensive trade union movement among agricultural workers on the basis of existing legislation, under which they were subject to the same regulations as those relating to other trade unions.

The Government of *Cuba* states that the existing legislation is in complete harmony with the provisions of the Convention. The Ministry of Labour and the Provincial Offices are responsible for supervision of the application of Decree 2605. No decisions have been given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Czechoslovakia* states that the Constitution of the Republic and Act. No. 309/1921 to prohibit coercion and safeguard right of assembly do not discriminate, as far as the rights of association and combination are concerned, between agricultural and other workers, these rights being ensured to all citizens of the Republic. Under Act No. 144/1946, workers are organised in the united trade union organisation on the basis of voluntary membership, equality and mutual solidarity.

The Government of *Denmark* refers to its report for 1944-1945.

The Government of *Finland* refers to previous reports, and adds that the amendments to the Act of 4 January 1919 are not aimed specifically at agricultural workers, who are fully entitled to the same rights as all other workers and citizens in general.

The Government of *France* states that the Ordinance of 9 August 1944 relating to the restoration of the law of the Republic in Continental France, as confirmed by the Ordinance of 12 October 1944 regarding the substitution of a provisional occupational organisation for the former corporate organisation of agriculture, again brings into force the legislation regarding the right of association of agricultural workers, and restores to these workers the right of combination which they had lost under the legislation enacted by the so-called Government of the French State.

The Government has submitted to the National Constituent Assembly, set up after 2 June 1946, a Bill to abrogate the Decree of 23 February 1940 and to repeal the Act of 31 December 1941, under which agricultural workers did not enjoy the right of combination. Owing to lack of time, the National Constituent Assembly was not

able to reach a decision in this respect. The Government is examining a new Bill which it hopes to submit to the Bureau of the National Assembly in the near future.

The Government of the *United Kingdom* states that the position remains unaltered since the date of its last report (1944-1945).

See also introductory note.

The Government of *Ireland* states that there has been no change in the position outlined in its report for the period 1939-1940.

The Government of *Italy* states that under the judicial system in force in Italy no discrimination is made between workers in industry and in agriculture as regards the exercise of their rights of association and combination. Further, as the legislation relating to corporate trade unions has been suppressed, there are no restrictive provisions regarding trade union liberty either in industry or in agriculture.

As workers in industry and agriculture enjoy the same rights of association and combination under the legislation, it has not been necessary to entrust to any special authority the task of supervising the application of the Convention. If the personal rights (*droits subjectifs*) of a worker are violated, action is taken by the police and the judicial authorities. The Government has no knowledge of any decisions by courts of law. The Government adds that there is nothing special to report regarding the application of the Convention. No observations have been received from the trade union organisations concerned.

The Government of *Mexico* refers to previous reports.

The *Netherlands* Government states that during the period under review no changes have been made regarding the measures taken to implement the Convention.

The Government of *New Zealand* repeats the information contained in its report for 1944-1945 regarding the application of the Convention. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Poland* states that § 108 of the Constitution recognises the right of association and combination for all citizens. The Decree of 8 February 1919 relating to temporary provisions regarding workers' occupational associations regulates the establishment and registration of workers' unions, for the purpose of protecting and safeguarding the economic and cultural interests of workers in given branches of industry as well as in related fields. The provisions of this Decree also cover federations of these unions. The Ordinance of the President of the Republic of 27 October 1932 regulates the establishment and functioning of trade unions. The provisions of

this Ordinance fully recognise the right of association and combination of agricultural workers. The application of the relevant legislation is entrusted to the general administrative authorities of the State and, as regards workers' occupational associations in particular, to the Departments of the Ministry of Labour and Social Assistance. The legislation provides for appeal to courts of law against decisions of administrative authorities in cases of refusal to register an occupational association. All salaried and other agricultural workers are grouped together in the "Occupational Union of Agricultural Workers of the Polish Republic". The Government has no knowledge of any decisions by courts of law. No observations have been received from any organisations regarding the application of the Convention.

The Government of *Sweden* refers to its report for 1936-1937, supplemented in certain respects by subsequent communications.

See also introductory note.

The Government of *Switzerland* states that it has nothing to add to its report for 1940-1941.

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The Government of *Burma* states that there is nothing to add to its report for the period 1940-1941.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that an enquiry is being made into the question of the application of the provisions of the Convention to French colonies, protectorates or mandated territories. Information on this point will be forwarded to the International Labour Office at a later date.

The Government of the *United Kingdom* states that the position remains as outlined in its report for the year 1930-1931.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

In *Curaçao*, agricultural workers enjoy, with all other workers, the right of association. As far as is known, no union of this kind has been established.

The Convention has been published in *Surinam* by Ordinance No. 62 of 1933. Right of association and assembly exist, and no discrimination is made between workers in industry and in agriculture. There is no reason to apply special legislative measures. No objection is made, however, to the promulgation of the Convention, which has been approved by law.

New Zealand. See under Convention No. 2.

12. Convention concerning workmen's compensation in agriculture

This Convention came into force on 26 February 1923

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Argentine Republic	26. 5. 1936	
Belgium	26.10.1932	25. 4. 1947
Bulgaria	6. 3. 1925	22. 3. 1947
Chile	15. 9. 1925	15. 2. 1947
Colombia	20. 6. 1933	
Cuba	22. 8. 1935	21. 2. 1947
Denmark	26. 2. 1923	14. 3. 1947
Estonia	8. 9. 1922	
France	4. 4. 1928	3. 4. 1947
Germany	6. 6. 1925	
United Kingdom	6. 8. 1923	24. 2. 1947
Ireland	17. 6. 1924	21. 2. 1947
Italy	1. 9. 1930	
Latvia	29.11.1929	
Luxembourg	16. 4. 1928	
Mexico	1.11.1937	9. 9. 1946
Netherlands	20. 8. 1926	6. 2. 1947
New Zealand	29. 3. 1938	22. 2. 1947
Nicaragua	12. 4. 1934	
Poland	21. 6. 1924	19. 2. 1947
Spain	1.10.1931	
Sweden	27.11.1923	3. 2. 1947
Uruguay ¹	6. 6. 1933	21. 3. 1947

¹ See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Consolidated Acts of 24 December 1903, 3 August 1926, 15 May 1929, 30 December 1929 and 18 June 1930 (L.S. 1931, Bel. 9).

Royal Order of 28 September 1931 concerning the Act respecting compensation for injuries resulting from industrial accidents.

Bulgaria.

Act of 6 March, 1924, respecting social insurance (L.S. 1924, Bulg. 1), as amended subsequently.

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Act (L.S. 1931, Chile 1). Chapter III of Legislative Decree No. 379 of 18 March 1925 relating to industrial accidents (L.S. 1925, Chile 4).

Decree No. 238 of 31 March 1925 issuing Regulations in pursuance of the above Legislative Decree, amended by Decree No. 1239 of 22 July 1930.

Decree No. 217 of 30 April 1926 to approve the Regulations respecting industrial hygiene and safety (L.S. 1926, Chile 2), amended by Decree No. 655 of 25 November 1940 issuing new Regulations concerning industrial hygiene and safety.

Decree No. 581 of 21 April 1927 relating to occupational diseases (L.S. 1927, Chile 2).

Decree No. 903 of 8 June 1927 relating to unclassified partial incapacity.

Act No. 8198 of 14 September 1945 to amend the sections of the Labour Code relating to compensation for industrial accidents (L.S. 1945, Chile 3 D).

Decree No. 8 of 2 January 1946, to approve the Regulations under Act No. 8198 of 14 September 1945.

Cuba.

Decree No. 2687 of 15 November 1933 respecting industrial accidents, to repeal and replace the Industrial Accidents Act of 12 June 1916 (L.S. 1933, Cuba 3 A), amended by Decrees Nos. 3156 and 3341 of 16 and 30 December 1933 (L.S. 1933, Cuba 3 B and 3 C), and by Legislative Decree No. 596 of 18 February 1936 (L.S. 1936, Cuba 1).

Presidential Decree No. 223 of 31 January 1935 to issue Regulations in pursuance of the Industrial Accidents Act, amended by Presidential Decrees No. 1252 of 6 May 1936, No. 1653 of 27 June 1936, No. 3103 of 11 November 1936 and No. 37 of 31 December 1937.

Denmark.

Act of 20 May 1933 concerning insurance against the consequences of accidents (L.S. 1933, Den. 5), to supersede the Act of 6 July 1916 and its amendments.

France.

Act No. 16. Act of 16 March 1943 to modify the legislation relating to industrial accidents in agriculture, validated by Ordinance 45-2714 of 2 November 1945, to amend pensions and allowances for certain categories of victims of industrial accidents in agriculture or their survivors.

Ordinance of 15 December 1944, relating to compensation for industrial accidents arising out of the war.

Decree No. 45-1573 of 13 July 1945 to issue public administrative regulations and to complete the tables appended to the Act of 25 October 1919, amended by the Act of 1 January 1931 to include occupational diseases within the scope of the Act of 9 April 1898 relating to industrial accidents.

Act No. 46-2426 of 30 October 1946, to re-organise in industry and commerce the system for prevention and compensation of industrial accidents and occupational diseases.

*United Kingdom :**Great Britain.*

Workmen's Compensation Acts 1925-1931 (L.S. 1925, G.B. 3 ; 1926, G.B. 10 and 1931, G.B. 4). The Adoption of Children (Workmen's Compensation) Act, 1934.

Workmen's Compensation (Supplementary Allowance) Act, 1940 (L.S. 1940, G.B. 4).

Workmen's Compensation (Temporary Increases) Act, 1943 (L.S. 1943, G.B. 1 B).

Ministry of National Insurance (Workmen's Compensation) Order No. 318 of 21 March 1945.

Northern Ireland.

Workmen's Compensation Act (Northern Ireland), 1927.

The Adoption of Children (Workmen's Compensation) Act (Northern Ireland), 1934.

Workmen's Compensation (Supplementary Allowances) Act, 1940.

Workmen's Compensation (Temporary Increases) Act (Northern Ireland), 1943.

Ireland.

Workmen's Compensation Act, 1934 (L.S. 1934, I.F.S. 1) to consolidate the Workmen's Compensation Acts, 1906-1919.

Mexico.

Political Constitution of the United States of Mexico, 1917.
Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).

Netherlands.

Act of 20 May 1922 to insure persons employed in agricultural occupations against the pecuniary consequences of accidents with which they meet in connection with their employment (L.S. 1922, Neth. 2), as amended by the Acts of 21 March 1924 (L.S. 1924, Neth. 2), 13 May 1927 (L.S. 1927, Neth. 1), 2 July 1928 (L.S. 1928, Neth. 2), 7 February 1929 (L.S. 1929, Neth. 2 A) and 18 July 1930 (L.S. 1930, Neth. 3 B).

New Zealand.

Workers' Compensation Act, 1922, as amended by the Workers' Compensation Act, 1926 (L.S. 1926, N.Z. 2) and the amending Acts of 1936 and 1943.
Finance Act No. 2 of 1933 (§ 56).
Law Reform Act, 1936 (Parts III and VI).
Statutes Amendment Acts of 1939 (§ 70) and 1940 (§ 61-62).
Various Regulations, Rules and Orders issued under these Acts between 1939 and 1942.

Poland.

Act of 28 March 1933 respecting social insurance (L.S. 1933, Pol. 5) as amended by the Order of the President of 24 October 1934 (L.S. 1934, Pol. 4).
Decree of the President of 14 January 1936 (L.S. 1936, Pol. 1).
Acts of 11 January, 29 March, 9 April and 23 April 1938.
Decree of the Polish Committee of National Liberation of 23 October 1944.
Decree of 29 September 1945 on the payment by employers of the entire contribution to social insurance and the labour fund.
Order of the Minister of Labour and Social Assistance of 13 June 1946, respecting the provisional determination of the amount of pensions under social insurance.

Sweden.

Act of 17 June 1916 respecting insurance against industrial accidents (B.B., Vol. XI, 1916, p. 267), amended by the Acts of 14 June 1917, 26 April 1918, 19 June 1919, 18 June 1920, 15 June 1922 (L.S. 1922, Swe. 2), 18 June 1926 (L.S. 1926, Swe. 5), 24 May 1928 (L.S. 1928, Swe. 1), 14 June 1933 (L.S. 1933, Swe. 1), 26 June 1936 (L.S. 1936, Swe. 5) and 11 June 1937 (L.S. 1937, Swe. 9).

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Belgium* refers to previous reports and adds that the application of the provisions of the Convention and of the relevant legislation continues in

a normal way. There were no court decisions worthy of mention. No observations have been received from employers' or workers' organisations. The Government appends to its report statistical information on industrial accidents for the years 1938-1940.

The Government of *Bulgaria* states that agricultural workers receive the same treatment as that accorded to all workers. The Institute for Social Insurance and the insurance funds are responsible for the application of the relevant legislation. No special statistics have been compiled. No decisions were given by courts of law. No observations have been received from employers' or workers' organisations.

The Government of *Chile* states that decisions are given frequently which apply the principles of the Convention. The texts of two such decisions accompany the report, which also contains statistical data. No observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that the legislation applies without distinction to all workers, including those engaged in agriculture. The Ministry of Labour, the provincial offices and the General Directorate of Health and Social Welfare are responsible for supervising the application of the Convention and the legislation. Statistical data are contained in the report. No decisions were given by courts of law. No observations have been received from employers' or workers' organisations.

The Government of *Denmark* refers to its report for 1944-1945.

The Government of *France*, in its report covering the period 1940-1946, states that the validated Act of 16 March 1943 extends to agriculture certain provisions of the Act of 1 July 1938 relating to pensions for permanent or partial incapacity and death. There is no change in benefits for temporary incapacity. Under the new provisions of § 10 of the Act of 9 April 1898 (§ 9 of the Act of 1 July 1938), the basic wages for fixing pensions now apply to agriculture.

Under the Ordinance of 15 December 1944, a special system has been instituted for compensation for industrial accidents arising out of the war. The accident is declared by the employer in accordance with legal procedure. A special Solidarity Fund for employers is responsible for the pensions service. The Service for Social Legislation in Agriculture is responsible for supervising the application of legislation relating to industrial accidents. No decisions by courts of law have come to the notice of the administrative authorities.

Act No. 46 - 2426 of 30 October 1946, reorganises, in industry and commerce, the system for compensation and prevention of industrial accidents and occupational diseases. This Act is not applicable to

agriculture. A scheme for the reorganisation of a system for agriculture is being prepared.

United Kingdom. See under Convention No. 42.

The Government of *Ireland* states that there has been no change in the position outlined in its report for the period 1939-1940.

The Government of *Mexico* refers to previous reports.

The *Netherlands* Government appends to its report a copy of the last report, published in 1943, on the position and activities of the State Insurance Bank and adds that no later information is available. The Government has nothing special to report regarding the application of the Convention.

See also under Convention No. 2, introductory note.

The Government of *New Zealand* states that, in view of the possible exceptions under III (Colonies), it considers that the national law is in full harmony with the Convention. The report contains statistical information showing the estimated number of persons (including unemployed wage-earners and relatives assisting on farms, etc.), employed in agriculture and pastoral occupations at the end of 1943. No decisions were given by courts of law. No observations have been received from employers' or workers' organisations.

The Government of *Poland* states that according to a collective labour contract for agricultural workers for the year 1945-1946, a worker in a rural undertaking comprising less than 30 hectares who suffers an employment injury enjoys all the rights provided in the contract. These rights are guaranteed for at least six months, either by an agreement between the parties concerned or by the courts. The collective contract does not limit the worker's right to accident compensation under civil law. In the western part of Poland, the accident insurance scheme includes agricultural producers who own farms of less than 30 hectares. Accident insurance for workers in rural undertakings of over 30 hectares is administered by the Social Insurance Institution and 60 social insurance offices, which are autonomous bodies subject to the control of the Minister of Labour and Social Assistance, through the Department of Social Insurance. Agricultural workers who are not covered by accident insurance have the right to obtain compensation from their employers through legal channels. No decisions were given by courts of law. No observations have been received from organisations of workers or employers. During the year 1945-1946, approximately 1,250,000 agricultural workers were insured.

The Government of *Sweden* refers to its report for 1936-1937, as supplemented in certain respects by subsequent communications.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of the *United Kingdom* states that the following legislation has been enacted:

Barbados.

Regulations made under the Workmen's Compensation Act, 1943.

Fiji.

Workmen's Compensation (Amendment) Ordinance No. 16 of 1946.

Nyasaland.

Workman's Compensation Ordinance, 1944 brought into force 1 July 1946 (Government Notice No. 40 of 1946).

Workmen's Compensation (Application) Order 1946 (Government Notice No. 41 of 1946).

Trinidad.

Workmen's Compensation (Amendment) Ordinance No. 12 of 1945.

Uganda.

Workmen's Compensation Ordinance, 1946.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

In *Curaçao*, the provisions of the Convention are covered by the Accident Regulations, 1936.

The Convention has not been published or promulgated in *Surinam*. Draft accident Regulations are before the Legislature for consideration. However, no provision is made in these Regulations for accidents to workers employed in agriculture. No consideration has as yet been given to such a provision, on the one hand, because the financial position of the large agricultural undertakings is such that compulsory accident insurance would weigh too heavily upon them and, on the other hand, because the execution and control of any such measures would, technically speaking, be impossible for smaller undertakings.

For *New Zealand*, see under Convention No. 1.

13. Convention concerning the use of white lead in painting

This Convention came into force on 31 August 1923

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Afghanistan	12. 6.1939	
Argentine Republic	26. 5.1936	
Austria	12. 6.1924	
Belgium	19. 7.1926	14. 2.1947
Bulgaria	6. 3.1925	22. 3.1947
Chile	15. 9.1925	15. 2.1947
Colombia	20. 6.1933	
Cuba	7. 7.1928	21. 2.1947
Czechoslovakia	31. 8.1923	3. 3.1947
Estonia	8. 9.1922	
Finland	5. 4.1929	7. 2.1947
France	19. 2.1926	14. 2.1947
Greece	22.12.1926	24. 3.1947
Hungary ¹	4. 1.1928	
Latvia	9. 9.1924	
Luxembourg	16. 4.1928	
Mexico	7. 1.1938	9. 9.1946
Netherlands	15.12.1939	6. 2.1947
Nicaragua	12. 4.1934	
Norway	11. 6.1929	
Poland	21. 6.1924	19. 2.1947
Rumania	4.12.1925	
Spain	20. 6.1924	
Sweden	27.11.1923	3. 2.1947
Uruguay ²	6. 6.1933	21. 3.1947
Venezuela	28. 4.1933	
Yugoslavia	30. 9.1929	

¹ Conditional ratification registered.

² See under Convention No. 1, Introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Act of 30 March 1926 concerning the use of white lead and other pigments containing lead (L.S. 1926, Bel. 2 A).

Act of 24 July 1927 concerning compensation for injury caused by occupational diseases (L.S. 1927, Bel. 7).

Royal Order of 16 September 1926 to regulate the purchase, sale, transport and use of white lead and other white compounds containing lead intended for trade purposes (L.S. 1926, Bel. 2 B).

Ministerial Order of 16 September 1926 in pursuance of §§ 2, 4, 5 and 7 of the Royal Order to regulate the purchase, sale, transport and use of white lead and other white compounds containing lead (L.S. 1926, Bel. 2 D).

Royal Order of 17 September 1926 concerning the use in painting of white lead, other white pigments containing lead and white pigments the lead content of which in the metallic state exceeds 2 per cent. (L.S. 1926, Bel. 2 C).

Royal Order of 15 November 1927 to supplement the Royal Order of 16 September 1926 to regulate the purchase, sale, transport and use of white lead and other white compounds containing lead intended for trade purposes (L.S. 1927, Bel. 9).

Royal Order of 31 October 1928 prohibiting the employment of young persons under eighteen years of age and women in painting work involving the use of white lead and other white lead pigments (L.S. 1928, Bel. 6).

Royal Order of 14 April 1930 laying down special Regulations for the application of paint by the compressed air-spraying gun or pneumatic painting (L.S. 1930, Bel. 3).

General Regulations of 11 February 1946, relating to the protection of workers.

Bulgaria.

Act of 1917 respecting the health and safety of workers (B.B., Vol. XIII, 1918, p. 27).

Order No. 13599 of 20 September 1932, laying down the measures to be taken for the handling and the use of lead and its compounds and alloys in trades and factories and in industrial establishments and undertakings (L.S. 1932, Bulg. 2 C).

Order No. 13600 of 20 September, 1932, prohibiting the use of white lead and sulphate of lead in certain painting operations (L.S. 1932, Bulg. 2 A).

Chile.

Decree of 30 April 1926 to approve the Regulations respecting industrial hygiene and safety (L.S. 1926, Chile 2).

Regulations of 21 April 1927 respecting occupational diseases (L.S. 1927, Chile 2).

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1).

Decree No. 655 of 25 November 1940 (§§ 234 and 245) to issue new Regulations concerning industrial hygiene and safety.

Cuba.

Legislative Decree No. 215 of 16 May 1934 to prohibit the use of white lead in painting (L.S. 1934, Cuba 13).

Legislative Decree No. 105 of 25 July 1935, amending the above Decree (L.S. 1935, Cuba 8).

Czechoslovakia.

Act of 12 June 1924 issuing regulations for the protection of the life and health of persons employed in painting, varnishing and decorating (L.S. 1924, Cz. 1).

Government Order No. 41 of 1938 concerning provisions for the protection of the health and safety of unskilled workers.

Finland.

Act of 1 March 1929 prohibiting the use of white lead and sulphate of lead in certain kinds of painting (L.S. 1929, Fin. 1 A).

Order of 1 March 1929 concerning the implementing of the Convention.

Decision of the Ministry of Social Affairs dated 22 June 1929 laying down detailed provisions concerning the use of white lead in painting (L.S. 1929, Fin. 1 B).

Resolution of the Council of State of 14 March 1919 specifying the trades and branches thereof which must be deemed to be specially dangerous, and issuing detailed Regulations concerning the employments liable to injure the health of children and young persons or to hinder their physical development (L.S. 1924, Fin. 5, Appendix).

Sanitary Regulations of 24 September 1929 for workers employed in painting work in which the use of white lead, sulphate of lead and products containing those pigments is necessary.

Factory Inspection Act of 4 March 1927 (L.S. 1927, Fin. 1).

Decision of the Council of State of 4 March 1927 concerning the application of the above Act.

France.

Labour Code, § 79, Book II.

Decree of 5 August 1946 supplementing the Decree of 10 July 1913 to issue public administrative regulations respecting general measures for the protection of the health and safety of workers in all establishments covered by the Act (§§ 8 a, 8 b, 8 c).

Greece.

Royal Decree of 17 December 1921 respecting the prohibition of the use of white lead, red lead, litharge and of all other compounds of these oxides in the painting of buildings, ships, etc. (L.S. 1921, Gr. 2 B).

Act No. 2654 of 6 August 1924 respecting the prohibition of the use of white lead, red lead and litharge in the building industry and other work (L.S. 1924, Gr. 2 A).

Act No. 2994 for the ratification of the international Convention concerning the use of white lead in painting.

Act No. 6011 of 29 January 1934 (promulgated on 6 February 1934) to amend Act No. 2654 (L.S. 1934, Gr. 2).

Act No. 6080 respecting the prohibition of certain organic colouring matters.

Exceptional Act No. 1204 of 20 April 1938 prohibiting the use of lead paints (L.S. 1938, Gr. 4).

Act No. 560 of 1945 to establish Statutes for the Ministry of Labour.

Mexico.

Political Constitution of the United States of Mexico of 1917.

Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).

Netherlands.

Decree of 25 September 1933 (L.S. 1933, Neth. 4) to promulgate the text of the Labour Decree of 1920 (L.S. 1920, Neth. 8), as last amended by the Royal Decree of 12 July 1933.

Poland.

Decree of the President of the Republic of 30 June 1927 concerning the manufacture, importation and use of white lead, sulphate of lead and all other lead compounds (L.S. 1927 Pol. 7).

Ministerial Decree of 13 September 1930 concerning the health and safety measures which are obligatory in the preparation of paints and pastes containing white lead, etc., and in painting work involving the use of such paints and pastes (L.S. 1930, Pol. 6).

Ministerial Decree of 25 November 1937 relating to conditions for the manufacture and application of lead.

Sweden.

Workers' Protection Act of 29 June 1912 (B.B., Vol. VIII, 1913, p. 84).

Act of 19 February 1926 to prohibit in certain cases the employment of workers in painting work in which lead colours are used (L.S. 1926, Swe. 1).

Decree of the Royal Department of Labour and Social Welfare of 30 June 1926 concerning the form to be used for reports on cases of lead poisoning in the painting industry.

Royal Decree of 10 December 1926 concerning the payment of the expense of medical exa-

mination of working painters, examined in accordance with the above-mentioned Act.

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Belgium* states that during the period under review there have been no amendments to the Act of 30 March 1926. There have been no cases where the use of white lead or sulphate of lead and of all products containing these pigments has been considered necessary by the competent authorities. Statistics with regard to lead poisoning are kept up to date by the Technical Committee of the Welfare Fund for Victims of Occupational Diseases. Under Article 5 of the Convention, the Government states that the measures regarding the application of paint by air-spraying, etc., have been considerably improved and reproduced in the Regulations of 11 February 1946 concerning the protection of workers. Since 1 September 1946, the application of the Regulations has been entrusted to the Chemical and Laboratory Inspection Service of the Technical Labour Protection Department. The report contains statistical information for the years 1926 to 1935, 1944 and the period 1 October 1945 to 30 September 1946. No decisions have been given by courts of law. No observations have been received from employers' or workers' organisations.

The Government of *Bulgaria* states that no decisions were given by courts of law. The number of workers covered by the legislation is 336,861. No observations have been received from employers' or workers' organisations.

The Government of *Chile* states that 5,000 workers were employed on painting work, and of these approximately 300 were employed in paint factories. No breaches of the Regulations have been noted by the inspection service and there have been no cases of lead poisoning. No observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that no special measures have been taken in respect of §§ I and II of Legislative Decree No. 215 of 16 May 1934. No case of lead poisoning has been noted by the General Directorate of Hygiene and Social Welfare. No statistics relating to morbidity and mortality exist. No decisions were given by courts of law. No observations have been received from employers' or workers' organisations.

The Government of *Czechoslovakia* states that during the period 1 October 1945 to 30 December 1946 there were no cases in which it was necessary to prohibit the use of white lead. The labour inspectors are the

competent authorities in this matter. Under Article 2, no supplementary provisions have been issued regarding individual forms of painting. No permits were issued for the employment of painters' apprentices in any painting work involving the use of white lead. Under Government Order No. 41/1938, special overalls must be provided for workers using noxious substances. No suggestions have been made by employers' or workers' organisations under Article 6. Cases of poisoning by lead are classified as occupational diseases and entitle the victim to the same benefits as those granted for accidents by the accident insurance institutions.

The administration of the relevant legislation is entrusted to the Minister of Social Welfare, the Minister of Health (in agreement with the Minister of the Interior), the Minister of Industry and the Minister of Interior Trade. Compliance with Act No. 37/1924 is ensured by the labour inspectors. See under Convention No. 1 for information relating to the organisation, activities and detailed reports of the labour inspection service. No decisions were given by courts of law or other courts. The Government adds that, in general, white lead is only used to a limited extent in painting. The trade union organisations (works' councils or workers' deputies) co-operate to the fullest extent with the labour inspection service in ensuring compliance with the relevant legislative provisions.

The Government of *Finland* states that the Ministry of Social Affairs controls and supervises the activities of the labour inspectors. No decisions have been given by courts of law. No statistics are available regarding the number of workers engaged in the types of work covered by the Convention.

The Government of *France*, in its report covering the period 1938-1946, states that no exceptions have been authorised to the provisions of the relative legislation. Statistics regarding occupational diseases during the years 1938 to 1945 inclusive do not show any cases of lead poisoning among working painters engaged in construction work. A draft Decree is being examined with a view to regulating the conditions for the use of paint by spraying. No decisions were given by courts of law. No observations have been received from employers' or workers' organisations.

The Government of *Greece* refers to previous reports and states that the Convention is strictly applied by existing legislation. It has not yet been possible to organise, under the Ministry of Labour, the section for occupational diseases in such a way as to meet all requirements. There has been an encouraging improvement in the public health service and in the service of the social insurance institutions and, in particular, in the Institute for Social Insurance. Statistics prepared by the social insurance insti-

tutions do not mention any cases of lead poisoning among working painters. The report contains figures relating to lead poisoning among workers in mines. In the city of Piraeus, an institute for the study of questions relating to occupational diseases has started to function, and devotes considerable attention to the prevention of occupational diseases, including lead poisoning. No decisions were given by courts of law. No observations have been received from employers' or workers' organisations.

The Government of *Mexico* refers to previous reports.

The *Netherlands* Government states that, under § 8, M. of the Labour Decree of 1920 (*Arbeidsbesluit*, 1920), a young person or woman may not perform any work involving the use of white lead, sulphate of lead or products containing either of these pigments, with the exception of white pigments, which, in a dry state, contain not more than 2 per cent. by weight of lead. The report adds that there is nothing of importance to relate regarding the application of the Convention.

See also under Convention No. 2, introductory note.

The Government of *Poland* states that the use of white lead, sulphate of lead or other products containing these pigments is authorised in artistic and decorative painting. Permits to employ minors are issued for individual cases by the regional labour inspectors. The report contains information regarding the organisation and duties of the labour inspection service, which is responsible for the supervision and application of the provisions relating to the protection of workers. The labour inspection staff, together with the works' councils, supervise compliance with labour legislation in the different establishments in which workers are employed. No decisions were given by courts of law. No observations have been received from occupational organisations.

The Government of *Sweden* refers to its report for 1936-1937, supplemented in certain respects by subsequent communications.

COLONIES, ETC.

(ARTICLE 35 OF THE CONVENTION)

The Government of *France* states that the Decree of 2 March 1939 extends to *Guiana* and *New Caledonia* the provisions of Chapter II, Book II of the Labour Code (§ 79 of which refers to the Convention). Under the Decree of 17 August 1944, a corps of labour inspectors for the colonies was organised, under the Ministry of Labour and the Ministry of the Colonies.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

In *Curaçao*, there is no special prohibition of the use of white lead, which is very

limited because water paint containing lime and oil is used in the painting of houses. Oil paint is imported almost exclusively in sealed cans from the United States of America, where there is a Government control of paint containing white lead.

The Convention has not been published or promulgated in *Surinam*. A draft Safety Ordinance is before the Legislature for consideration. The requirements of the Convention will be met as soon as this Ordinance can be applied.

14. Convention concerning the application of the weekly rest in industrial undertakings

This Convention came into force on 19 June 1923

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Afghanistan	12. 6.1939	
Argentine Republic	26. 5.1936	
Belgium	19. 7.1926	10. 2.1947
Bulgaria	6. 3.1925	22. 3.1947
Canada	21. 3.1935	10. 2.1947
Chile	15. 9.1925	15. 2.1947
China	17. 5.1934	
Colombia	20. 6.1933	
Czechoslovakia	31. 8.1923	3. 3.1947
Denmark	30. 8.1935	14. 3.1947
Estonia	29.11.1923	
Finland	19. 6.1923	7. 2.1947
France	3. 9.1926	14. 2.1947
Greece	11. 5.1929	24. 3.1947
India	11. 5.1923	
Ireland	22. 7.1930	21. 2.1947
Italy	8. 9.1924	25. 3.1947
Latvia	9. 9.1924	
Lithuania	19. 6.1931	
Luxembourg	16. 4.1928	
Mexico	7. 1.1938	9. 9.1946
New Zealand	29. 3.1938	27. 3.1947
Nicaragua	12. 4.1934	
Norway	7. 7.1937	
Peru ¹	8.11.1945	5. 4.1947
Poland	21. 6.1924	19. 2.1947
Portugal	3. 7.1928	20. 1.1947
Rumania	18. 8.1923	
Spain	20. 6.1924	
Sweden	22.12.1931	3. 2.1947
Switzerland	16. 1.1935	15. 1.1947
Turkey	8. 7.1946	
Uruguay ¹	6. 6.1933	21. 3.1947
Venezuela	20.11.1944	
Yugoslavia	1. 4.1927	
* * *	* * *	* * *
Burma ²	11. 5.1923	26. 2.1947

¹ See under Convention No. 1, introductory note.

² See footnote 3 to Convention No. 1.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Act of 17 July 1905 relating to the Sunday rest in industrial and commercial undertakings (French text in B.B., Vol. IV, 1905, p. 212) amended by the Acts of 25 May 1914 and 24 July 1927 (L.S. 1927, Bel. 6), and Orders issued in pursuance thereof.

Bulgaria.

Act of 1917 respecting the health and safety of workers (B.B., Vol. XIII, 1918, p. 26).

Canada.

See under Convention No. 1, introductory note.

Chile.

Regulations No. 101 of 16 January 1918 respecting holidays and Sunday rest supplemented by Decrees Nos. 757, 758 and 759 of 5 October 1939, 369 of 14 June 1941, 513 of 5 August 1941 and 711 of 27 September 1944.

Czechoslovakia.

Act of 19 December 1918 respecting the eight-hour working day (L.S. 1919, Cz. 1-3).

Order of 11 January 1919 in pursuance of the Act respecting the eight-hour day (L.S. 1919, Cz. 1-3).

Various notifications of the Minister of Labour and Social Welfare issued in 1945 and 1946 and in force for part of the period 1 October 1945 to 30 September 1946.

Denmark.

Act of 29 April 1913 relating to work in factories, etc. (B.B., Vol. VIII, 1913, p. 324).

Act of 18 April 1925 respecting the employment of children and young persons (L.S. 1925, Den. 1).

Notification of the Act respecting work in bakeries and confectionery businesses, as amended by the Act of 9 June 1920 (L.S. 1920, Den. 3).

Finland.

Order of 18 August 1917 respecting employment in industry and in certain other occupations. Act of 27 November 1917 respecting the eight-hour working day, as amended by the Act of 14 August 1918 (B.B., Vol. XIII, 1918, pp. 36-39).

Order of 1 June 1923 bringing the Convention into force in Finland.

Factory Inspection Act of 4 March 1927 (L.S. 1927, Fin. 1).

Decision of the Council of State of 4 April 1927 applying the Act of 4 March 1927.

Decision of the Council of State of 23 May 1946 respecting hours of work in continuous undertakings.

Decision of the Council of State of 21 June 1945 relating to special exceptions to the provisions of the Act of 27 November 1917.

France.

Code of Labour and Social Welfare, Book II, §§ 30 and following, amended by Legislative Decree of 30 October 1935.

Decree of 24 August 1906, amended by the Decree of 13 July 1907, relating to the supervision of the enforcement of the Act relating to the weekly day of rest (B.B., Vol. I, 1906 p. 291 and Vol. II, 1907, p. 284).

Decree of 14 August 1907, amended by Decrees of 10 September 1908, 30 April 1909 and 19 June 1930, completing the schedule of establishments permitted to give weekly rest by rotation (B.B., Vol. III, 1908, p. 69).

Decree of 31 August 1910 determining relaxations of the general regulations for the weekly rest as regards special workers employed in works where continuous furnaces are used (B.B., Vol. VI, 1911, p. 166).

Decree of 29 April 1913 determining the schedule of establishments in which the weekly rest of women and children may be suspended in virtue of §§ 45, 46 and 47 of Book II of the Labour Code (B.B., Vol. VIII, 1913, p. 290).

Greece.

Decree of 8 March 1930 to consolidate the Acts respecting Sunday rest (L.S. 1930, Gr. 3).

Legislative Decree of 2 November 1935 to supplement § 2 of the above Decree of 8 March 1930. Act No. 199/1936 concerning the weekly rest of taxi drivers.

Act No. 117 of 13 February 1945 concerning, *inter alia*, Sunday rest of newspaper staff. Various Decrees and Orders in application of the Act of 8 March 1930.

Ireland.

Road Traffic Act, 1933 (L.S. 1933, I.F.S. 4). Conditions of Employment Act, 1936 (L.S. 1936, I.F.S. 1).

Italy.

Act No. 370 of 22 February 1934 concerning Sunday and weekly rest (L.S. 1934, It. 3). Decree of 22 June 1935 specifying the occupations covered by § 5 of the Decree of 22 February 1934, amended by Legislative Decrees of 7 November 1936, 18 January, 3 March, 26 March and 3 April 1940.

Act No. 1109 of 16 July 1940 unifying the legislative provisions respecting the protection of workers during the period of the war.

Mexico.

Political Constitution of the United States of Mexico, 1917.

Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1), amended by the Decree of 18 February 1936 (L.S. 1936, Mex. 1).

New Zealand.

Coal Mines Act, 1925 (L.S. 1925, N.Z. 2), as amended by the Acts of 1927, 1935, 1933, 1937 (L.S. 1937, N.Z. 2) and 1941.

Mining Act, 1926 (L.S. 1926, N.Z. 1), as amended by the Acts of 1927, 1931, 1934, 1935 and 1937. Statutes Amendment Acts of 1938, 1939, 1941, 1944 and 1945.

Factories Act, 1921-22, as amended by the Factories Amendment Act, 1936 (L.S. 1936, N.Z. 2) and by the Act of 1945.

Industrial Conciliation and Arbitration Amendment Act, 1936.

Transport Licensing Act, 1931, amended by the Transport Licensing Amendment Law of 1939.

Various Orders, Regulations and Awards made in virtue of the above Acts between 1926 and 1942.

Peru.

See under Convention No. 1, introductory note.

Poland.

Act of 18 December 1919 regarding hours of work in industry and commerce (L.S. 1920, Pol. 1).

Portugal.

Legislative Decree of 8 March 1911 concerning the weekly rest (B.B., Vol. VI, 1911, p. 189).

Decree No. 22500 of 10 May 1933 concerning hours of work in transport undertakings (L.S. 1933, Port. 2).

Legislative Decree No. 23048 of 23 September 1933 to promulgate the National Labour Statute (L.S. 1933, Port. 5).

Legislative Decree No. 24402 of 24 August 1934 regulating hours of work in industrial and commercial undertakings (L.S. 1934, Port. 5 A), amended by Legislative Decree No. 26917 of 24 August 1936 (L.S. 1936, Port. 3).

Legislative Decree No. 32647 of 29 January 1943 concerning the hours of work of the staff of land transport undertakings.

Legislative Decree No. 33512 of 29 January 1944 (Article 26) respecting, *inter alia*, the National Family Allowance Fund.

Various Resolutions of the Under-Secretary of State for Corporations and Social Welfare, dated 14 April 1942, 19 July 1943, 8 January 1945, 26 April 1945, 28 April 1945.

Sweden.

Act of 29 June 1912 respecting the protection of workers, amended by the Act of 12 June 1931 (L.S. 1931, Swe. 5).

Switzerland.

Federal Act of 26 September 1931 respecting weekly rest (L.S. 1931, Switz. 9) as amended by the Federal Act of 30 September 1943. Regulations and Orders in pursuance of the above Act:

Administrative Regulations of the Federal Council of 11 June 1934.

Order of the Federal Department of Public Economy of 14 January 1935 concerning the weekly rest of the staff of cinematographs.

Order of the aforesaid Department of 3 August 1935 concerning the weekly rest of workers employed by gardeners.

Order of the aforesaid Department of 3 August 1935 concerning the weekly rest of workers employed by dairy contractors and in dairies.

Order of the aforesaid Department of 11 June 1937 concerning the weekly rest of staff employed by owners of horse-drawn vehicles and other persons utilising horses.

Order of the aforesaid Department of 20 December 1937 concerning the weekly rest of persons employed in newspaper kiosks.

Order of the aforesaid Department of 17 June 1938 concerning the weekly rest of the technical staff of power stations not covered by the Federal Factory Act.

Order of the Federal Council of 16 July 1943 concerning the weekly rest of workers employed in mines.

Federal Factory Act of 18 June 1914/27 June 1919 (B.B. 1914, Vol. IX, p. 269 and L.S. 1919, Switz. 3).

Order promulgated by the Federal Council on 3 October 1919/7 September 1923, in pursuance of the above Act (L.S. 1919, Switz. 4 and 1923, Switz. 3).

Federal Factory Act of 6 March 1920 regulating the hours of labour of persons employed on railways and in other services connected with transport and communications (L.S. 1920, Switz. 1).

Administrative Orders Nos. I and II of the Federal Council of 12 August 1921.

Federal Act of 15 March 1932 concerning the circulation of motor vehicles and cycles.

Order of the Federal Council of 4 December 1933 regulating the hours of work and rest of professional drivers of motor vehicles (L.S. 1933, Switz. 8).

Order of the Federal Council of 9 October 1936 regulating work in the watch and

clock-making industry not carried on in factories, extended by Order of the Federal Council of 29 December 1937.

Various Federal Orders, Circulars and Instructions concerning the application of the weekly rest.

Uruguay.

See under Convention No. 1, introductory note.

* * *

Burma.

Factories Act of 1934 (L.S. 1934, Ind. 2), as subsequently amended (L.S. 1934, Ind. 3). Mines Manual of 1937.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

In its report, the Government of *Belgium* states that no special difficulties were experienced regarding the application of the Convention during the period under review. The Government adds that it does not possess the necessary information to furnish statistics relating to the application of the Convention. Legal decisions have, in general, been based on judicial precedents and thus have facilitated the work of the control services. During the period under review, the labour inspection services have instituted proceedings in two cases for infringements of the Act of 17 July 1905. No observations have been received from employers' or workers' organisations.

The Government of *Bulgaria* states that the number of workers protected by the legislation amounts to 336,861. No decisions were given by courts of law. No observations have been received from employers' or workers' organisations.

Canada. See under Convention No. 1, introductory note.

The Government of *Chile* states that the Decrees No. 758 of 5 October 1939 and No. 711 of 27 September 1944 were abrogated by Decrees No. 858 of 1 October 1946 and No. 888 of 8 October 1946 respectively. These new Decrees limit the extent of the working activities previously permitted on Sundays and legal public holidays.

Most of the judicial and administrative decisions concerning weekly rest relate to commercial establishments and have no connection with the principles of the Convention. The Government does not possess a copy of the judicial decisions on weekly rest in industrial undertakings. The report adds that the provisions on weekly rest are applied satisfactorily and that the labour inspectors exercise a strict supervision in order to avoid contraventions. The number of persons covered by the legislation is over 1 ½ million, among whom there are 423,205 salaried persons in industrial undertakings (371,155 workers and 52,050 employees). In 1945, the labour inspectors made 19,092 visits and noted 207 contraventions, almost

entirely in commercial undertakings. No observations were received from employers' or workers' organisations.

The Government of *Czechoslovakia* states that, during the period 28 December 1945 to 25 February 1946, a Notification of the Ministry of Labour and Social Welfare dated 22 December 1945, permitting a temporary transfer of working hours to the night, was in force. Another Notification of 6 December 1945 provided for the temporary abolition of the existing provisions concerning hours of work and salaries when the hours of work are transferred to the night. According to these provisions, the regular working hours may be transferred to the night period, after consultation with the works committees concerned, in industrial undertakings where the supply of electric current and of gas is subject to restrictions. For the same reason, work is permitted on Sundays and on public holidays. See also under Convention No. 1 (Hours of Work, Industry) regarding the temporary institution of a five-day working week.

The Government of *Denmark* states that no decisions by courts of law were given during the period under review.

The Government of *Finland* states that, in accordance with the decisions of the Council of Ministers, which must be renewed annually, and the scope of which has recently been limited, the following types of work are exempted from the application of the provisions concerning weekly rest: the building, repair and maintenance of dwellings and private undertakings in rural districts, the felling of trees and the hauling of timber in forests, the floating of lumber (except sorting yards), and customs services (with the exception of customs offices in the interior of the country). The Government has no knowledge of any judicial decisions and does not possess any statistical details on the application of the Convention.

The Government of *Greece* states that the first district of the labour inspection service has issued, during the period covered by the report, 195 working permits for Sunday work, affecting 1,075 men and 54 women; these permits were given after examination and relate in general to repair activities. In accordance with the terms of a Decree of 20 March 1946 issued by the Ministries of Finance and Labour, the wage rates for this work are 75 per cent higher than normal rates. See also, under Convention No. 1, data concerning labour inspection.

The Government of *Ireland* states that, during the period under review, one contravention was reported. Legal proceedings are pending.

The Government of *Italy* states that, with the declaration of the termination of the state of war (Legislative Decree No. 49 of 8 February 1946), the provision of Article 5 of the Act No. 1109 of 16 July 1940, allowing

for the possibility of suspending the observation of weekly rest, became void on 15 April 1946. For administrative reasons, however, the labour inspectorate has maintained the possibility of replacing the weekly rest on a definite day by weekly rest by rotation. The obligation of ensuring weekly rest to the staff of motor transports has been re-established. The supervision of the application of the legislation on weekly rest is entrusted to the Ministry of Labour and Social Welfare and to the Ministry of Industry and Commerce, who exercise this function through the labour inspectors, mines inspectors and municipal inspectors, as well as through the police. The judicial authorities have not given any decisions regarding questions of principle arising from the application of the Convention.

The report adds that the establishment of a provision compelling employers to post a statement indicating the rotation of weekly rest, if any, is at present under consideration. The trade unions have requested that the Act concerning press and news distribution enterprises should be revised so as to increase the amount of fines, in accordance with the value of the currency.

The Government of *Mexico* refers to its previous reports.

The Government of *New Zealand* states that no decisions were given by courts of law. The observation of the weekly rest is usually combined with the observation of the Sunday rest, which, among other things, is under the control of officials of the Police Department. This Department publishes information relating to the number of offences reported. During 1945, 16 such cases were reported, as compared with 25 in 1944. The report adds that these data relate to contraventions of the legislation, the scope of which is much broader than that of the Convention, and that it is probable that the cases in question do not concern industrial undertakings.

The Government of *Poland* states that the supervision of the national legislation, putting into effect the provisions of the Convention, is entrusted to the inspectorate. This service is at present composed of 14 regional labour inspectors, 67 district inspectors, 38 assistant inspectors, 7 doctors, 4 special labour inspectors and 15 inspectors and assistant inspectors for women and minors. This staff supervises the application of labour legislation, in co-operation with the works committees established by the Decree of 6 February 1945. The Government has no knowledge of verdicts or decisions by courts of law or other institutions regarding the application of the Convention during the period covered by the report. No observations were received from occupational associations.

The Government of *Sweden* refers to its report for the year 1936-1937, as supplemented by subsequent communications.

The Government of *Switzerland* states that the Order of the Federal Council of 21 May 1940, which had provisionally modified the Order of 4 December 1933 regulating hours of work and rest of professional drivers of motor vehicles, has been repealed as from 23 November 1945, by a Decree of the Federal Council of the same date.

As regards the application of Article 4 of the Convention, the report states that the Order of the Federal Department of Public Economy of 12 September 1945, which had authorised certain exceptions in the federal or cantonal provisions regarding the loading and unloading of freight cars, etc., was repealed as from 1 May 1946, by a Decree of the Federal Council of 26 April 1946.

During the period covered by the report, the number of convictions for breaches of the provisions of the Federal Act respecting weekly rest amounted to 56. A fine was imposed in each of these cases, the maximum being 100 frs. As in preceding years, the convictions apply mostly to proprietors of hotels, restaurants and cafés, bakers and pastrycooks and dairymen. One conviction was given for infringement of the provisions of the Order of 4 December 1933 regarding hours of work and rest of professional drivers of motor vehicles. The authorities have the active collaboration of the occupational associations in the matter of labour protection. The report adds that, in general, the Convention continues to be observed by all parties concerned. However, the shortage of staff, which is particularly acute in the hotel industry, makes the strict application of the provisions on weekly rest in that industry difficult at times. The Federal Council refers to the report of the Federal Inspectors of Factories for the period 1945.

* * *

The Government of *Burma* states that the term "industrial undertakings" has been interpreted for the purposes of this Convention as referring to factories and mines. The report adds that the provisions of the Convention are generally observed. However, certain infringements have been reported during busy seasons. Without adequate staff these irregularities cannot be effectively checked. On the other hand, the workers themselves have become acquainted with the relevant legislative provisions, and since they favour a weekly rest, it is not unusual for them to assert their rights.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that, under a Decree of 2 March 1939, the provisions relating to weekly rest in metropolitan France are applied to *Martinique*, *Guadeloupe*, *Guiana*, *Reunion* and *New Caledonia*.

New Zealand. See under Convention No. 1.

15. Convention fixing the minimum age for the admission of young persons to employment as trimmers or stokers

This Convention came into force on 20 November 1922

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Argentine Republic	26. 5.1936	
Australia	28. 6.1935	1. 3.1947
Belgium	19. 7.1926	17. 2.1947
Bulgaria	6. 3.1925	22. 3.1947
Canada	31. 3.1926	10. 2.1947
Chile	18.10.1935	15. 2.1947
China	2.12.1936	
Colombia	20. 6.1933	
Cuba	7. 7.1928	21. 2.1947
Denmark	12. 5.1924	14. 3.1947
Estonia	8. 9.1922	
Finland	10.10.1925	7. 2.1947
France	16. 1.1928	3. 4.1947
Germany	11. 6.1929	
United Kingdom	8. 3.1926	20. 1.1947
Greece	14. 6.1930	24. 3.1947
Hungary	1. 3.1928	29. 1.1947
India	20.11.1922	
Ireland	5. 7.1930	13. 3.1947
Italy	8. 9.1924	25. 3.1947
Japan	4.12.1930	
Latvia	9. 9.1924	
Luxembourg	16. 4.1928	
Netherlands	17. 6.1931	6. 2.1947
Nicaragua	12. 4.1934	
Norway	7.10.1927	
Poland	21. 6.1924	7. 5.1947
Rumania	18. 8.1923	
Spain	20. 6.1924	
Sweden	14. 7.1925	3. 2.1947
Uruguay ¹	6. 6.1933	21. 3.1947
Yugoslavia	1. 4. 1927	
* * *	* * *	* * *
Burma ²	20.11.1922	26. 2.1947

¹ See under Convention No. 1, introductory note.

² See footnote 3 to Convention No. 1.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Australia.

The Navigation (Maritime Conventions) Act, 1934 (L.S. 1934, Austral. 10).

Belgium.

Act of 5 June 1928 concerning seamen's articles of agreement (L.S. 1928, Bel. 5 A).

Bulgaria.

Act of 1917, respecting the health and safety of workers (B.B., Vol. XIII, 1918, p. 26).

Canada.

Canada Shipping Act (L.S. 1934, Can. 7).

Chile.

Legislative Decree No. 678 of 27 November 1925 concerning recruitment for the military and naval forces.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1). Commercial Code, Book III, § 823.

Cuba.

Legislative Decree No. 592 of 16 October 1934 (concerning in particular, the minimum age of admission of young persons to employment as trimmers or stokers) (L.S. 1934, Cuba 9).

Denmark.

Seamen's Act No. 181 of 1 May 1923 (L.S. 1923, Den. 2).

Act No. 76 of 31 March 1937 concerning placing and registration of seamen, and supervision of their engagement and discharge.

Finland.

Seamen's Act of 8 March 1924 (L.S. 1924, Fin. 1), as amended by Act of 26 May 1925 (L.S. 1925, Fin. 2) and Act of 11 May 1928 (L.S. 1928, Fin. 2).

Act of 4 June 1937 concerning the registration of seamen and the supervision of their engagement and discharge.

France.

Act of 13 December 1926 to issue a Seamen's Code (L.S. 1926, Fr. 13).

Regulations of 27 April 1931 issued under the above Act.

Legislative Decree of 19 March 1852 concerning the list of crew and the particulars regarding seagoing vessels and craft.

Act of 11 April 1942 relating to §§ 111, 114, 115, 116, of the Maritime Labour Code and establishing a new section 116 B of the Code.

United Kingdom.

Merchant Shipping (International Labour Conventions) Act, 1925 (L.S. 1925, G.B. 5).

Greece.

Act 4505 of 7 April 1930 ratifying the Convention.

Decree of 3 January 1937 concerning the management committees of seamen's employment exchanges and the working of these exchanges.

Hungary.

Act No. XVII of 1928 ratifying the Convention. Order No. 32043 of 1933 issued by the Minister of Commerce concerning, *inter alia*, the application of the above Act.

Ireland.

Merchant Shipping (International Labour Conventions) Act, 1933 (I.F.S. 2).

Italy.

Regulations for seamen's employment exchanges approved in 1920 by the Royal Maritime Commission set up by Royal Decree of 14 August 1919.

Royal Decree of 27 December 1925 bringing the Convention into force in Italy.

Decree No. 327 of 30 March 1942 approving the setting up of a Shipping Committee.

Netherlands.

Labour Act, 1919, as subsequently amended (L.S. 1922, Neth. 1), amended by the Act of 14 June 1930 (L.S. 1930, Neth. 2 A).
Decree of 25 September 1933 promulgating the text of the Labour Decree, 1920, as last amended by Royal Decree of 12 July 1933 (L.S. 1933, Neth. 4).

Poland.

Act of 2 July 1924 relating to the employment of women and young persons (L.S. 1924, Pol. 2) amended and completed by the Act of 7 November 1931 (L.S. 1931, Pol. 2 A).
Order of the Minister of Social Welfare of 3 October 1935, to replace, as from 26 April 1936, the Order of 29 July 1925 (L.S. 1925, Pol. 2), enumerating the occupations in which young persons and women may not be employed.
Instruction of the Maritime Department.

Sweden.

Seamen's Act of 15 June 1922 (L.S. 1922, Swe. 1), amended by the Act of 27 February 1925 (L.S. 1925, Swe. 1).
Royal Decree of 13 July 1911 concerning seamen's employment offices and the signing on and off of seamen, etc., as amended by the Decree of 22 December 1922.

Uruguay.

See under Convention No. 1, introductory note.

* * *

Burma.

Burma Merchant Shipping Act.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Australia* states that the administration of the legislation is entrusted to the superintendents of mercantile marine offices, under the control and direction of the Director of Navigation through his Deputy Directors in each State. No decisions have been given by courts of law and no observations have been received from employers or workers.

The Government of *Belgium* refers to previous reports and states that the maritime superintendent is responsible for the application of the relevant legislation. No decisions were given by courts of law. No observations have been received from ship-owners or seamen.

The Government of *Bulgaria* states that the General Labour Office and its inspection organs are responsible for the application of the relevant legislation. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Canada* states that the provisions of the Convention are being observed by all concerned. No contraventions or judicial decisions were reported during the period under review nor have any observations been received from employers' or workers' organisations.

The Government of *Chile* refers to its previous reports and states that the maritime labour inspectors supervise the application of the relevant legislation. No judicial decisions are reported. No observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that there is no change in the position as outlined in its report for 1944-1945.

The Government of *Denmark* refers to its report for 1944-1945 and adds that neither the war nor other special conditions gave rise to any discrepancies between the Convention and relevant Danish legislation.

The Government of *Finland* states that the supervision of the application of the relevant legislation is entrusted to the shipping inspectors. No statistics are available concerning the number of persons covered by the Convention. No decisions were given by courts of law.

France. See under Convention No. 8.

The Government of the *United Kingdom* states that, during the period under review, there has been no change in the position as stated in its report for 1944-1945.

The Government of *Greece* refers to previous reports and adds that the application of the provisions of the Convention is entrusted to the port authorities and to the consular authorities in ports.

The Government of *Hungary* states that no new legislation has been introduced in connection with the Convention and adds that, during the period under review, there have been no Hungarian ships at sea and that even river traffic, for the most part, has been discontinued.

The Government of *Ireland* states that there is no change in the position as outlined in the report for the period 1939-1940.

The Government of *Italy* states that Decree No. 327 of 30 March 1942 provides only that young persons under 18 years of age may not be employed in tending machines. Broader standards in this respect are provided for in the Regulations for the application of the Shipping Code, the final text of which is now being drafted. The supervision of the application of the relevant legislation is entrusted to the maritime authorities, under the control of the General Mercantile Marine Department of the Ministry of Marine. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

Netherlands. See under Convention No. 2, introductory note.

The Government of *Poland* states that the Act of 2 July 1924 covers all vessels referred to in Article 1 of the Convention. Article 2 is applied under § 1 of the Order of 3 October 1935. The national legislation

is in conformity with Articles 3 and 5 of the Convention. The legislation does not provide for the exceptions referred to in Article 4 of the Convention. Article 6 is not applied, as a State office is responsible for the recruitment of seamen.

The maritime office, the State office for the recruitment of crews, the Departments of the labour inspection service and the consulates abroad are responsible for supervising the application of the provisions of the Convention. No decisions by courts of law or other courts were brought to the notice of the Government. No observations have been received from industrial organisations.

The Government of *Sweden* refers to its report for 1936-1937, as supplemented in certain cases by subsequent communications.

* * *

The Government of *Burma* states that Articles 1 to 6 of the Convention are applied under §§ 37 A, C, D, and E of the Burma Shipping Act. No young persons under 18 years of age have been employed as trimmers or stokers. The nautical adviser and principal officer, Mercantile Marine Department and shipping master, Rangoon, is entrusted with the supervision of the relevant application. No breaches of the Merchant Shipping Act have been reported.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The *Belgian* Government states that the *Belgian Congo* is still excluded from the application of the Convention. Neverthe-

less, the Act of 5 June 1928 concerning seamen's articles of agreement, which is in accordance with the provisions of the Convention, applies to trimmers and stokers engaged in the colony.

The Government of the *United Kingdom* states that the following legislation has been enacted :

Mauritius.

Employment of Women, Young Persons and Children (Amendment) Ordinance No. 43 of 1945, § 3, paragraph 2 (b).

Nigeria.

Labour Code Ordinance No. 54 of 1945, Chapter X, paragraph 172.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

There is little available information regarding the application of the Convention in *Curaçao*. No complaints regarding breaches of the Convention have been received. No provision is made in the legislation regarding the minimum age of trimmers and stokers.

The Convention has been published in *Surinam*. As a general rule, boys over 14 years of age are employed on board vessels (except seagoing vessels) as apprentices. As there is no other possibility for apprenticeship in the country, no objection is made by the Government to this plan. No legal measures are contemplated in which the provisions of the Convention will be taken into account.

16. Convention concerning the compulsory medical examination of children and young persons employed at sea

This Convention came into force on 20 November 1922

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Argentina Republic	26. 5.1936	
Australia	28. 6.1935	
Belgium	19. 7.1926	17. 2.1947
Brazil	8. 6.1936	
Bulgaria	6. 3.1925	22. 3.1947
Canada	31. 3.1926	10. 2.1947
Chile	18.10.1935	15. 2.1947
China	2.12.1936	
Colombia	20. 6.1933	
Cuba	7. 7.1928	21. 2.1947
Denmark	23. 4.1938	14. 3.1947
Estonia	8. 9.1922	
Finland	10.10.1925	7. 2.1947
France	22. 3.1928	3. 4.1947
Germany	11. 6.1929	
United Kingdom	8. 3.1926	20. 1.1947
Greece	28. 6.1930	24. 3.1947
Hungary	1. 3.1928	29. 1.1947
India	20.11.1922	

Countries	Date of registration of ratification	Reports received
Ireland	5. 7.1930	13. 3.1947
Italy	8. 9.1924	25. 3.1947
Japan	7. 6.1924	
Latvia	9. 9.1924	
Luxembourg	16. 4.1928	
Mexico	9. 3.1938	9. 9.1946
Netherlands	9. 3.1928	6. 2.1947
Nicaragua	12. 4.1934	
Poland	20. 6.1924	
Rumania	18. 8.1923	
Spain	20. 6.1924	
Sweden	14. 7.1925	3. 2.1947
Uruguay ¹	6. 6.1933	21. 3.1947
Yugoslavia	1. 4.1927	
* * *	* * *	* * *
Burma ²	20.11.1922	26. 2.1947

¹ See under Convention No. 1, introductory note.

² See footnote 3 to Convention No. 1.

LIST OF LEGISLATION AND ADMINISTRATIVE
REGULATIONS, ETC. (I)*Belgium.*

Act of 5 June 1928 relating to seamen's articles of agreement (L.S. 1928, Bel. 5 A).

Bulgaria.

Act of 1917, respecting the health and safety of workers (B.B., Vol. XIII, 1918, p. 26).

Canada.

Canada Shipping Act, 1934 (L.S. 1934, Can. 7).

Chile.

Legislative Decree No. 678 of 27 November 1925 concerning recruitment for the army and navy.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1), amended by Act. No. 5405 of 8 February 1934 (L.S. 1934, Chile 1 A).

Decree No. 1682 of 21 December 1935 to issue general Regulations concerning the registration of seamen.

Commercial Code, Book III, § 823.

Cuba.

Legislative Decree No. 592 of 16 October 1934 concerning, in particular, the compulsory medical examination of children and young persons employed at sea (L.S. 1934, Cuba 9).

Denmark.

Notification of 8 January 1938 (in force 1 March 1938) respecting medical examination of ships' crews, issued by the Ministry of Commerce, Industry and Shipping under § 1 (2) of the Ships Officers' and Engineers' Act of 28 February 1916, as subsequently amended, and § 26 (2) of the Seamen's Act of 1 May 1923.

Finland.

Seamen's Act of 8 March 1924 (L.S. 1924, Fin. 1), as amended by the Acts of 26 May 1925 (L.S. 1925, Fin. 2) and 11 May 1928 (L.S. 1928, Fin. 2).

Order of 19 September 1925 bringing the Convention into force.

Act of 4 June 1937 concerning the registration of seamen and the supervision of their engagement and discharge.

France.

Act of 13 December 1926 to issue a Seamen's Code (L.S. 1926, Fr. 13).

Legislative Decree of 19 March 1852 concerning the list of crew and the particulars regarding seagoing vessels and craft.

United Kingdom.

Merchant Shipping (International Labour Conventions) Act, 1925 (L.S. 1925, G.B. 5).

Greece.

Act No. 4674 of 12 May 1930 to ratify the Convention.

Circular of the Ministry of Marine of 23 May 1930 drawing attention to the provisions of the above Act.

Decree of 3 January 1937 concerning the management committees of seamen's employment exchanges and the working of these exchanges.

Hungary.

Act No. XVIII of 1928 ratifying the Convention.

Order No. 32043 of 1933 issued by the Minister of Commerce concerning, *inter alia*, the application of the above Act.

Ireland.

Merchant Shipping (International Labour Conventions) Act, 1933 (L.S. 1933, I.F.S. 2).

Italy.

Act No. 244 of 21 January 1934 to issue Regulations concerning the physical capacity of persons requesting registration or re-registration in the Seamen's Register, as well as of persons seeking employment on board vessels of the mercantile marine (former Royal Decree No. 1773 of 14 December 1933).

Mexico.

Political Constitution of the United States of Mexico, 1917.

Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).

Act of 30 December 1939 concerning general lines of communication.

Netherlands.

Labour Act, 1919, as subsequently amended (L.S. 1922, Neth. 1), amended by the Act of 14 June 1930 (L.S. 1930, Neth. 2 A).

Decree of 25 September 1933 to promulgate the text of the Labour Decree, 1920, as last amended by the Royal Decree of 12 July 1933 (L.S. 1933, Neth. 4).

Seamen's Decree (*Schepenlingenbesluit*) dated 15 May 1937 (L.S. 1937, Neth. 4); a Decree to issue public administrative Regulations as provided, *inter alia*, in § 451 d of the Commercial Code, amended by the Act of 14 June 1930 (L.S. 1930, Neth. 1).

Poland.

Act of 28 May 1920 concerning the Polish mercantile marine.

Order of the Minister of Trade and Industry, dated 20 August 1936, respecting the medical examination of persons employed on board merchant vessels.

Decree of 25 June 1946 respecting the scope and activities of the maritime and port health offices.

Sweden.

Royal Order No. 263 of 22 May 1925 concerning the standard of health and physique required of seamen before engagement for certain voyages.

Royal Order of 31 December 1917 relating to medical certificates for seamen, amended by the Royal Order No. 264 of 22 May 1925.

Uruguay

See under Convention No. 1, introductory note.

* * *

Burma.

Burma Merchant Shipping Act.

SUMMARY OF ADDITIONAL INFORMATION.

(II, IV, V, VI)

The *Belgian* Government refers to its report for 1944-1945 and adds that, before accepting any seaman for registration, the

maritime superintendent must ascertain that he has passed the prescribed medical examination. No decisions were given by courts of law. No observations have been made regarding the application of the Convention or the reports of the maritime superintendent.

The Government of *Bulgaria* states that, under the Act respecting the health and safety of workers, the employment of young persons under 18 years of age is entirely prohibited. For this reason, no regulations have been issued regarding compulsory medical examination.

Canada. See under Convention No. 15.

The Government of *Chile* states that, during the period under review, 111 apprentice posts were authorised. This number corresponds to the number of persons covered by the provisions of the Convention. No observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that there is no change in the position as outlined in its report for 1944-1945.

The Government of *Denmark* refers to its report for 1944-1945 and adds that neither the war nor other special circumstances have led to any lack of conformity between Danish legislation and the Convention.

The Government of *Finland* states that the general supervision of the application of the legislative provisions regarding work on board ships is entrusted to the shipping inspectors. No decisions were given by courts of law. No observations have been received from shipowners' or seafarers' organisations.

The Government of *France* states that the position in regard to this Convention has not changed during the period under review.

The Government of the *United Kingdom* states that, during the period under review, there has been no change in the position as stated in its report for 1944-1945.

The Government of *Greece* reports that the medical examinations are entrusted to medical commissions nominated specially for this purpose and that their work is supervised by the port authorities which issue maritime permits, certificates, etc.

The Government of *Hungary* states that no new legislation has been introduced. During the period under review, there have been no Hungarian ships at sea and even river traffic, for the most part, has been discontinued.

The Government of *Ireland* states there is no change in the position as outlined in its report for the period 1939-1940.

The Government of *Italy* repeats the information given in its report for 1944-1945 regarding the application of the various articles of the Convention. The application of the legislative provisions is entrusted to

the Ministry of Marine. The number of cases examined by the former through central and local committees amounts to 11.

Netherlands. See under Convention No. 2, introductory note.

The Government of *Poland* states that Articles 1, 2, and 3 of the Convention are applied under §§ 1, 2 and 5 of the Act of 28 May 1920. Under Article 4, the Government states that the national legislation does not provide for the possibility of engaging seamen without health certificates. Medical examinations are effected by the Maritime Health Office and the Port Health Offices attached to it. The organisation and scope of the Maritime and Port Health Offices are regulated by the Decree of 25 June 1946. No decisions by courts of law or other courts have come to the notice of the Government. No observations have been made by industrial organisations.

The Government of *Sweden* refers to its report for 1936-1937, as supplemented in certain cases by subsequent communications.

* * *

The Government of *Burma* states that Articles 1 to 4 of the Convention are applied under §§ 37 A and D of the Merchant Shipping Act. The administration of the Act is entrusted to the nautical adviser and principal officer, Mercantile Marine Department and shipping master, Rangoon. No breaches of the relevant legislation have been reported. No observations have been received from any organisation.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The *Belgian* Government states that local conditions in the *Belgian Congo* still justify the exclusion of the colony from the application of the Convention. Nevertheless, the medical examination before signing on is required under the Act of 5 July 1928.

The Government of the *United Kingdom* states that the following legislation has been enacted :

Mauritius.

Ordinance No. 43 of 1945.

Nigeria.

Labour Code Ordinance No. 54 of 1945, Chapter X, paragraph 172.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

Curaçao. See under Convention No. 15.

The Convention has not been published or promulgated in *Surinam* (see also under Convention No. 15). The possibility of instituting medical examinations for young persons will be given consideration in the near future.

SEVENTH SESSION (GENEVA, 1925)

17. Convention concerning workmen's compensation for accidents

This Convention came into force on 1 April 1927

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Austria	21. 8.1936	
Belgium	3.10.1927	25. 2.1947
Bulgaria	5. 9.1929	22. 3.1947
Chile	8.10.1931	15. 2.1947
Colombia	20. 6.1933	
Cuba	6. 8.1928	21. 2.1947
Hungary	19. 4.1928	14. 2.1947
Latvia	29. 5.1928	
Luxembourg	16. 4.1928	
Mexico	12. 5.1934	9. 9.1946
Netherlands	13. 9.1927	6. 2.1947
New Zealand	29. 3.1938	27. 3.1947
Nicaragua	12. 4.1934	
Poland	3.11.1937	19. 2.1947
Portugal	27. 3.1929	20. 1.1947
Spain	22. 2.1929	
Sweden	8. 9.1926	3. 2.1947
Uruguay ¹	6. 6.1933	21. 3.1947
Yugoslavia	1. 4.1927	

¹ See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Act of 23 July 1927 for the approval of the Convention published in the *Moniteur belge* of 19 November 1927.

Royal Decree of 28 September 1931 concerning the Act respecting compensation for injuries resulting from industrial accidents. Consolidated Acts of 24 December 1903, 3 August 1926, 15 May 1929, 30 December 1929 and 18 June 1930 (L.S. 1931, Bel. 9).

Legislative Order of 19 May 1945 concerning indemnity for industrial accidents causally connected with war, amended by Legislative Order of 5 July 1945.

Legislative Order of 9 June 1945 to modify the application of the legislation with regard to compensation for industrial accidents.

Bulgaria.

Act of 6 March 1924 respecting social insurance (L.S. 1924, Bulg. 1), amended and supplemented by the Acts of 2 February 1929 (L.S. 1929, Bulg. 1), 9 April 1931 (L.S. 1931, Bulg. 2), 25 June 1932 (L.S. 1932, Bulg. 4), 28 June 1933 (L.S. 1933, Bulg. 3), and the Legislative Decrees of 11 August 1934 (L.S. 1934, Bulg. 3 B), 5 January 1935 (L.S. 1935, Bulg. 1), 30 June 1936, 11 February 1937 and 26 August 1937.

Chile.

Chapter III of Legislative Decree No. 379 of 18 March 1925 concerning accident compensation (L.S. 1925, Chile 4).

Decree No. 238 of 31 March 1925 issuing Regulations under the preceding Legislative Decree, amended by Decree No. 1239 of 22 July 1930.

Decree No. 217 of 30 April 1926 to approve the amended Regulations respecting industrial hygiene and safety (L.S. 1926, Chile 2).

Decree No. 903 of 8 June 1927 concerning unclassified partial incapacity.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1).

Decree No. 655 of 25 November 1940 to issue new Regulations concerning industrial hygiene and safety.

Act No. 8198 of 14 September 1945 to amend the Sections of the Labour Code relating to compensation for industrial accidents.

Decree No. 8 of 2 January 1946 to approve the Regulations under Act No. 8198 of 14 September 1945.

Cuba.

Decree No. 2687 of 15 November 1933 to repeal and replace the Act of 12 June 1916 (L.S. 1933, Cuba 3 A), amended by Decrees Nos. 3156 and 3341 of 16 and 20 December 1933 respectively (L.S. 1933, Cuba 3 B and C).

Presidential Decree No. 223 of 31 January 1935 issuing Regulations under the Act concerning industrial accidents, amended by Presidential Decree No. 1653 and 1252 of 6 May and 27 June 1936 and No. 452 of 7 March 1938.

Decree No. 37 of 31 December 1937 and 1368 of 29 June 1938 concerning minimum premium scales.

Resolution No. 896 of 2 August 1945 concerning the reorganisation of the former Technical Board for the prevention of industrial accidents.

Resolutions Nos. 907 and 952 of 1945 and Decree No. 821 relating to the prevention of accidents.

Resolution No. 979 of 1946 respecting the administration of the social security scheme.

Resolution No. 986 of 1946 respecting the setting up of a Committee of officials of the Ministry of Labour to study the reorganisation of the financial and supervisory functions of the companies carrying insurance against employment injury.

Hungary.

Act No. XXI of 1927 respecting compulsory insurance against sickness and accidents (L.S. 1927, Hung. 1) amended by Orders Nos. 9090 of 29 December 1931 (L.S. 1931, Hung. 5), 9600 of 1932 (L.S. 1932, Hung. 4), 6000 of 1933 (L.S. 1933, Hung. 4), 6500 of 1935 (L.S. 1935, Hung. 2), and 1250 of 6 March

1936 (L.S. 1936, Hung. 4), as amended by Order No. 42. 150/1946 N.M. of 8 May 1946 to increase the amount of invalidity pensions under accident insurance.

Act No. XXIX of 1928 to embody the Convention in Hungarian legislation.

Act No. LXV of 1912 respecting pensions for State employees and their widows and orphans.

Mexico.

Political Constitution of the United States of Mexico, 1917.

Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).

Social Insurance Act of 31 December 1942 (L.S. 1942, Mex. 1).

Netherlands.

Act of 2 January 1901 respecting the statutory insurance of workers against the pecuniary consequences of accidents in specified industries; text of the Decree of 28 June 1921 promulgating the said Act, as amended and supplemented (L.S. 1921, Part II, Neth. 1), amended by the Acts of 2 July 1928 (L.S. 1928, Neth. 1 B), 7 February 1929 (L.S. 1929, Neth. 2 B), 18 July 1930 (L.S. 1930, Neth. 3 A), 23 May 1935 (*Staatsblad*, No. 304) and 17 July 1936 (*Staatsblad*, No. 800) (L.S. 1935, Neth. 3).

New Zealand.

Workers' Compensation Act, 1922, as amended by the Workers' Compensation Act, 1926 (L.S. 1926, N.Z. 2), and the Workers' Compensation Amendment Acts, 1936, 1943 and 1945.

Finance Act No. 2 of 1933 (§ 56).

Law Reform Act, 1936 (Parts III and VI).

Statutes Amendment Acts of 1939 (§ 70), 1940 (§ 61-62).

Various Orders, Rules and Regulations issued under the above Acts between 1939 and 1942.

Poland.

Act of 28 March 1933 respecting social insurance (L.S. 1933, Pol. 5) as amended by the Order of the President of 24 October 1934 (L.S. 1934, Pol. 4), the Decree of the President of 14 January 1936 (L.S. 1936, Pol. 1), the Acts of 11 January 1938, 29 March 1938, 9 April 1938 and 23 April 1938, the Decree of the Polish Committee of National Liberation of 23 October 1944 and the Decree of 29 September 1945 on the payment by the employers of the entire contribution to social insurance and the labour fund.

Order of the Minister of Social Assistance of 28 December 1933 respecting the procedure of declarations in the matter of social insurance, the payment of contributions and the control of the conduct of the employers.

Order of the Minister of Social Assistance of 14 January 1935 respecting the supervision of the establishment of social insurance and the abolition of regional insurance offices.

Order of the Minister of Labour and Social Assistance of 13 June 1946 respecting the provisional determination of the amount of pensions under social insurance.

Portugal.

Act No. 1942 of 27 July 1936 respecting the right to compensation for the consequences of industrial accidents or occupational diseases, amended by Legislative Decree No. 27165 of 10 November 1936 (L.S. 1936, Port. 2 A and B).

Decree No. 27649 of 12 April 1937 issuing Regulations concerning compensation for industrial accidents and occupational diseases under Act No. 1942 of 27 July 1936 (L.S. 1936, Port. 2).

Sweden.

Act of 17 June 1916 (B.B., Vol. XI, p. 267) respecting insurance against industrial accidents, as amended by the Acts of 14 June 1917, 26 April 1918, 19 June 1919, 18 June 1920, 15 June 1922 (L.S. 1922, Swe. 2), 23 May 1924 (L.S. 1924, Swe. 1 A), 18 June 1926 (L.S. 1926, Swe. 5), 24 May 1928 (L.S. 1928, Swe. 1), 14 June 1933 (L.S. 1933, Swe. 1), 26 June 1936 (L.S. 1936, Swe. 5), 11 June 1937 (L.S. 1937, Swe. 9), 10 March 1939 (L.S. 1939, Swe. 1), 17 November 1939 (L.S. 1939, Swe. 1), 28 June 1941 (L.S. 1941, Swe. 2), 19 December 1941 (L.S. 1941, Swe. 2), 19 May 1944, 18 May 1945 and Acts Nos. 350 and 493 of 29 June 1946.

Act of 29 June 1917 concerning the Insurance Council, amended by Act of 24 May 1918.

Royal Decree of 9 November 1928 respecting reports upon industrial accidents, etc., amended by the Decrees of 4 December 1930, 24 November 1932, 23 December 1937, 28 June 1941 and 15 June 1944.

Royal Decrees of 24 March 1938 respecting compensation for industrial accidents and occupational diseases for prisoners and inmates of penitentiary institutions, amended by Royal Orders of 18 July 1942 (Nos. 644 and 656).

Royal Decree of 10 June 1938 laying down special provisions relating to the application of these two Orders.

Act of 10 March 1939 concerning State insurance against war risks, amended by the Acts of 22 November 1940 and 12 June 1942.

Royal Decrees of 3 September 1939 laying down certain provisions relating to the application of the Act of 10 March 1939 concerning State insurance against war risks, amended by Royal Orders of 20 October 1939 and 3 December 1943.

Royal Decree of 30 June 1942 laying down certain provisions relating to the application of the Act on insurance against accidents to workers employed by the State, amended by Royal Decree of 22 June 1944.

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Belgium* refers to previous reports and adds that no decisions were given by courts of law. The report is accompanied by statistical information on industrial accidents for the years 1938-1940. Information under Point VI of the report form is contained in the quarterly report of the Government to the Legislative Chambers on the application of the Act relating to increased compensation for industrial accidents. A copy of this report will be forwarded to the International Labour Office. No observations have been received from employers' or workers' organisations.

The Government of *Bulgaria* states that the persons referred to under Article 2 (a) of the Convention are subject to the same insurance as that relating to all workers. As regards Article 2 (b), outworkers are not excluded if they are wage-earners. As regards Article 2 (c), members of the employer's family are excluded. With regard to Article 3, all workers are covered by insurance in case of accidents. With

regard to Article 4, the Government states that the legislation does not exclude agriculture. As regards Article 5, compensation is payable in the form of periodical payments in the case of an accident resulting in 40 per cent. reduction of working capacity. In regard to Article 6, compensation is payable in kind, and daily benefits are paid from the first day after the accident. In regard to Article 7, an insured worker whose working capacity is reduced by 100 per cent. is entitled to additional compensation. As regards Article 8, claims for compensation are reviewed at the request of the victim of an accident or *ex officio*. Article 9 of the Convention is fully applied. The provisions of Article 10 are applied by regulations. No provisions exist in the national legislation similar to those mentioned in Article 11.

No decisions were given by courts of law. The number of insured workers is 336,861. No details are available at the moment regarding cash benefits. Benefits in kind are the same as those under sickness and maternity insurance. No observations have been received from employers' or workers' organisations.

The Government of *Chile* states that decisions are given frequently which apply the principles of the Convention. The texts of ten such decisions accompany the report. Statistical data have been supplied for the year 1945. No observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that accident claims are brought before the ordinary courts. The Ministry of Labour, the Provincial Offices, and the General Directorate of Hygiene and Social Welfare are responsible for the application of the legislation. No decisions were given by courts of law. The report contains data supplied by the insurance companies. No observations have been received from employers' or workers' organisations.

The *Hungarian* Government states that, except as regards measures taken under Article 7 of the Convention, there have been no changes in the relevant legislation. In regard to Article 7, the Order of 8 May 1946 amends Act No. XXI of 1927 to provide that a person who, as the result of an accident, is incapacitated to such an extent that he is in need of the constant attendance of another person is entitled to a pension at double the regular rate.

The Government of *Mexico* refers to its previous reports and forwards statistical information relating to industrial accidents, covering the years 1940-1945, compiled by the Statistical Office, together with a copy of a report regarding a decision by the courts.

Netherlands. See under Convention No. 12.

The Government of *New Zealand* repeats the detailed information given in its report

for 1944-1945 regarding the application of the Convention. The national law is in general in agreement with the Convention.

Since the previous report, no recent accurate figures are available as to the number of workers covered by the legislation (see under Convention No. 1, for an estimate made at the end of 1943 of the workers covered). The report contains statistical information for the years 1939-1945 relating to premium incomes in connection with employers' liability and the claims paid in this connection, as well as statistics regarding compensation and the number of industrial accidents for the years 1939-1944. No exact estimate can be made regarding the total cost of the application of the relevant legislation. No observations have been received from employers' or workers' organisations.

The Government of *Poland* states that all workers under a contract of labour or of service, without distinction as to sex or age, are compulsorily insured against employment injuries and occupational diseases. Students, apprentices, probationers, members of the employer's family (not including his wife), homeworkers and persons working with them and prisoners who work are also covered.

The report contains detailed information regarding benefits in cash and kind payable to insured workers and the pensions payable to the survivors of victims of accidents. This information shows that the benefits paid are in accordance with the terms of the Convention. Accident insurance is administered through the Social Insurance Institution and 60 social insurance offices, which are autonomous bodies under the supervision of the Minister of Labour and Social Assistance through the Department of Social Insurance.

No decisions have been reported by courts of law. The Government adds that it is unable to supply statistical data in view of the many tasks which it has had to carry out since the liberation of the country. However, 2,888,424 persons in industry were insured against employment injuries on 31 July 1946. Figures are given showing the total cost of benefits in respect of accidents and old-age pensions. No observations have been received from employers' or workers' organisations.

The *Portuguese* Government refers to its report for 1940-1945 and adds that, during the period under review, no new measures have been taken with regard to the subjects covered by the Convention.

The Government of *Sweden* supplies the texts of two Acts of 29 June 1946, Nos. 350 and 493, amending the Act of 1916, as amended. Act No. 350 raises the benefit ceiling and Act No. 493 refers to the payment of premiums for insurance by the State Insurance Institution. Statistical data have been supplied.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

In *Curaçao*, the subjects dealt with by the Convention are completely covered by the Accident Regulations, 1936.

The Convention has not been published

or promulgated in *Surinam*. Draft Accident Regulations are before the legislature for consideration. These Regulations take into account the provisions of the Convention, with the exception of those laid down in Articles 7 and 10, which would weigh too heavily on the undertakings concerned.

For *New Zealand*, see under Convention No. 1.

18. Convention concerning workmen's compensation for occupational diseases

This Convention came into force on 1 April 1927

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Austria	29. 9.1928	
Belgium	3.10.1927	14. 2.1947
Bulgaria	5. 9.1929	22. 3.1947
Chile	31. 5.1933	15. 2.1947
Colombia	20. 6.1933	
Cuba	6. 8.1928	21. 2.1947
Czechoslovakia	19. 9.1932	26. 3.1947
Denmark	18. 6.1934	14. 3.1947
Finland	17. 9.1927	7. 2.1947
France	13. 8.1931	21. 2.1947
Germany	18. 9.1928	
United Kingdom ¹	6.10.1926	
Hungary ¹	19. 4.1928	
India	30. 9.1927	
Iraq	26.11.1938	24. 1.1947
Ireland ¹	25.11.1927	
Italy	22. 1.1934	12. 5.1947
Japan	8.10.1928	
Latvia	29.11.1929	
Luxembourg	16. 4.1928	
Netherlands ¹	1.11.1928	
Nicaragua	12. 4.1934	
Norway ¹	11. 6.1929	
Poland	3.11.1937	19. 2.1947
Portugal	27. 3.1929	20. 1.1947
Spain	29. 9.1932	
Sweden ¹	15.10.1929	
Switzerland	16.11.1927	15. 1.1947
Uruguay ²	6. 6.1933	21. 3.1947
Yugoslavia	1. 4.1927	
***	***	***
Burma ³	30. 9.1927	26. 2.1947

¹ See under Convention No. 42 (revised).

² See under Convention No. 1, introductory note.

³ See footnote 3 to Convention No. 1.

INTRODUCTORY NOTE

The Governments of *Hungary*, *Iraq* and *Norway* have ratified Convention No. 42 concerning workmen's compensation for occupational diseases (revised).

The Governments of the *United Kingdom*, *Ireland*, the *Netherlands* and *Sweden* have denounced this Convention and ratified Convention No. 42.

The information relating to the application of the revised Convention by the above countries is summarised under Convention No. 42.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Act of 24 July 1927 respecting compensation for injury caused by occupational diseases (L.S. 1927, Bel. 7).

Order of the Regent of 13 November 1944 supplementing the Royal Order of 22 December 1938 to issue the list of occupational diseases and specifying in respect of each the industries or occupations in which the victim is entitled to compensation (L.S. 1938, Bel. 8) supplemented by Order of the Regent of 17 August 1946 specifying the list of industries and occupations subject, as regards the risk of pneumoconiosis, to the Act of 24 July 1927 concerning compensation for injury caused by occupational diseases (L.S. 1944, Bel. 5).

Order of the Regent of 17 January 1945 fixing the rates of compensation to be paid during 1944 by heads of undertakings, subject to the Act of 24 July 1927 concerning compensation for injury caused by occupational diseases.

Order of the Regent of 30 May 1945 fixing the rates of compensation to be paid during 1944 by heads of undertakings in the lead and zinc industries, subject to the Act of 24 July 1927 concerning compensation for occupational diseases.

Order of the Regent of 27 October 1945 fixing the rates of compensation to be paid during 1945 by heads of undertakings subject to the Act of 24 July 1927 concerning compensation for injury caused by occupational diseases.

Ministerial Order of 27 October 1944 specifying the medical conditions that persons suffering from pneumoconiosis must satisfy in order to be entitled to compensation for occupational diseases.

Ministerial Order of 6 December 1944 supplementing the Order of 5 May 1939 specifying the classes of workers exposed to occupational diseases in respect of which compensation is payable, amended by Ministerial Order of 6 December 1944.

Various Orders and Legislative Decrees issued in 1945 and 1946 amending and supplementing existing legislation.

Bulgaria.

Act of 6 March 1924 respecting Social Insurance (L.S. 1924, Bulg. 1), amended and supplemented, *inter alia*, by Legislative Decree of 5 January 1935 (L.S. 1935, Bulg. 1).

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1).
Decree No. 581 of 21 April 1927 concerning occupational diseases (L.S. 1927, Chile 2).
Decree No. 655 of 25 November 1940 to issue new Regulations concerning industrial hygiene and safety.

Act No. 8198 of 14 September 1945 to amend the Sections of the Labour Code relating to compensation for industrial accidents and occupational diseases (L.S. 1945, Chile 1), amended by Decree No. 8 of 2 January 1946, to issue Regulations under the Act of 14 September 1945.

Cuba.

§ 65 of the Constitution (L.S. 1940, Cuba 1).
Decree No. 2687 of 15 November 1933 to repeal and replace the Act of 12 June 1916 on industrial accidents (L.S. 1933, Cuba 3 A), amended by Decrees Nos. 3156 and 3341 of 16 and 30 December 1933 respectively (L.S. 1933, Cuba 3 B and C) and Legislative Decree No. 596 of 18 February 1936 (L.S. 1936, Cuba 1).
Presidential Decree No. 223 of 31 January 1935 issuing Regulations under the Act concerning industrial accidents amended by Presidential Decrees Nos. 1252 and 1633 of 6 May and 6 June 1936.
Legislative Decree No. 596 of 1936 respecting industrial accidents (L.S. 1936, Cuba 1).

*Czechoslovakia :**Bohemia, Moravia, Silesia.*

Act No. 99 of 1 June 1932, concerning workmen's compensation for occupational diseases (L.S. 1932, Cz. 1).
Government Order No. 36 of 25 February 1938, to supplement the schedule appended to the Act of 1 June 1932.

Slovakia.

Act No. 33 of 4 March 1942 to repeal and replace Acts Nos. 99 of 1 June 1932 and 78 of 8 April 1938 and Government Order No. 36 of 22 February 1938.

Denmark.

Act of 20 May 1933 concerning insurance against the consequences of accidents (L.S. 1933, Den. 5), as amended by the Act of 13 April 1938 (L.S. 1938, Den. 6).

Finland.

Act of 12 May 1939 respecting compensation for occupational diseases, to repeal the Act of 12 April 1935 respecting compensation for certain occupational diseases and for inflammation consequent upon friction caused by implements (L.S. 1935, Fin. 2).

France.

Act of 31 January 1931 to amend and supplement the Act of 25 October 1919 (L.S. 1920, Fr. 7) to extend to industrial diseases the Act of 9 April 1898 respecting industrial accidents (L.S. 1931, Fr. 1).

Decrees of 10 November 1942 and 13 July 1945 to amend and supplement the schedule of occupational diseases.

Ordinance of 2 August 1945 to add silicosis to the list of occupational diseases and to add a new item to the tables appended to the Act of 25 October 1919.

Ordinance No. 45-2250 of 4 October 1945 to reorganise the social security system.

Act No. 46-2426 of 30 October 1946 to replace the Ordinance of 19 October 1945 and to establish a new system for the prevention of industrial accidents and occupational diseases.

United Kingdom.

See introductory note.

Hungary.

See introductory note.

Iraq.

See introductory note.

Ireland.

See introductory note.

Italy.

Royal Decree No. 1765 of 17 August 1935 to issue new provisions for compulsory insurance against occupational accidents and diseases (L.S. 1935, It. 8), and repealing Royal Decree No. 928 of 13 May 1929 instituting insurance against occupational diseases and also the Regulations issued thereunder approved by Royal Decree No. 1665 of 5 October 1933.

Royal Decree No. 2276 of 15 December 1936 to supplement Royal Decree No. 1765 of 17 August 1935 concerning compulsory insurance against industrial accidents and occupational diseases.

Royal Decree No. 200 of 25 January 1937 approving the Regulations for the enforcement of Royal Decrees No. 1765 of 17 August 1935 and No. 2276 of 15 December 1936 concerning compulsory insurance against industrial accidents and occupational diseases.

Royal Decree No. 2012 of 5 November 1937 containing Regulations for giving effect to the provisions of Royal Decree No. 1765 of 17 August 1935 concerning disputes relating to insurance for industrial accidents and occupational diseases.

Act No. 1012 of 1 June 1939 amending Royal Decree No. 1765 of 17 August 1935 concerning compulsory insurance against industrial accidents and occupational diseases (L.S. 1939, It. 3).

Ministerial Decree of 16 February 1938 approving the table of coefficients for the calculation of the present capital values of disability pensions and survivors' pensions.

Royal Decree No. 1054 of 10 March 1938 containing provisions concerning the liquidation of compensation and pensions for industrial accidents and occupational diseases to the established and temporary staff of the State railways and for the settlement of disputes in this connection.

Ministerial Decree of 19 January 1939 concerning insurance for industrial accidents and occupational diseases of the salaried employees of State administrations.

Legislative Decree No. 238 of 19 April 1946 to determine the amount of wages to be taken into account in calculating premiums and benefits for temporary incapacity under compulsory insurance for accidents and occupational diseases.

Provisional Legislative Decree No. 202 of 23 August 1946 to declare as an Act the Administrative Regulations of June 1942 respecting increases in benefits under compulsory insurance for industrial accidents and occupational diseases.

Netherlands.

See introductory note.

Norway.

See introductory note.

Poland.

Act of 28 March 1933 on social insurance (L.S. 1933, Pol. 5), amended by Legislative Decree

of 24 October 1934 (L.S. 1934, Pol. 4), as subsequently amended in 1936, 1938, 1944 and 1945.

Order of the Minister of Social Assistance of 28 December 1933 concerning the procedure relative to social insurance, the payment of subscriptions by and the control of the procedure adopted by employers.

Order of the Minister of Social Assistance of 14 January 1935 respecting the scope of the control of the Social Assistance Institution in relation to the social insurance offices and the suppression of regional insurance offices.

Order of the Minister of Social Assistance of 28 December 1933 concerning the procedure relative to benefits for industrial accidents with relation to occupational diseases.

Order of the Council of Ministers dated 29 September 1937 concerning the extension of the schedule of occupational diseases subject to workmen's compensation for accidents and occupational diseases.

Order of the Minister of Labour and Social Assistance of 13 June 1946 to establish provisional rates in premiums under social insurance.

Portugal.

Act No. 1942 of 27 July 1936 respecting the right to compensation for the consequence of industrial accidents or occupational diseases, amended by Legislative Decree No. 27165 of 10 November 1936 (L.S. 1936, Port. 2 A and B).
Legislative Decree No. 23053 of 23 September 1933 to set up a National Labour and Provident Institution (L.S. 1933, Port. 8).

Legislative Decree No. 24363 of 15 August 1934 to supersede Legislative Decree No. 24194 concerning the procedure and work of the labour courts (L.S. 1934, Port. 3).

Legislative Decree No. 27649 of 12 April 1937, issuing Regulations relative to compensation for industrial accidents and occupational diseases provided for under Act No. 1942 of 27 July 1936 (L.S. 1936, Port. 2).

Sweden.

See introductory note.

Switzerland.

Federal Act of 13 June 1911 respecting sickness and accident insurance (summary in B.B., Vol. VII, 1912, p. CXXXIV), amended and supplemented by the Federal Acts of 18 June 1915 and 9 October 1920 (L.S. 1920, Switz. 7).

Orders No. 1 of 25 March 1916, No. 1 *bis* of 20 August 1920 (L.S. 1920, Switz. 8), No. 1 *ter* of 8 December 1922, No. 1 *quater* of 8 November 1927 (L.S. 1927, Switz. 3 B) and No. 1 *quinquies* of 25 February 1936 respecting accident insurance.

Order No. II of 3 December 1927 respecting accident insurance.

Order No. III of 2 March 1928 respecting accident insurance (L.S. 1928, Switz. 1).

Federal Decree of 28 March 1917 respecting the organisation of the Federal Insurance Court and the procedure to be followed before the Court.

Order of the Federal Council of 4 December 1944 for the prevention of silicosis in the construction of tunnels and galleries and in mines.

Order No. I of the Federal Department of Public Economy of 23 December 1944 for the prevention of silicosis in the construction of tunnels and galleries and in mines.

Order of the Federal Council of 9 February 1945 concerning accident insurance (to take into account increases in wages).

Uruguay.

See under Convention No. 1, introductory note.

Burma.

Workmen's Compensation Act, 1923 (L.S. 1923, Ind. 1), as amended by Acts Nos. 29 of 1926 (L.S. 1926, Ind. 3 a), 5, of 1929 (L.S. 1929, Ind. 3), and the Act of 9 September 1933 (L.S. 1933, Ind. 2).

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Belgium* states that, during the period under review, two Legislative Decrees were issued to amend certain provisions of the Act of 24 July 1927. The Legislative Decree of 20 September 1945 lays down various provisions relating to matters not covered by the Act, while the Legislative Decree of 7 November 1946 extends to homeworkers the benefits provided under the Act. In regard to Article 1 of the Convention, the Government states that compensation to workers who are victims of industrial accidents, is no longer limited to workers whose remuneration does not exceed 18,000 francs, but is granted irrespective of the amount of remuneration. Handicraft workers, who are generally unable to submit proof of service with an employer, will in future benefit from the provisions of the legislation. Indemnities are provided for workers who are judged as unfit by medical practitioners responsible for supervising the health of workers. The provisions relating to benefits are extended to compensation for permanent working incapacity caused by occupational diseases, but occurring prior to the inclusion of the disease in the list of occupational diseases under the Act of 24 July 1927.

A Welfare Fund for victims of occupational diseases has been set up and is entrusted with the application of the legislation. The officials responsible for supervising compliance with the legislation are the medical practitioners for the protection of workers. No information is at present available regarding decisions by courts of law. No observations have been received from employers' or workers' organisations.

The Government of *Bulgaria* states that occupational diseases are subject to the same treatment and compensation as industrial accidents. No decisions were given by courts of law. No observations have been received from employers' or workers' organisations.

The Government of *Chile* refers to previous reports and adds that Decree No. 8 of 2 January 1946 approved Act. No. 8198 of 14 September 1945. No statistical data are available. During the period under review, 583 cases occurred and, according to the reports of the inspection services, compensation in respect of them was satisfactorily settled. Decisions are given fairly frequently by courts of law. The texts of several such decisions accompany the report. No observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that the authorities responsible for the application of the relevant legislation are the Minister of Labour and the ordinary courts of law. No decisions whatever were given by courts of law. According to available information, no benefits have been paid.

In a detailed report, the Government of *Czechoslovakia* gives, under Article 1 of the Convention, a brief analysis of the general principles of the relevant legislation and the benefits and rates of compensation for industrial accidents in *Bohemia*, *Moravia* and *Silesia*. Details are also given regarding compensation for industrial accidents in *Slovakia*, which is granted under the provisions of Act No. XIX of 1907, as amended and supplemented by subsequent legislation.

In regard to Article 2 of the Convention, the Government states that, in *Bohemia*, *Moravia* and *Silesia*, the schedule contained in the Convention has not only been included in the legislation, but has been enlarged considerably. In *Slovakia*, the provisions of Act No. 33 of 4 March 1942 are in harmony with the provisions of the Convention.

The authorities responsible for the application of the relevant legislation are: in *Bohemia*, *Moravia* and *Silesia*, the autonomous provincial accident insurance institutions in Praha and Brno, under the supervision of the Ministry of Social Welfare; in *Slovakia*, the industrial accident department of the Central Social Insurance Institution in Bratislava. Supervision of the administration of the Act is entrusted to the Slovak Commissioner for Social Welfare. The District Labour Boards, under the Slovak Commissioner for Social Welfare, are entrusted with the task of ensuring compliance with the relevant legal provisions.

No decisions were given by courts of law or other courts. The Government adds that it is only possible to supply incomplete statistical information relating to *Bohemia*.

The Government of *Denmark* refers to previous reports and adds that no decisions were given by courts of law.

The Government of *Finland* states that the Act of 12 May 1939 contains all the necessary provisions relating to compensation. The list of occupational diseases for which compensation is granted not only includes all the diseases mentioned in the Convention, but also several others. No decisions were given by courts of law. The report contains statistical information supplied by the insurance companies and by the State Accident Insurance Institution during the years 1938-1942.

The Government of *France* states that the Decrees of 10 November 1942 and 13 July 1945 revise and add new tables to the schedule of occupational diseases. Under the Ordinance of 2 August 1945, occupational silicosis is added to the number of occupational diseases. In view of the special

conditions attaching to the development of silicosis, the Ordinance of 2 August 1945 (supplementing the Act of 25 October 1919) fixed the period of liability at five years (and at ten years for workers who, at the date on which the Ordinance came into operation, had ceased to be employed for more than five years in work exposing them to the risk). The report also contains detailed information regarding compensation for silicosis. Table No. 4, appended to the Act of 25 October 1919, relating to occupational benzene poisoning, is now under consideration with a view to bringing it into harmony with recently collected medical documentation.

Ordinance No. 45-2250 of 4 October 1945 relating to the organisation of social security includes, under this subject, insurance against industrial accidents, with effect from 1 January 1947. Act No. 46/2426 of 30 October 1946, which replaces the Ordinance of 19 October 1945 (establishing a preliminary codification of former texts relating to compensation for industrial accidents and occupational diseases), establishes an entirely new system for the prevention and compensation of industrial accidents and occupational diseases. Under this Act, compensation will be granted in respect of accidents and diseases which have occurred since 1 January 1947.

The Government forwards reports for the period 1939-1941 inclusive on the application of the Act of 25 October 1919 relating to occupational diseases. The reports covering the years 1942-1945 are now being printed and will be forwarded at a later date.

United Kingdom. See introductory note.

Hungary. See introductory note.

Iraq. See introductory note.

Ireland. See introductory note.

The Government of *Italy* refers to two Legislative Decrees enacted in 1946 and repeats the information given in its report for 1944-1945 regarding the application of the Convention.

Supervision of the enforcement of the provisions of the national legislation giving effect to the Convention is assigned to the Ministry of Labour and Social Welfare, through the labour inspectors. No decisions were given by courts of law. No observations have been received from employers' or workers' organisations.

Netherlands. See introductory note.

Norway. See introductory note.

The Government of *Poland* states that benefits under insurance for occupational diseases are the same as those accorded for industrial accidents, and entitle the victims to the same rights. The legislation covers all the diseases enumerated in the Convention and other diseases included under the Ordinance of 29 September 1937. The pension accorded to an injured person,

increased by a supplement for children (10 per cent. of the basic amount of calculation for each child), may not exceed the basic amount of calculation. The Social Insurance Institution, under the Minister of Labour and Social Assistance, is entrusted with the application of the relevant legislation. No decisions were given by courts of law. No observations have been received from employers' or workers' organisations.

The Government of *Portugal* refers to its report for 1940-1945 and adds that, during the period under review, no new measures have been taken to give effect to the provisions of the Convention.

Sweden. See introductory note.

The Government of *Switzerland* refers to its report for the period 1 October 1932 to 30 September 1933 and adds that no new legislation has been enacted during the period under review.

During the period 1945-1946, the Swiss National Accident Insurance Fund registered the following cases: *lead poisoning*: 39 cases (including 2 fatal). These 39 cases cost: (a) 21,858 francs for unemployment benefits; (b) 16,967 francs for medical expenses; (c) 40,364 francs for survivors' pensions (capital value). *Mercury poisoning*: 52 cases (2 with invalidity pension). These 52 cases cost: (a) 52,624 francs for unemployment benefits; (b) 25,372 francs for medical expenses; (c) 47,273 francs for invalidity pensions (capital value).

During the period under review, the discussions with the Swiss National Accident Insurance Institute, which were undertaken with a view to adapting the Swiss list of harmful substances to the list contained in the Convention, have not been

continued. There has been no change in the legislation applying the Convention. Decisions by courts of law and other courts are published in the "Collection of Awards by the Federal Insurance Tribunal", a copy of which has been forwarded to the International Labour Office.

* * *

The Government of *Burma* states that the general provisions of the legislation relating to compensation for industrial accidents are contained in § 3 of the Workmen's Compensation Act. The report contains a list of occupational diseases and processes under Article 2 of the Convention. Figures are given relating to the compensation payable in certain cases. The rate of compensation for occupational diseases is the same as that for industrial accidents. Commissioners for workmen's compensation are appointed in each district for the settlement of all claims under the Workmen's Compensation Act. The general administration of the Act is entrusted to the Director of Labour, assisted by the Labour Officer (Workmen's Compensation). No decisions were given by courts of law. During the period under review, there have been no claims for compensation. Apart from some mines or one or two match factories, there are few factories in Burma in which the processes mentioned in the schedule are carried on.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* states that, owing to local conditions, the provisions of the Convention are not applicable to the *Belgian Congo* or to mandated territories.

19. Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents

This Convention came into force on 8 September 1926

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received	Countries	Date of registration of ratification	Reports received
Austria	29. 9.1928		Latvia	29. 5.1928	
Belgium	3.10.1927	25. 4.1947	Lithuania	28. 9.1934	
Bulgaria	5. 9.1929	22. 3.1947	Luxembourg	16. 4.1928	
Chile	8.10.1931	15. 2.1947	Mexico	12. 5.1934	9. 9.1946
China	27. 4.1934		Netherlands	13. 9.1927	6. 2.1947
Colombia	20. 6.1933		Nicaragua	12. 4.1934	
Cuba	6. 8.1928	21. 2.1947	Norway	11. 6.1929	
Czechoslovakia	8. 2.1927	26. 3.1947	Peru ¹	8.11.1945	5. 4.1947
Denmark	31. 3.1928	14. 3.1947	Poland	28. 2.1928	19. 2.1947
Estonia	14. 4.1930		Portugal	27. 3.1929	20. 1.1947
Finland	17. 9.1927	7. 2.1947	Spain	22. 2.1929	
France	4. 4.1928	21. 2.1947	Sweden	8. 9.1926	3. 2.1947
Germany	18. 9.1928		Switzerland	1. 2.1929	15. 1.1947
United Kingdom	6.10.1926	24. 2.1947	Union of South Africa	30. 3.1926	
Greece	30. 5.1936	24. 3.1947	Uruguay ¹	6. 6.1933	21. 3.1947
Hungary	19. 4.1928	14. 2.1947	Venezuela	20.11.1944	
India	30. 9.1927		Yugoslavia	1. 4.1927	
Iraq	30. 4.1940	24. 1.1947	* * *	* * *	* * *
Ireland	5. 7.1930	21. 2.1947	Burma ²	30. 9.1927	26. 2.1947
Italy	15. 3.1928	12. 5.1947			
Japan	8.10.1928				

¹ See under Convention No. 1, introductory note.

² See footnote 3 to Convention No. 1.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Royal Order of 28 September 1931 concerning the Act respecting compensation for injuries resulting from industrial accidents (Consolidated Acts of 24 December 1903, 3 August 1926, 15 May 1929, 30 December 1929 and 18 June 1930) (L.S. 1931, Bel. 9).

Bulgaria.

Act of 6 March 1924 respecting social insurance (L.S. 1924, Bulg. 1), amended and supplemented by the Legislative Decrees, of 5 January 1935 (L.S. 1935, Bulg. 1) and 26 August 1937.

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1), amended by Act No. 5405 of 8 February 1934 (L.S. 1934, Chile 1 A).

Chapter III of Legislative Decree No. 379 of 18 March 1925 relating to industrial accidents (L.S. 1925, Chile 4).

Decree No. 238 of 31 March 1925 to issue Regulations in application of the preceding Legislative Decree, amended by Decree No. 1239 of 22 July 1930.

Decree No. 217 of 30 April 1926 to approve the Regulations respecting industrial hygiene and safety (L.S. 1926, Chile 2).

Decree No. 581 of 21 April 1927 concerning occupational diseases (L.S. 1927, Chile 2).

Decree No. 903 of 8 June 1927 relating to unclassified partial incapacity.

Decree No. 655 of 25 November 1940 issuing new Regulations concerning industrial hygiene and safety and supplementing previous legislation in this connection.

Act No. 8198 of 14 September 1945 to amend certain provisions of the Labour Code relating to compensation for industrial accidents.

Decree No. 8 of 2 January 1946 to approve the Regulations under the above-named Act.

Cuba.

Decree No. 2687 of 15 November 1933, to repeal and replace the Act of 12 June 1916 (L.S. 1933, Cuba 3 A), amended by Decrees Nos. 3156 and 3341 of 16 and 30 December respectively (L.S. 1933, Cuba 3 B and C).

Czechoslovakia.

Act of 28 December 1887, No. 1 of the Imperial Code of 1888 respecting workers' accident insurance, with the subsequent amending Acts, applicable to the Province of Bohemia and the Moravian-Silesian Province.

Hungarian Act No. XIX of 1907 respecting accident and sickness insurance for workers in industry and commerce (B.B., Vol. II, 1907, p. 269), as amended by subsequent Acts in force for the territories of Slovakia and Sub-Carpathia.

Hungarian Act No. XVI of 1900 respecting accident insurance for agricultural workers and servants, as amended by subsequent Acts in force for the territories of Slovakia and Sub-Carpathia.

Legislative principles issued by the Czechoslovak Republic to supplement the basic legislation mentioned above.

Statutory Order of 21 December 1943 to amend and supplement the Act relating to industrial accident insurance for Bohemia, Moravia and Silesia.

Order No. 28 of 24 March 1939 concerning compulsory accident insurance for forestry workers in Slovakia.

Act No. 15 of 4 February 1943 to amend and supplement the legislation concerning acci-

dent insurance for persons employed in industry and commerce in Slovakia.

Presidential Decree No. 11 of 3 August 1944 (as amended and supplemented by Act No. 12 of 19 December 1945) to declare in operation for a short transitional period certain legislation issued in Bohemia, Moravia and Silesia during the period of occupation. Various Acts, Orders and Regulations issued in Slovakia during the period 1939-1945.

Denmark.

Act of 20 May 1933 concerning insurance against the consequences of accidents (L.S. 1933, Den. 5), as amended by the Act of 13 April 1938 (L.S. 1938, Den. 6).

Finland.

Act of 12 April 1935 respecting the insurance of wage-earning employees against accidents (L.S. 1935, Fin. 1), amended by Acts of 14 December 1935 and 1 September 1944.

Order of 25 October 1935 concerning the application of the Act respecting the insurance of wage-earning employees against accidents, as amended by Order of 29 December 1944.

Resolution of the Council of Ministers of 25 October 1935 concerning the application of the Act of 12 April 1935 to works undertaken by the State.

Act of 12 April 1935 concerning the right of civil servants and other employees of the State to compensation for accidents.

Resolution of the Council of Ministers of 25 October 1935 respecting the application of the above Act.

Act of 12 April 1935 respecting compensation for accidents occurring in the course of life saving.

Order of 25 October 1935 concerning the application of the above Act.

Act of 12 May 1939 respecting occupational diseases (L.S. 1939, Fin. 3).

Act of 8 February 1946 respecting the increase in the amount of compensation provided by the Acts respecting accident insurance for wage-earning employees.

Various Resolutions and Orders issued in 1945-1946 relating to increases in the amounts for compensation benefits.

France.

Act of 30 March 1928 for the ratification of the Draft Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents.

Decree of 16 May 1928 promulgating the Convention.

Act of 2 May 1933 to make the accident insurance corporations responsible for the cost of the vocational retraining of persons disabled in industry who are entitled to a pension on account of their injuries or infirmities under the terms of the Social Insurance Code in force in the departments of the Upper and Lower Rhine and of the Moselle.

Publication in the *Official Journal* of the French Republic of the names of countries which have ratified the Convention and the date of its coming into force in respect of their nationals (*i.e.* the date of registration of ratification by the different States at the Secretariat of the League of Nations).

Act of 24 October 1940 respecting compensation for industrial accidents resulting from acts of war (L.S. 1940, Fr. 5 B), amended by the Acts of 12 July 1941 (L.S. 1941, Fr. 13) and 31 December 1942.

Act of 24 December 1940 respecting the maintenance of the guarantee fund provided under § 24 of the Act of 9 April 1898 concerning industrial accidents.

Act of 11 September 1941 relating to the provision of appliances for persons disabled in

- industry, validated by the Ordinance of 17 November 1944 (L.S. 1944, Fr. 12 B).
- Act of 15 February 1942 to institute a priority card for the benefit of persons disabled in industry, validated by the Ordinance of 17 November 1944 (L.S. 1944, Fr. 12 B).
- Act of 3 April 1942 to grant increases and allowances to the victims of industrial accidents or to their survivors.
- Decree of 26 August 1942 to extend to Algeria the Act of 15 February 1942.
- Act of 31 December 1942 to amend § 12 of the Act of 9 April 1898 respecting industrial accidents.
- Act of 15 March 1944 to amend the Act of 13 December 1922 respecting the maintenance of the guarantee fund provided for under § 24 of the Act of 9 April 1898 relating to industrial accidents.
- Act of 3 July 1944 to lay down certain details with regard to labour legislation as regards unsalaried branch managers of retail food shops.
- Ordinance of 17 November 1944 to validate the enactments relating to industrial accidents promulgated since 16 June 1945 (L.S. 1944, Fr. 12).
- Decree of 15 December 1944 to lay down conditions for the application of the Ordinance respecting compensation for industrial accidents resulting from acts of war (L.S. 1944, Fr. 10).
- Ordinance No. 45-1547 of 13 July 1945 to readjust the pensions and allowances of certain categories of victims of industrial accidents or their survivors.
- Order No. 45-2251 of 4 October 1945 to adapt the system for industrial accidents in the Departments of the Upper Rhine, the Lower Rhine and the Moselle to the system in force in other Departments.
- Various Ordinances, Decrees and Orders enacted during 1944 to 1946.

United Kingdom :

Great Britain.

- Workmen's Compensation Acts 1925 (L.S. 1925, G.B. 3) and 1926 (L.S. 1926, G.B. 10).
- Workmen's Compensation (Transfer of Funds) Act, 1927 (L.S. 1927, G.B. 2 A).
- Workmen's Compensation (Silicosis and Asbestosis) Act, 1930 (L.S. 1930, G.B. 7).
- Workmen's Compensation Act, 1931, amending § 9 (4) of the Workmen's Compensation Act of 1925 (L.S. 1931, G.B. 4).
- Workmen's Compensation (Coal Mines) Act, 1934 (L.S. 1934, G.B. 2).
- The Adoption of Children (Workmen's Compensation) Act, 1934.
- Workmen's Compensation (Amendment) Act, 1938 (L.S. 1938, G.B. 4).
- Act of 1938 to amend §§ 3 (1) and 5 (2) of the Workmen's Compensation Act of 1925.
- Workmen's Compensation (Supplementary Allowances) Act, 1940 (L.S. 1940, G.B. 4).
- Part II of the National Health Insurance, Contributory Pensions and Workmen's Compensation Act, 1941 (L.S. 1941, G.B. 2).
- Workmen's Compensation (Temporary Increases) Act, 1943 (L.S. 1943, G.B. 1 B).
- Various Orders and Regulations covering workmen's compensation.

Northern Ireland.

- Workmen's Compensation Act (Northern Ireland), 1931.
- Workmen's Compensation (Amendment) Act (Northern Ireland), 1941.
- Workmen's Compensation (Temporary Increases) Act (Northern Ireland), 1943.

Greece.

- Royal Decree of 24 July 1920 respecting the codification of the Acts respecting liability for

payment of compensation to wage-earning or salaried employees who are victims of accidents (L.S. 1923, Gr. 1, appendix), amended in particular by the Legislative Decree of 20 January 1923 (L.S. 1923, Gr. 1).

Decree of 23 March 1925 consolidating in a single text the laws concerning assistance to persons who are victims of accidents in mining and metallurgical undertakings and their families (L.S. 1925, Gr. 6), amended subsequently.

Act No. 6298 of 24 September 1934 respecting social insurance (L.S. 1934, Gr. 7).

Legislative Decree of 30 October 1935 to ratify the Convention.

Act No. 649 of 1937 respecting liability for payment of compensation to victims of accidents in public works undertakings.

Ministerial Decree No. 10703 of 1937 to approve the Regulations respecting the method of affiliation to insurance and the recovery of contributions by the Social Insurance Institution.

Order No. 28290/1938 regulating the position of foreigners temporarily residing in Greece.

Hungary.

Act XXXI of 1928, incorporating the Convention in Hungarian legislation.

Act XXI of 1927, concerning compulsory sickness and accident insurance (L.S. 1927, Hung. 1), as amended by Orders No. 9090 of 29 December 1931 (L.S. 1931, Hung. 5), No. 9600 of 15 December 1932 (L.S. 1932, Hung. 4), No. 6000 of 2 June 1933 (L.S. 1933, Hung. 4), No. 6500 of 21 June 1935 (L.S. 1935, Hung. 2), and No. 1250 of 6 March 1936 (L.S. 1936, Hung. 4), and Orders issued under Act XXXI of 1928 containing provisions relating to the application of the Convention to industry, commerce, mines and communications.

Act XVI of 1900 relating to agricultural workers subject to compulsory accident insurance and the Regulations having force of law which amend and supplement the Act.

Order No. 2830/1932 of the Council of Ministers, dated 10 May 1932, to lay down the conditions as to claims arising out of certain industrial accidents (L.S. 1932, Hung. 5).

Iraq.

Labour Law No. 72 of 1936, Article 19, amended by Law No. 36 of 1942, Article 11.

Ireland.

Act No. 9 of 22 March 1934 to consolidate and amend the law relating to compensation to workmen for injuries suffered in the course of their employment (L.S. 1934, I.F.S. 1).

Workmen's Compensation Act, 1934 (Industrial Diseases), Order of 28 July 1934, pursuant to § 76 of the above Act (L.S. 1934, I.F.S. 2).

Workmen's Compensation Act, 1934 (Confirmation of Provisional Arrangements), Order 1941.

Italy.

§ 3 of the Civil Code.

Codified text, No. 51, dated 31 January 1904, of the Acts relating to occupational accidents (L.S. 1921, It. 1), as amended, in particular by Legislative Decrees No. 2051 of 5 December 1926 (L.S. 1926, It. 1 C) and No. 264 of 23 March 1933 (L.S. 1933, It. 2 A).

Legislative Decree No. 1450 of 23 August 1917 concerning compulsory insurance against accidents in agriculture (B.B., French ed., Vol. XVII, 1918, p. 9).

Act No. 851 of 22 June 1933 to co-ordinate and supplement the measures taken to decrease the causes of malaria (L.S. 1933, It. 6).

Royal Decree No. 2276 of 15 December 1936 to issue additional provisions respecting

compulsory insurance against industrial accidents and occupational diseases.
Act No. 2159 of 26 December 1936 to adjourn until 1 April 1937 the coming into force of the above-named Decree.

Mexico.

Political Constitution of the United States of Mexico of 1917.
Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).

Netherlands.

Act of 2 January 1901 respecting the statutory insurance of workers against the pecuniary consequences of accidents in specified industries, text published in the Decree of 28 June 1921 promulgating the Act, as amended and supplemented (L.S. 1921, Part II, Neth. 1), amended by the Acts of 2 July 1928 (L.S. 1928, Neth. 1 B), 7 February 1929 (L.S. 1929, Neth. 2 B), 18 July 1930 (L.S. 1930, Neth. 3 A) and 14 July 1936 (L.S. 1936, Neth. 1).
Act of 29 November 1907 promulgating the treaty concluded on 27 August 1907 between Germany and the Netherlands respecting accident insurance.
Decree of 18 May 1915 promulgating the treaty concluded on 30 May 1914 between Germany and the Netherlands supplementing the treaty of 27 August 1907.
Decreets of 4 July 1922, 22 May 1926 and 16 April 1928 promulgating the treaties concluded with Belgium, Norway and Denmark respecting accident insurance.
Act of 3 December 1927 approving the treaty concluded on 27 January 1937 between the Netherlands and Switzerland respecting insurance against industrial accidents (L.S. 1937, Int. 7).
Decree of 16 February 1938 promulgating the treaty concluded on 27 January 1937 between the Netherlands and Switzerland respecting insurance against industrial accidents.

Peru.

See under Convention No. 1, introductory notes.

Poland.

Act of 6 July 1923, to extend the legal provisions respecting workmen's compensation for industrial accidents, invalidity, old age, death and unemployment, to the nationals of other States (L.S. 1923, Pol. 3 A).
Act No. 63 of 1928 to ratify the Convention.
Act of 28 March 1933 concerning social insurance (L.S. 1933, Pol. 5), amended by the Decree of the President of the Republic of 24 October 1934 (L.S. 1934, Pol. 4), superseding the previous Acts which dealt with the questions regulated by it.

Portugal.

Act No. 1942 of 27 July 1936 respecting the right to compensation for injury resulting from industrial accidents or occupational diseases (L.S. 1936, Port. 2).
Decree No. 27649 of 12 April 1937 issuing Regulations concerning compensation for industrial accidents and occupational diseases under Act No. 1942 of 27 July 1936 (L.S. 1936, Port. 2).

Sweden.

Act of 17 June 1916 respecting insurance against industrial accidents (B.B., Vol. XI, 1916, p. 267), amended by the Acts of 14 June 1917, 26 April 1918, 19 June 1919, 18 June 1920, 15 June 1922 (L.S. 1922, Swe. 2), 18 June 1926

(L.S. 1926, Swe. 5), 24 May 1928 (L.S. 1928, Swe. 1), 14 June 1933 (L.S. 1933, Swe. 1), 26 June 1936 (L.S. 1936, Swe. 5) and 11 June 1937 (L.S. 1937, Swe. 9).

Declaration of 12 February 1919 between Sweden, Denmark and Norway establishing reciprocity as regards workmen's compensation for accidents (B.B., Vol. XVIII, 1919, p. 69, French text).

Agreement of 11 September 1923 with Finland establishing reciprocity as regards workmen's compensation for accidents (L.S. 1923, Int. 3).
Royal Notification of 22 October 1937 respecting the application, in certain cases, of the accident insurance laws of Sweden, Denmark, Finland, Iceland and Norway (Convention concluded at Oslo on 3 March 1937 (L.S. 1937, Int. 5)).

Various Decrees and Notifications granting exemption from certain provisions of the Act of 17 June 1916, as amended, to the nationals of the countries which have ratified the Convention.

Switzerland.

Federal Act of 13 June 1911 respecting sickness and accident insurance (Summary in B.B., Vol. VII, 1912, p. CXXXIV), amended and supplemented by the Federal Acts of 18 June 1915 and 9 October 1920 (L.S. 1920, Switz. 7).
Orders No. I of 25 March 1916, No. I *bis* of 20 August 1920 (L.S. 1920, Switz. 8), No. 1 *ter* of 8 December 1922, No. 1 *quater* of 8 November 1927 (L.S. 1927, Switz. 3 B) and No. 1 *quinquies* of 25 February 1936 respecting accident insurance.
Order No. II of 3 December 1917 respecting accident insurance.
Order No. III of 2 March 1928 respecting accident insurance (L.S. 1928, Switz. 1).
Federal Order of 28 March 1917 respecting the organisation of the Federal Insurance Court and the procedure to be followed before it.
Federal Order of 9 June 1927 ratifying the Convention.
Federal Order of 22 December 1944 concerning allowances payable to pensioners.
Federal Order of 9 February 1945 to amend Articles 74, 78 and 112 of the Federal Act of 13 June 1911 and to raise the limit of wages and salaries covered by accident insurance.

Uruguay.

See under Convention No. 1, introductory note.

* * *

Burma.

Workmen's Compensation Act, 1923, as amended by the Workmen's Compensation (Amendment) Acts of 1926, 1929, 1933 and 1937, which applied to British Burma as part of India on 31 March 1937 and continue in force in Burma.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Belgium* refers to previous reports and adds that, as no distinction is made in the national legislation between Belgian and foreign workers who are victims of accidents, no special statistics are compiled and it is not possible to supply specific information with regard to foreign workers. No observations were received from employers' or workers' organisations.

The Government of *Bulgaria* states that the Convention is applied under the Act of 1924 respecting social insurance. The Institute for Social Insurance and the insurance funds are responsible for the application of the relevant legislation. All workers in Bulgaria are accorded the same treatment, irrespective of their nationality. No special statistics relating to accident insurance for foreign workers are compiled. No decisions were given by courts of law. No observations have been received from employers' or workers' organisations.

The Government of *Chile* refers to previous reports and adds that Decree No. 8 of 2 January 1946 approves the Regulations under the Act of 14 September 1945 relating to industrial accidents. The report states that, although the labour courts and administrative authorities frequently give decisions which recognise the rights of foreigners under the relevant legislation, during the past year the General Directorate of Labour has not received copies of the texts of such decisions. Statistical information is given showing the number of foreign workers employed in various occupations. The number of accidents registered for foreign workers in 1945 was 320. According to the reports of the labour inspection services, no difficulties have occurred in connection with the payment of benefits. No observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that, as foreigners and nationals enjoy equality of treatment, compensation may be commuted for a lump sum by foreigners and nationals of the country but, in the case of the former, only if they leave the country. No agreements have been concluded under Article 2 of the Convention. The Minister of Labour and the labour courts are responsible for ensuring the application of the relevant legislation. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Czechoslovakia* enumerates a number of important Acts and Decrees issued in Bohemia, Moravia and Silesia during the period of occupation, and states that the Orders and Regulations issued during this period are not recognised as part of the legal system of the country. However, in order to avoid unnecessary disturbances in the economic and social life and in the public administration of the country during the period of transition to peace-time economy, Presidential Decree No. 11 of 3 August 1944 (as amended by Act No. 12 of 19 December 1945) laid down that the legislative provisions issued during the period of occupation shall remain in operation for a short transitional period if, and as far as, they do not conflict with the principles on which the constitution of the national legislation are based.

The report contains detailed information regarding the categories of workers covered

by the legislation relating to industrial accidents, the definition of survivors, benefit rates, etc. No agreements have been concluded under Articles 1 and 2 of the Convention. The application of the relevant legislation in Bohemia, Moravia and Silesia is entrusted to the industrial accident insurance institutions and, in Slovakia, to the Central Social Insurance Institution. (See also under Convention No. 1 for details regarding the inspection service.) No decisions were given by courts of law. The report adds that new legislative measures are being prepared which will cover the whole field of social insurance.

The Government of *Denmark* states that the position remains as outlined in its report for 1944-1945.

The Government of *Finland* states that there has been no change other than an increase in the rate of benefits and a simplification in the method of payment. The personal liability of employers of small enterprises is limited to 100 marks, and any compensation in excess of 100 marks is paid by the State. Since the employer is only required to insure his liability for sums in excess of 200 marks, employers of small enterprises are entirely exempt from the obligation to carry out insurance in respect of employment injuries. The supervision of the relevant legislation is entrusted to the Insurance Board, which is again part of the Ministry of Social Affairs and is also responsible for supervising the decisions of the insurance companies. The Government adds that it is unable to supply statistics relating to foreign workers in Finland. No decisions were given by courts of law.

The Government of *France*, in its report covering the period 1939-1946, states that international events have given rise to various questions affecting this Convention. After the liberation of the country, France resumed the unconditional application, to nationals of countries which had not been at war with her, of agreements signed before the war. Pensions for "industrial accidents" are not withheld from nationals of former enemy countries, in view of the fact that they are intended for subsistence purposes, even if the beneficiaries are resident in their own country. At the same time, the payment of such pensions is only provided for Italian beneficiaries, and the necessary regulations in this respect will be adopted in the near future. The report adds that increases for pensions and allowances to survivors, introduced under the Act of 3 April 1942, are of a benevolent nature, and consequently beneficiaries who leave French territory are not entitled to the payment of such increases or allowances. However, nationals of countries which grant equality of treatment to French nationals or their survivors, without any condition as to residence, are accorded the benefits laid down in the provisions of the above-named Act. The limit of the basic salary for the calculation of pensions as well as for the

allowances to a worker who requires the help of another person has been increased and the scope of application of the Act of 3 July 1944 has been extended to cover unsalaried branch managers of retail food shops.

The Government appends to its report the text of the award of the Court of Appeal respecting the Act of 15 July 1922, as subsequently amended, together with statistical information covering foreign workers in different occupations.

The Government of the *United Kingdom* states that the position has remained unchanged since it supplied its report for 1944-1945.

The Government of *Greece* refers to previous reports and adds that there has been no change in the relevant legislation. Greece has concluded no special arrangements as provided for under Article 1 of the Convention. The practice of issuing "work books" to foreigners (including stateless persons) was considerably extended during the period under review. As the relevant statistical information is at present being compiled, the Government is unable to supply any information regarding accidents to foreign workers in Greek territory.

The *Hungarian* Government states that, during the period under review, legislation giving effect to the provisions of the Convention has been applied as in the past.

The Government of *Iraq* states that the Convention is applied under § 19 of the Labour Law No. 72 of 1936. Paragraph 2 of this Article restricts the application of its provisions to those workers whose countries have already adhered to the Convention. The application of the relevant legislation is ensured by the Ministry of Social Welfare through the General Directorate of Labour.

The Government of *Ireland* states that there is no change in the position as outlined in its report for 1942-1943.

The Government of *Italy* states, as in previous reports, that no special legislation has been necessary to apply the provisions of the Convention. The legislation on workmen's compensation covers both foreign and national workers.

The supervision of the application of the relevant legislation is entrusted to the Ministry of Labour and Social Welfare. No decisions were given by courts of law. No special observations have been received from employers' or workers' organisations.

The Government of *Mexico* refers to previous reports.

The *Netherlands* Government states that there is nothing new to report regarding the application of the Convention.

See also under Convention No. 2, introductory note.

The Government of *Poland* states that under the national legislation foreign wor-

kers are treated on a basis of equality with nationals. No restrictions are laid down in the legislation as to the payment of compensation to victims of employment injuries who sojourn abroad. During the period under review, no special agreements were concluded under Article 2 of the Convention. The administration of the accident insurance scheme is carried out by the Social Insurance Institution and 60 social insurance offices under the Ministry of Labour and Social Assistance. In view of the magnitude of the tasks in connection with the reorganisation of the policy of the State and the economic life of the country, the Government has been unable to collect statistical data on the application of the Convention. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Portugal* states that it has nothing to add to its report covering the period 1940-1945.

The Government of *Sweden* refers to its report for 1936-1937, as supplemented by subsequent communications.

The Government of *Switzerland* refers to previous reports and in particular to its report for the period 1944-1945. Decisions given by courts of law or other courts regarding the application of the Convention are published in the list of awards of the Federal Insurance Tribunal. Statistical data have been supplied showing that, of 414 cases of death covered by the legislation, 24 were among foreign workers. No observations have been received from employers' or workers' organisations.

* * *

The Government of *Burma* states that the national legislation makes no distinction between foreigners and its own nationals in regard to the payment of workmen's compensation, which is paid irrespective of race or nationality. Certain regulations are in force regarding the transfer to His Majesty's Dominions or to any other country of the amounts awarded as compensation. No agreements have been made under Article 2 of the Convention. The application of the relevant legislation is ensured by the Director of Labour, assisted by the Labour Commissioner for Workmen's Compensation. No decisions were given by courts of law. As no distinction is made in the legislation between national and foreign workers, the Government is unable to supply statistical information showing the number of accidents among the latter.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that the following legislation was enacted during the period 1939-1946 in territories forming part of the French Union :

Cameroons.

Decree No. 45/1929 of 25 August 1945, respecting the employment of Europeans or persons assimilated to them in private undertakings.

French Territories in Continental Africa under the Ministry of Colonies.

Decree of 18 June 1945 to institute a Native Labour Code for French territories.

French West Africa.

Decree of 2 October 1943 respecting regulations for industrial accidents.

Indo-China.

Decree of 4 October 1943 respecting industrial accident regulations for Natives.

The Government adds that under the Decree of 17 August 1944, a corps of labour inspectors under the Ministry of Labour and the Ministry of Colonies, was organised for the Colonies. As this corps was only established recently it is not possible to supply information regarding its activity.

The Government of *Great Britain* states that the following legislation was enacted:

Barbados.

Regulations under the Workmen's Compensation Act of 1943.

British Honduras.

Workmen's Compensation (Amendment) Regulations No. 67 of 1945.

Trinidad.

Workmen's Compensation (Amendment) Ordinance No. 12, 1945.

Uganda.

Workmen's Compensation Ordinance, 1946.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

The Convention has not been published or promulgated in *Surinam*. The Draft Regulations mentioned under Convention No. 17 take into account the provisions of this Convention.

20. Convention concerning night work in bakeries

This Convention came into force on 26 May 1928

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Bulgaria	5. 9. 1929	22. 3. 1947
Chile	31. 5. 1933	15. 2. 1947
Colombia	20. 6. 1933	
Cuba	6. 8. 1928	21. 2. 1947
Estonia	23. 12. 1929	
Finland	26. 5. 1928	7. 2. 1947
Ireland	15. 3. 1937	21. 2. 1947
Luxembourg	16. 4. 1928	
Nicaragua	12. 4. 1934	
Spain	29. 8. 1932	
Sweden	5. 1. 1940	3. 2. 1947
Uruguay ¹	6. 6. 1933	21. 3. 1947

¹ See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Bulgaria.

Act of 1917 respecting the health and safety of workers (B.B., Vol. XIII, 1918, p. 27).

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1), amended by Act No. 5405 of 8 February 1934 (L.S. 1934, Chile 1 A).

Decree No. 356 of 30 March 1932 to approve the Regulations for the employment of operative bakers (L.S. 1932, Chile 4 A).

Decree No. 13 of 24 June 1932 to provide for the appointment of operative bakers and bakers' roundsmen for the purpose of supervising the observance of the Act respecting the abolition of night work in bakeries (L.S. 1932, Chile 4 B).

Cuba.

Act of 2 June 1928 concerning the prohibition of night work in bakeries (L.S. 1928, Cuba 1 A). Decree No. 2133 of 27 December 1928; Regulations concerning night work in bakeries (L.S. 1928, Cuba 1 B).

Finland.

Act of 27 November 1917 respecting the eight-hour working day, as amended by the Act of 14 August 1918 (B.B., Vol. XIII, 1918, pp. 36 and 39).

Order of 18 August 1917 respecting work in industrial and certain other establishments (B.B., Vol. XIII, 1918, p. 35).

Order of 11 May 1928 respecting the coming into force of the Convention.

Act of 4 March 1927 respecting industrial inspection (L.S. 1927, Fin. 1 A).

Resolution of the Council of State of 4 March 1927 concerning the administration of the above Act.

Act of 19 July 1940 (L.S. 1940, Fin. 3) respecting employment in bakeries.

Ireland.

Night Work (Bakeries) Act of 14 August 1936 (L.S. 1936, Ir. 3).

Order of 9 January 1937, bringing the above Act into operation on 1 February 1937. Night Work (Bakeries) (Exceptional Work for Limited Period) Regulations, 1945.

Sweden.

Act of 16 May 1930 (L.S. 1930, Swe. 2) respecting certain restrictions on the hours of work in the bakery and confectionery trades, as amended by the Act of 26 May 1939.

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION
(II, IV, V, VI)

The Government of *Bulgaria* states that permanent exceptions under Article 3 (a) are not permitted and that additional work must be carried out during the regular working hours. As regards Article 3 (b) of the Convention, the Government adds that the regular working period may be lengthened by two hours per day. No decisions have been given by courts of law in this matter, and no special statistics have been compiled regarding the application of the Convention. No observations have been received from employers' or workers' organisations.

The Government of *Chile* states that comparatively few decisions are given by the courts applying the provisions of the Convention. The report contains in an annex a copy of a decisions on this matter. The approximate number of workers employed in bakeries and similar establishments is 15,000, of which 12,500 are working in bakeries. During the year 1945, 65 breaches of the legislation have been noted. The Government refers to its report for 1942-1943, in which it stated that certain employers' organisations had indicated that the strict application of the legislation gives rise to a certain number of difficulties. The question is still under consideration.

The Government of *Cuba* refers to its last report and adds that the reports received by the competent authorities do not contain any information concerning the application of the Convention.

The Government of *Finland* states that, apart from exceptions permitted by the labour inspectors in accordance with the legislation, permission to work at night has been given to a few undertakings for the manufacture of hard bread for a limited period of time. The wages fixed for night work in this connection amount to at least twice the regular rate of wages.

For the purposes of labour inspection, the country is divided into eight districts, comprising 29 inspectors and assistant inspectors, 4 women inspectors and 13 worker-inspectors. In addition, each commune has a number of inspectors paid by the commune and working under the control of the State Labour Inspectorate. The report contains statistical data on the number of inspections subject to inspection, the number of inspections carried out, and the number of workers covered by the legislation. The Government has no knowledge of any judicial decisions. Sixteen contraventions were reported, some of which related to the regulations applying the Act concerning night work in bakeries. No observations have been received from employers' or workers' organisations.

The Government of *Ireland* states that during the year 1945 the enforcing authorities carried out 1,799 inspections in 705 bakeries. Proceedings were taken in two cases.

The Government of *Sweden* refers to its report for 1936/1937, as supplemented by subsequent communications.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

Does not apply to the reporting countries.

EIGHTH SESSION (GENEVA, 1926)

21. Convention concerning the simplification of the inspection of emigrants on board ship

This Convention came into force on 29 December 1927

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Albania	17. 3.1932	
Australia	18. 4.1931	1. 3.1947
Austria	17. 3.1932	
Belgium	15. 2.1928	26. 2.1947
Bulgaria	29.11.1929	22. 3.1947
Colombia	20. 6.1933	
Czechoslovakia	25. 5.1928	3. 3.1947
Finland	5. 4.1929	7. 2.1947
France ¹	13. 1.1932	3. 4.1947
United Kingdom ¹	16. 9.1927	
Hungary	3. 2.1931	14. 2.1947
India	14. 1.1928	
Ireland	5. 7.1930	
Japan	8.10.1928	
Luxembourg	16. 4.1928	
Mexico	9. 3.1938	9. 9.1946
Netherlands	13. 9.1927	6. 2.1947
New Zealand	29. 3.1938	
Nicaragua	12. 4.1934	
Sweden ¹	15.10.1929	
Uruguay ²	6. 6.1933	21. 3.1947
***	***	***
Burma	14. 1.1928	

¹ Conditional ratification.

² See under Convention No. 1, introductory note.

INTRODUCTORY NOTE

The Government of *Australia* refers to previous reports in which it stated that it had not been found necessary to adopt legislation or to issue administrative regulations for the application of the provisions of the Convention.

The Government of *Bulgaria* states that no special legislation exists regarding the application of the Convention.

The Government of *Finland* refers to its previous reports. In its report for 1937-1938 the Government stated that it had not been found necessary to draft special legislation for the application of the Convention, as there are no ships in Finland of the kind referred to in the Convention. Nevertheless, the Convention had been put into force by an Order dated 1 March 1929.

The Government of *France* states that, as its ratification of this Convention was conditional and has not yet been implemented, no legislation has been adopted to apply the provisions of the Convention.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Australia.

See introductory note.

Belgium.

Act of 14 December 1876 regulating the transport of emigrants, as amended by the Act of 7 January 1890 and the Royal Order of 25 February 1924.

Bulgaria.

See introductory note.

Finland.

See introductory note.

France.

See introductory note.

Hungary.

Act No. II of 1909 concerning emigration.
Act No. VII of 1931 to ratify the Convention.

Mexico.

General Population Act, promulgated in the *Diario Oficial* of 29 August 1936.
Regulations under the Organic Act of the Mexican consular service.

Netherlands.

Emigration Act of 31 December 1936.
Shipping Amendment Act of 31 December 1936.
Resolution of 17 December 1932 providing for the application of the Shipping Act.

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Australia* states that, as there is no emigrant traffic from Australia to other countries, it has nothing to report in connection with the Convention for the year ended 30 September 1946.

See also introductory note.

The Government of *Belgium* states that the legislation with regard to the recruitment and transport of emigrants complies with the conditions laid down in the Convention. Since 1924, an inspection Committee, a Government Commissioner and a medical service are functioning in Antwerp, and ensure the strict application of the Regulations. The Committee settles disputes on a friendly basis, gives advice with regard to the granting or withdrawal of permits for the transport of emigrants, and makes certain that their rights are respected. The Government Commissioner exercises permanent control. The medical service is responsible for compliance with health formalities relating to emigrants, and ensures that the necessary public health measures are observed. A maritime inspection service ensures compliance with the relevant provisions with regard to emigrants, and issues clearing certificates. No decisions by courts of law or other courts were brought to the notice of the shipping authorities.

Bulgaria. See introductory note.

The Government of *Finland* refers to its last report and supplies statistical information showing the volume of migration during the period 1938-1945.

See also introductory note.

The Government of *France* states that inspection is carried out only on board ships, and no agreement has been concluded with other Governments to appoint inspectors. The possibility of appointing ships' doctors on board as official inspectors will be examined when the necessary Bill is drawn up.

See also introductory note.

The Government of *Hungary* states that, during the period under review, no action has been taken in regard to the matters covered by the Convention. However, during this period no Hungarian ships were operating in seagoing navigation, and even river navigation was for the most part abolished.

The Government of *Mexico* refers to previous reports.

The *Netherlands* Government states that it has nothing new to report regarding the application of the Convention.

See also under Convention No. 2, introductory note.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* states that the application of the Convention is not extended to the *Belgian Congo* or to mandated territories.

The Government of *France* states that no decision has been taken with regard to colonies.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

Emigration of the type indicated in the Convention does not exist in *Curaçao*. Emigrant ships arrive only for coaling, and leave without any formalities for the passengers.

NINTH SESSION (GENEVA, 1926)

22. Convention concerning seamen's articles of agreement

This Convention came into force on 4 April 1928

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Australia	1. 4.1935	1. 3.1947
Belgium	3.10.1927	17. 2.1947
Bulgaria	29.11.1929	22. 3.1947
Canada	30. 6.1938	10. 2.1947
Chile	18.10.1935	15. 2.1947
China	2.12.1936	
Colombia	20. 6.1933	
Cuba	7. 7.1928	21. 2.1947
Estonia	10. 5.1929	
France	4. 4.1928	3. 4.1947
Germany	20. 9.1930	
United Kingdom	14. 6.1929	20. 1.1947
India	31.10.1932	
Ireland	5. 7.1930	13. 3.1947
Italy	10.10.1929	25. 3.1947
Luxembourg	16. 4.1928	
Mexico	12. 5.1934	9. 9.1946
Netherlands	15.12.1937	6. 2.1947
New Zealand	29. 3.1938	21. 2.1947
Nicaragua	12. 4.1934	
Norway	29. 3.1940	
Poland	8. 8.1931	7. 5.1947
Spain	23. 2.1931	
Uruguay ¹	6. 6.1933	21. 3.1947
Venezuela	20.11.1944	
Yugoslavia	30. 9.1929	
***	***	***
Burma ²	31.10.1932	26. 2.1947

¹ See Convention No. 1, introductory note.

² See footnote 3 to Convention No. 1.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Australia.

The Navigation Act, 1912-1935 (L.S. 1934, Austral. 10.).

The Navigation (Master and Seamen) Regulations S.R. 1924, No. 199, amended in particular in 1925, 1927 and 1929.

Belgium.

Act of 5 June 1928 relating to seamen's articles of agreement (L.S. 1928, Bel. 5 A).

Bulgaria.

Health and Safety of workers Act, 1917 (B.B., Vol. XIII, 1918).

Canada.

Canada Shipping Act, 1934 (L.S. 1934, Can. 7).

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1), amended by Act No. 5405 of 8 February 1934 (L.S. 1934, Chile 1 A).

Decree No. 399 of 5 May 1934 consolidating the Shipping Decrees which govern the conditions of employment in seafaring and occupations connected therewith in ports (L.S. 1934, Chile 3).

Commercial Code, Third Book, § 823, § 889, § 900 and § 933.

Shipping Act of 24 June 1878.

Cuba.

Commercial Code of 22 August 1885 (§§ 634-648).

Legislative Decree No. 659 of 6 November 1934 [concerning seamen's articles of agreement] (L.S. 1934, Cuba 12 A).

Act No. 40 of 22 March 1935 [concerning annual leave with pay] (L.S. 1935, Cuba 4).

France.

Act of 13 December 1926 to issue a Seamen's Code (L.S. 1926, Fr. 13).

United Kingdom.

Merchant Shipping Acts of 1894 and 1906. (International Labour Office : Studies and Reports, Series P., No. 1, pp. 2 and 56 (Extracts)).

Ireland.

Merchant Shipping Acts of 1894 and 1906. (International Labour Office : Studies and Reports, Series P., No. 1, pp. 2 and 56 (Extracts)).

Italy.

Act No. 417 of 14 January 1919, giving executive force to the Convention in the Kingdom. Royal Decree No. 327 of 30 March 1946, to approve the Regulations contained in the Shipping Code (§§ 323 *et seq.*).

Mexico.

Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).

Act of 30 December 1939 concerning general lines of communication.

Regulations concerning technical inspection of machinery, promulgated on 27 September 1939.

Netherlands.

Act of 14 June 1930 to issue new legislative provisions respecting agreements for masters and seamen (in force 1 October 1937) and amending, *inter alia*, Chapters 3 and 4 of the Second Book of the Commercial Code (L.S. 1930, Neth. 1).

Seamen's Decree (*Schepelingsgesluit*) of 15 May 1937 (L.S. 1937, Neth. 4), to issue public administrative Regulations under certain sections of the Commercial Code as revised by the Act of 14 June 1930.

Decree of 10 September 1937 to appoint public officials for supervising the engagement of seamen, with powers to issue seamen's discharge books (*Staatsblad*, 1937, No. 287).

Decree of 13 September 1937 to issue a standard form of the ship's articles, in compliance with § 6 of the Seamen's Decree (*Staatsblad*, 1937, No. 288).

Civil Code containing provisions relating to contracts of employment, in as far as the Commercial Code as amended does not expressly provide otherwise.

New Zealand.

Shipping and Seamen Act, 1908, as amended in 1908, 1911, 1912, 1913, 1922, 1924, 1925, 1929 and 1936.

Poland.

Seamen's Code of 2 June 1902 (B.B., Vol. I, 1902, German), as amended by the Act of 17 March 1933 (L.S. 1933, Poland 4).

Uruguay.

See under Convention No. 1, introductory note;

* * *

Burma.

Burma Shipping Act.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Australia* refers to previous reports and adds that, during the twelve months ending 30 June 1946, 12,087 individual seamen made 27,899 engagements.

The *Belgian* Government refers to its report for 1944-1945 and adds that the maritime superintendent is responsible, when the list of the crew is closed, for ensuring the strict application of the legal requirements relating to the provisions of the Conventions. The number of seamen protected by the legislation is approximately 2,800. This figure represents the strength of the crews of all commercial vessels. No decisions were given by courts of law. Some disputes of minor importance were settled by conciliation before the maritime superintendent or were referred to the Merchant Marine Council for decision.

The Government of *Bulgaria* states that seamen are recruited under the provisions relating to the placing of workers in general, contained in the Act of 1917 relating to the health and safety of workers. The Labour Directorate and the labour inspectors are responsible for the application of

the relevant legislation. No decisions were given by courts of law. No special information can be supplied regarding the placing of seamen.

Canada. See under Convention No. 15.

The Government of *Chile* refers to its report for 1935-1936 and adds that decisions are given fairly frequently applying the provisions of the relevant legislation but, during the year under review, no copies of such decisions have been received by the General Directorate of Labour. The report of the maritime labour inspection services show that the provisions of the Convention are applied satisfactorily. The number of seafarers covered by the legislation amounted to 5,791. No breaches of the legislation have been reported. No observations have been received from employers' or workers' organisations.

The Government of *Cuba* refers to its report for 1944-1945 and adds that the Commercial Code and Legislative Decree No. 659 of 1934 continued to ensure complete harmony with Articles 1 to 4 of the Convention.

France. See under Convention No. 8.

The Government of the *United Kingdom* states that, during the period under review, there has been no change in the position as stated in its report for 1944-1945.

The Government of *Ireland* refers to its report for the period 1939-1940 and adds that the number of seamen signed on during the year ended 30 June 1946 was 5,382.

The Government of *Italy* repeats the information given in its report for 1944-1945 regarding the application of the Convention, and adds that there has been a considerable number of disputes regarding articles of agreement. However, owing to the lack of relevant documents, the Government is unable to supply the texts of decisions given by judicial authorities. No statistics are available regarding the application of the Convention. No observations or complaints have been received from workers' organisations.

The Government of *Mexico* refers to previous reports.

Netherlands. See under Convention No. 2, introductory note.

The Government of *New Zealand* repeats the detailed information given in its report for 1944-1945 and adds that no observations have been received from employers or workers. Organisations of both parties work in co-operation and consultation with the State officers.

In a detailed report covering the application of each Article of the Convention, the Government of *Poland* states that the term "home trade vessel" (Article 1 of the Convention) and the geographical limits referred to in Article 2 (*d*) are not defined in the national legislation.

Conditions of wages and work are settled by collective agreements, endorsed by the labour inspection service. The provisions of collective agreements are binding, and the State Office for engaging crews is responsible for submitting candidates to the shipowners. The authorities of the Trade Union of Transport Workers are entitled to intervene with the managements of undertakings in all matters concerning individual members and, with the Union of Polish Shipowners, in all general matters concerning the members of the Union. A copy of the collective agreement is supplied by the shipowner to the seaman on request.

The Polish consulates at the ports concerned are responsible for supervising compliance with seamen's contracts of employment. Disputes which may arise in connection with contracts of employment are settled through the usual legal channels, with the reservation of reference to arbitration. Seamen not covered by collective agreements may be engaged by the shipowner, provided the latter furnishes a letter of engagement which must be duly signed by the seaman.

Compliance with the national legislation is ensured by the Maritime Offices and the consular authorities abroad. No decisions by courts on law have come to the notice of the Government. No observations have been made by industrial organisations.

* * *

The Government of *Burma* states that Articles 1 to 11 and 13 and 14 of the Convention are applied under the relevant Articles of the *Burma Shipping Act*. The provisions of Article 12 are not provided for in the

Act. The authorities responsible for the application of the relevant legislation are the Nautical Adviser and Principal Officer, Mercantile Marine Department, and the Shipping Master, Rangoon. No decisions were given by courts of law.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The *Belgian* Government states that the special provisions of Book II, Chapter IX, § III of the Act of 5 June 1928 continued to be applied to Natives recruited in ports in the *Belgian Congo*.

The Government of the *United Kingdom* states that there has been no change in the position as regards the application of this Convention to Colonies, etc., since its report for the year 1931-1932.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

In *Curaçao* the legislative provisions are practically the same as those in the metropolitan country and are contained in the Commercial Code.

The Convention has been published in *Surinam*. Statutory Regulations dealing with labour contracts are being prepared. When these are approved, legislative provisions dealing with contracts for seamen will be drawn up. The Government adds that, as only one undertaking in the country is affected by the subject matter of the Convention, the question is considered to be of minor importance.

New Zealand. See under Convention No. 1.

23. Convention concerning the repatriation of seamen

This Convention came into force on 16 April 1928

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Belgium	3.10.1927	17. 2.1947
Bulgaria	29.11.1929	22. 3.1947
China	2.12.1936	
Colombia	20. 6.1933	
Cuba	7. 7.1928	21. 2.1947
Estonia	9. 7.1928	
France	4. 3.1929	3. 4.1947
Germany	14. 3.1930	
Ireland	5. 7.1930	13. 3.1947
Italy	10.10.1929	25. 3.1947
Luxembourg	16. 4.1928	
Mexico	12. 5.1934	9. 9.1946
Nicaragua	12. 4.1934	
Poland	8. 8.1931	7. 5.1947
Spain	23. 2.1931	
Uruguay ¹	6. 6.1933	21. 3.1947
Yugoslavia	30. 9.1929	

¹ See under Convention No. 1, introductory note.

INTRODUCTORY NOTE

The Government of *Bulgaria* states that, as the country has never been a maritime country and does not possess a large fleet, no special legislation has been adopted.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Act of 5 June 1928 relating to seamen's articles of agreement (L.S. 1928, Bel. 5 A).

Bulgaria.

See introductory note.

Cuba.

Commercial Code of 1885 (§§ 636 and 638).
Legislative Decree No. 660 of 6 November 1934
[concerning repatriation of seamen, etc.]
(L.S. 1934, Cuba 12 B).

France.

Act of 13 December 1926 to issue a Seamen's Code (L.S. 1926, Fr. 13).

Ireland.

Merchant Shipping Acts of 1894 and 1906
(International Labour Office: Studies and Reports, Series P, No. 1, pp. 2 and 56 (Extracts)).

Italy.

Act No. 417 of 14 January 1919, giving executive force to the Convention in the Kingdom.
Royal Decree No. 327 of 30 March 1946 to approve the Regulations contained in the Shipping Code (§§ 363 *et seq.*).

Mexico.

Political Constitution of the United States of Mexico, 1917.
Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).
General Population Act of 24 August 1936.
Regulations concerning the flag and registration of national merchant ships (§ 40).
Consular Regulations (chapter relating to the mercantile marine).
Act of 30 December 1939 concerning general lines of communication.

Poland.

Seamen's Code of 2 June 1902 (B.B., Vol. I, 1902, page 379 (French ed.)), amended by the Act of 17 March 1933 (L.S. 1933, Pol. 4).
Act of 2 June 1902 concerning the obligation for merchant vessels to take on board seamen to be repatriated (B.B. Vol. I, 1902, page 379 (French ed.)), as amended by the Act of 17 March 1933 (L.S. 1933, Pol. 4).

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Belgium* refers to its report for 1944-1945 and adds that the repatriation of seamen who fell sick abroad during the war was continued during 1946. Otherwise, there were only approximately 30 cases of repatriation of seamen left sick abroad in the course of voyages from Belgian ports. The Belgian consul or the maritime superintendent in ports in the Belgian Congo are responsible for the repatriation

of seamen from Belgian vessels abroad. No decisions were given by courts of law.

Bulgaria. See introductory note.

The Government of *Cuba* refers to its report for 1944-1945 and adds that no information has been supplied by harbour masters with regard to the number of seamen repatriated.

France. See under Convention No. 8.

The Government of *Ireland* states that there is no change in the position outlined in its report for the period 1939-1940.

The Government of *Italy* repeats the detailed information given in its report for 1944-1945, and adds that no decisions were given by courts of law. No observations or complaints have been received from workers' organisations.

The Government of *Mexico* refers to previous reports.

The Government of *Poland* states that the provisions of the Convention are applied under §§ 1 and 5 of the Act of 2 June 1902 and under §§ 59, 61, 69 and 79 of the Seamen's Code of 2 June 1902, as amended by the Act of 17 March 1933. There are no vessels destined for home trade, and the national legislation does not define the tonnage of such vessels (Article 1 of the Convention) or the geographical limits referred to in Article 2 (*d*).

The Maritime Offices and the consular authorities abroad are responsible for supervising the repatriation of seamen and are empowered to issue binding orders concerning repatriation to shipowners. Polish seamen are repatriated as a rule on board ships returning to the home country. As vacancies are generally filled in Poland, the necessity for recruiting foreign seamen seldom arises. No information is available regarding decisions by courts of law. No observations have been received from industrial organisations.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The *Belgian* Government states that the *Belgian Congo* is still excluded from the application of the Convention. However, the Act of 5 June 1928, concerning seamen's articles of agreement, provides that Natives recruited in a port in the Colony must be signed on in the same port.

France. The Government refers to its report for 1944-1945.

TENTH SESSION (GENEVA, 1927)

24. Convention concerning sickness insurance for workers in industry and commerce and domestic servants

This Convention came into force on 15 July 1928

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Austria	18. 2. 1929	
Bulgaria	1. 11. 1930	22. 3. 1947
Chile	8. 10. 1931	15. 2. 1947
Colombia	20. 6. 1933	
Czechoslovakia	17. 1. 1929	26. 3. 1947
Germany	23. 1. 1928	
United Kingdom	20. 2. 1931	5. 3. 1947
Hungary	19. 4. 1928	14. 2. 1947
Latvia	29. 11. 1929	
Lithuania	19. 6. 1931	
Luxembourg	16. 4. 1928	
Nicaragua	12. 4. 1934	
Peru ¹	8. 11. 1945	5. 4. 1947
Rumania	28. 6. 1929	
Spain	29. 9. 1932	
Uruguay ¹	6. 6. 1933	21. 3. 1947
Yugoslavia	30. 9. 1929	

¹ See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Bulgaria.

Act of 6 March 1924 concerning social insurance (L.S. 1924, Bulg. 1) as amended, in particular, by the Legislative Decrees of 5 January 1935 (L.S. 1935, Bulg. 1) and 30 June 1936 (L.S. 1936, Bulg. 4).

Chile.

Decree No. 34 of 22 January 1926 promulgating the text of Act No. 4054 of 8 September 1924 (L.S. 1924, Chile 1) respecting insurance against sickness, invalidity and old age (L.S. 1926, Chile 1).

Decree No. 205 of 8 April 1925 issuing Regulations under Act No. 4054.

Legislative Decree No. 203 of 14 July 1932 concerning the method of constituting the Council of the Compulsory Insurance Fund for Workers.

Act No. 5937 of 16 October 1936 amending § 1 of Act No. 4054.

Act No. 6174 of 9 February 1938 establishing a preventive medical service.

Act No. 6172 of 22 February 1938 increasing the rate of the employers' contribution.

Act No. 6236 of 10 September 1938 increasing the rate of the State contribution.

Act No. 6501 of 25 January 1940 supplementing Act No. 6174 of 9 February 1938 concerning a preventive medical service for the armed forces.

Act No. 807 of 21 August 1940 concerning the definition of "wages" and "salaries" for the purposes of the Act respecting compulsory insurance against sickness, old age and invalidity.

Act No. 7771 of 26 June 1944 to abolish the maximum salary limit of workers covered by the Compulsory Sickness and Invalidity Insurance Fund.

Czechoslovakia.

Act of 9 October 1924 concerning the insurance of employees against sickness, invalidity and old age (L.S. 1924, Cz. 4) amended and completed by the Act of 8 November 1928 (L.S. 1928, Cz. 2) and the Legislative Decree of 15 June 1934 (L.S. 1934, Cz. 4).

Act of 1 July 1926 to declare in operation certain provisions respecting sickness insurance for persons insured under the pension insurance system and for members of miners' benefit societies (L.S. 1926, Cz. 1A).

Act of 15 October 1925 concerning the sickness insurance of public employees (L.S. 1925, Cz. 5).

The following legislation was enacted after the liberation of the country:

Bohemia, Moravia, Silesia.

Presidential Decree No. 11 of 3 August 1944, as amended and supplemented by Act No. 12/1946 Sb. of 18 December 1945, to declare in operation for a short transitional period the legislation enacted during the period of occupation.

Decree of the President of the Republic No. 93/145 Sb. of 29 September 1945 concerning provisional provisions in the field of social insurance.

Notification No. 148/1945 Sb. of 23 November 1945 concerning social insurance for persons directed to employment.

Act No. 158/1945 Sb. of 23 December 1945 concerning the amendment and amplification of wage classes in social insurance.

Act. No. 47/1946 Sb. of 5 March 1946 concerning the removal of detriments and some protective provisions in the field of social insurance.

Notification No. 384 of 1945 concerning social insurance for employed graduate students on unpaid holidays.

Notification No. 1460/1946 of 22 June 1946 concerning social insurance for persons engaged on seasonal work in agriculture and forestry.

Slovakia.

Statutory Government Order No. 55/1941 Šl. z. concerning the organisation of social insurance

for salaried employees and their sickness insurance.

Act No. 237/1942 Sl. z. of 4 December 1942 amending and supplementing certain provisions relating to workers' social insurance.

Government Order No. 131/1944 Sl. z. of 23 August 1944 concerning the social insurance of homeworkers and outworkers.

Order of the Slovak National Council No. 11/45 of 14 March 1945 concerning the provisional organisation of social insurance for workers, miners, salaried employees and civil servants.

Act No. 458/1945 Sb. of 13 December 1945 concerning the amendment and amplification of wage classes in social insurance.

United Kingdom:

Great Britain.

National Health Insurance Act, 1936 (L.S. 1936, G.B. 8).

National Health Insurance (Amendment) Act, 1937 (L.S. 1937, G.B. 4A).

National Health Insurance (Amendment) Act, 1938 (L.S. 1938, G.B. 2).

Widows', Orphans' and Old-Age Contributory Pensions Act, 1936 (L.S. 1936, G.B. 5).

Widows', Orphans' and Old-Age Contributory Pensions (Voluntary Contributors) Act, 1937 (L.S. 1937, G.B. 1).

National Health Insurance and Contributory Pensions (Emergency Provisions) Act, 1939 (L.S. 1938, G.B. 5).

Old-Age and Widows' Pensions Act, 1940 (L.S. 1940, G.B. 1).

National Health Insurance, Contributory Pensions and Workmen's Compensation Act, 1941 (L.S. 1941, G.B. 2).

Ministry of National Insurance Act, 1944.

Various Orders and Regulations concerning National Health Insurance dating from 1936 to 1945.

Northern Ireland.

National Health Insurance (Amendment) Act (Northern Ireland), 1938.

Widows', Orphans' and Old-Age Contributory Pensions Act (Northern Ireland), 1936.

Widows', Orphans' and Old-Age Contributory Pensions (Voluntary Contributors) Act (Northern Ireland), 1937.

Old-Age and Widows' Pensions Act (Northern Ireland), 1940.

National Health Insurance and Contributory Pensions Act (Northern Ireland), 1941.

Various Orders and Regulations concerning National Health Insurance dating from 1937 to 1944.

National Health Insurance and Contributory Pensions Act (Northern Ireland), 1946.

Hungary.

Act No. XXI of 1927 concerning compulsory insurance against sickness and accidents (L.S. 1927, Hung. 1), amended and supplemented by Orders No. 9090 of 29 December 1931 (L.S. 1931, Hung. 6), No. 9600 of 15 December 1932 (L.S. 1932, Hung. 4), No. 6000 of 2 June 1933 (L.S. 1933, Hung. 4), No. 6500 of 21 June 1935 (L.S. 1935, Hung. 2) and No. 1250 of 6 March 1936 (L.S. 1936, Hung. 4).

Act No. XXXII of 1928 to ratify the Convention.

Decree No. 7800 of 1937, U.E., amending and supplementing the law relating to sickness insurance.

Order No. 2300 of 25 May 1945 establishing the autonomy of social insurance and provisionally regulating certain other matters relating to social insurance.

Peru.

See under Convention No. 1, introductory note.

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Bulgaria* states that, as regards Article 2 of the Convention, exceptions are made in the case of temporary workers and members of the employer's family (wife, children under 21 years of age and relatives). In regard to Article 3, a waiting period is not provided for; the qualifying period is 8 weeks. In the event of illness, an insured person is entitled to benefits during the period in which he is not working, even if he continues to be in receipt of his salary. No decisions were given by courts of law. During the period under review, the total number of compulsorily insured persons was approximately 35,000. Figures are given showing the total amount of benefit paid in cash and in kind, the total resources of the Social Insurance Fund and the amounts of workers' and employers' contributions. No observations have been received from employers' or workers' organisations.

The Government of *Chile* refers to previous reports and supplies the text of a decision given by a labour court, together with statistical information for the year 1945. No observations have been received from employers' or workers' organisations.

The Government of *Czechoslovakia* states that Presidential Decree No. 11 of 3 August 1944 (amended and supplemented by Act No. 12/1946 Sb. of 18 December 1945) prescribes that the legislative provisions enacted during the period of occupation shall remain in force for a short transitional period if, and as far as, they do not conflict with the principles on which the Constitution and legislation are based. See also under Convention No. 19.

The report contains detailed information relating to the categories of workers covered by compulsory sickness insurance, conditions for the payment of benefits, medical care, etc., in *Bohemia*, *Moravia* and *Silesia*, and in *Slovakia*.

In *Slovakia*, the situation with regard to the application of Articles 1-2, 4, 7, 8 and 9 of the Convention has remained unchanged since 1938.

In *Bohemia*, *Moravia* and *Silesia*, the Ministry of Social Welfare is responsible for the administrative and financial supervision of sickness insurance, which is effected by the sickness insurance institutions. In *Slovakia*, 22 district social insurance institutions, with the same competence and in the same areas as in 1938, are responsible for the administration of sickness insurance, under the administrative and financial supervision of the Central Insurance Institution and the Slovak Commissioner of Social Welfare.

Statistical information is given showing the number of employees covered by insurance, the amount of benefit paid in cash and in kind and the total amount of insurance contributions. No decisions were given by the courts of law or other courts, and no observations have been received from employers' or workers' organisations.

The Government of the *United Kingdom* refers to previous reports and adds that, during the year under review, there have been no changes in the relevant legislation or in the manner in which the Convention is applied. Statistical information is supplied for *Great Britain* for the year ended 31 December 1944 and for *Northern Ireland* for the year ended 31 December 1945.

The national health insurance scheme in *Northern Ireland* is identical with the scheme

in Great Britain, with the exception of some differences in administrative machinery.

In *Great Britain* no decisions were given by courts of law or other courts. No observations, have been received from employers' or workers' organisations.

The Government of *Hungary* states that no new measures have been taken regarding the principles of sickness insurance as laid down in the Convention. Statistical information will be supplied as soon as possible.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of the *United Kingdom* states that the position as regards the Convention remains as stated in its report for the year 1930-1931.

25. Convention concerning sickness insurance for agricultural workers

This Convention came into force on 15 July 1928

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Austria	18. 2.1929	
Bulgaria	1.11.1930	22. 3.1947
Chile	8.10.1931	15. 2.1947
Colombia	20. 6.1933	
Czechoslovakia	17. 1.1929	26. 3.1947
Germany	23. 1.1928	
United Kingdom	20. 2.1931	5. 3.1947
Luxembourg	16. 4.1928	
Nicaragua	12. 4.1934	
Spain	29. 9.1932	
Uruguay ¹	6. 6.1933	21. 3.1947

¹ See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Bulgaria.

Act of 6 March 1924 concerning social insurance (L.S. 1924, Bulg. 1) as amended, in particular, by the Legislative Decrees of 5 January 1935 (L.S. 1935, Bulg. 1) and of 30 June 1936 (L.S. 1936, Bulg. 4).

Chile.

Decree No. 34 of 22 January 1926 promulgating the text of Act No. 4054 of 8 September 1924 (L.S. 1924, Chile 1) respecting insurance against sickness, invalidity and old age (L.S. 1926, Chile 1).

Decree No. 205 of 8 April 1925 issuing Regulations under Act No. 4054.

Special Regulations, approved by the Council of Welfare on 9 April 1930, to apply Act No. 4054 to agricultural occupations.

Legislative Decree No. 203 of 14 July 1932 concerning the method of constituting the Council for the Compulsory Insurance Fund for Workers.

Act No. 5937 of 16 October 1936 amending § 1 of Act No. 4054.

Act No. 6174 of 9 February 1938 establishing a preventive medical service.

Act No. 6172 of 22 February 1938 increasing the rate of the employer's contribution.

Act No. 6236 of 10 September 1938 increasing the rate of the State contribution.

Act No. 807 of 21 August 1940 concerning the definition of "wages" and "salaries" for the purposes of the Act respecting compulsory insurance against sickness, invalidity and old age.

Act No. 7771 of 26 June 1944 to abolish the maximum salary limit of workers covered by the Sickness and Invalidity Insurance Fund.

Decree No. 956 of 19 July 1944 to approve the Regulations for the application of the Act concerning preventive medicine in the Compulsory Insurance Fund for Workers.

Czechoslovakia.

Act of 9 October 1924 concerning the insurance of employees against sickness, invalidity and old age (L.S. 1924, Cz. 4) amended and completed by the Act of 8 November 1928 (L.S. 1928, Cz. 2) and the Legislative Decree of 15 June 1934 (L.S. 1934, Cz. 4).

Act of 1 July 1926 to declare in operation certain provisions respecting sickness insurance for persons insured under the pension insurance system and for members of miners' benefit societies (L.S. 1926, Cz. 1A).

Act of 15 October 1925 concerning the sickness insurance of public employees (L.S. 1925, Cz. 5).

The following legislation was enacted after the liberation of the country :

Bohemia, Moravia, Silesia.

Presidential Decree No. 11 of 3 August 1944, as amended and supplemented by Act No. 12/1946 Sb. of 18 December 1945, to declare in operation for a short transitional period the legislation enacted during the period of occupation.

Decree of the President of the Republic No. 93/145 Sb., of 29 September 1945 concerning

provisional provisions in the field of social insurance.

Notification No. 148/1945 Sb. of 23 November 1945 concerning social insurance for persons directed to employment.

Act No. 158/1945 Sb. of 23 December 1945 concerning the amendment and amplification of wage classes in social insurance.

Act No. 47/1946 Sb. of 5 March 1946 concerning the removal of detriments and some protective provisions in the field of social insurance.

Notification No. 384 of 1945 concerning social insurance for employed graduate students on unpaid holidays.

Notification No. 1460/1946 of 22 June 1946 concerning social insurance for persons engaged on seasonal work in agriculture and forestry.

Slovakia.

Statutory Government Order No. 55/1941 Sl. z. concerning the organisation of social insurance for salaried employees and their sickness insurance.

Act No. 237/1942 Sl. z. of 4 December 1942 amending and supplementing certain provisions relating to workers' social insurance.

Government Order No. 131/1944 Sl. z. of 23 August 1944 concerning the social insurance of homeworkers and outworkers.

Order of the Slovak National Council No. 11/45 of 14 March 1945 concerning the provisional organisation of social insurance for workers, miners, salaried employees and civil servants.

Act No. 458/1945 Sb. of 13 December 1945 concerning the amendment and amplification of wage classes in social insurance.

United Kingdom :

Great Britain.

National Health Insurance Act, 1936 (L.S. 1936, G.B. 8).

National Health Insurance (Amendment) Act, 1937 (L.S. 1937, G.B. 4A).

National Health Insurance (Amendment) Act, 1938 (L.S. 1938, G.B. 2).

Widows', Orphans' and Old-Age Contributory Pensions Act, 1936 (L.S. 1936, G.B. 5).

Widows', Orphans' and Old-Age Contributory Pensions (Voluntary Contributors) Act, 1937 (L.S. 1937, G.B. 1).

National Health Insurance and Contributory Pensions (Emergency Provisions) Act, 1939 (L.S. 1939, G.B. 5).

Old-Age and Widows' Pensions Act, 1940 (L.S. 1940, G.B. 1).

National Health Insurance, Contributory Pensions and Workmen's Compensation Act, 1941 (L.S. 1941, G.B. 2).

Ministry of National Insurance Act, 1944.

Various Orders and Regulations concerning National Health Insurance dating from 1936 to 1945.

Northern Ireland.

National Health Insurance (Amendment) Act (Northern Ireland), 1938.

Widows', Orphans' and Old-Age Contributory Pensions Act (Northern Ireland), 1936.

Widows', Orphans' and Old-Age Contributory Pensions (Voluntary Contributors) Act (Northern Ireland), 1937.

Old-Age and Widows' Pensions Act (Northern Ireland), 1940.

National Health Insurance and Contributory Pensions Act (Northern Ireland), 1941.

National Health Insurance and Contributory Pensions Act (Northern Ireland), 1946.

Various Orders and Regulations concerning National Health Insurance dating from 1937 to 1944.

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Bulgaria* states that, under Article 2 of the Convention, exceptions are made with regard to the following temporary workers: haymakers, labourers, vinegrowers, etc., and members of the employer's family (wife, children under 21 years of age and relatives). As regards Article 3, the Government states that a waiting period is not provided for. The qualifying period is 8 weeks. In the event of illness, an insured person is entitled to benefits during the period in which he is unemployed, even if he continues to be in receipt of his salary. No decisions were given by courts of law. No special statistical information has been compiled. No observations have been received from employers' or workers' organisations.

The Government of *Chile* refers to previous reports and adds that the labour courts limit themselves to issuing orders for the carrying out of the decisions of the administrative authorities of the Compulsory Insurance Fund. Statistical data accompany the report. No observations have been received from employers' or workers' organisations.

The Government of *Czechoslovakia* states that the legal provisions concerning sickness insurance for workers in industry and commerce apply without exception to workers employed in agricultural undertakings.

See also under Convention No. 24.

The Government of the *United Kingdom* states that the national health insurance scheme in *Northern Ireland* is identical with the scheme in *Great Britain*, with the exception of some differences in administrative machinery. The Government refers to previous reports and adds that in *Great Britain* there have been no changes either under Articles 2-5 of the Convention or in the manner in which the Convention is applied. No decisions were given by courts of law or other courts. No observations have been received from employers' or workers' organisations. Statistical information is supplied for *Great Britain* for the year ended 31 December 1944 and for *Northern Ireland* for the year ended 31 December 1945.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

For the *United Kingdom*, see under Convention No. 24.

ELEVENTH SESSION (GENEVA, 1928)

26. Convention concerning the creation of minimum wage-fixing machinery

This Convention came into force on 14 June 1930

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Australia	9. 3.1931	
Belgium	11. 8.1937	1. 3.1947
Bulgaria	4. 6.1935	22. 3.1947
Canada	25. 4.1935	10. 2.1947
Chile	31. 5.1933	15. 2.1947
China	5. 5.1930	14. 5.1947
Colombia	20. 6.1933	
Cuba	21. 2.1936	21. 2.1947
France	18. 9.1930	3. 4.1947
Germany	30. 5.1929	
United Kingdom	14. 6.1929	27. 1.1947
Hungary	30. 7.1932	14. 2.1947
Ireland	3. 6.1930	28. 3.1947
Italy	9. 9.1930	25. 3.1947
Mexico	12. 5.1934	9. 9.1946
Netherlands	10.11.1936	6. 2.1947
New Zealand	29. 3.1938	21. 2.1947
Nicaragua	12. 4.1934	
Norway	7. 7.1933	
Spain	8. 4.1930	
Union of South Africa	28.12.1932	2. 1.1947
Uruguay ¹	6. 6.1933	21. 3.1947
Venezuela	20.11.1944	

¹ See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Legislative Decree of 5 May 1944 to repeal the Orders and other administrative decisions issued during the period of enemy occupation.
Legislative Decree of 14 April 1945 relating to the fixing of salaries and wages, amplified by Legislative Decree of 23 July 1945.
Legislative Decree of 14 September 1945 concerning increases in salaries and wages.
Legislative Decree of 14 May 1946, to prohibit for a certain period modifications and increases in prices and wages.
Legislative Decree of 21 August 1946, to make certain adjustments to wages below recognised minimum rates.
Ministerial Order of 14 October 1946 to fix wage rates for employees of 21 years of age.

Bulgaria.

Legislative Decree of 22 September 1936 concerning collective labour agreements and the regulation of labour disputes.

Canada.

See under Convention No.1, introductory note.

Chile.

Legislative Decree No. 178 of 13 May 1931 (§§ 43-45) to ratify the Labour Code (L.S. 1931, Chile 1).
Decree No. 276 of 12 September 1932 to approve the Regulations concerning the appointment and working of joint minimum wage boards.
Act No. 5350 of 8 January 1934, establishing a State monopoly for the sale of nitrates and iodine, providing for profit-sharing by unorganised workers and fixing minimum rates of wages for the nitrates industry.
Act No. 6020 of 8 February 1937, to improve the material conditions of salaried employees by the fixing of minimum salaries and the payment of family allowances, and to set up joint committees of employers and employees for the determination of minimum salaries.
Decree No. 300 of 22 March 1937, approving Regulations for the application of Act No. 6020.
Act No. 7295 of 30 September 1942, to approve the final text of Decree No. 720 of 14 November 1941 establishing the revised texts of Act No. 6020 of 8 February 1937 and Act No. 7064, and of Act No. 7280 respecting private employees.

China.

Revised Factory Act of 30 December 1932.
Minimum Wage Act of 25 June 1936.

Cuba.

Legislative Decree No. 727 of 30 November 1930 (L.S. 1934, Cuba 6), as amended by Act No. 22 of 19 March 1935 (L.S. 1935, Cuba 3) providing for the fixing of minimum wages in industry, commerce and agriculture.
Legislative Decree No. 22 of 18 June 1935 to set up the National Minimum Wage Board (L.S. 1935, Cuba 3).
Legislative Decree No. 2142 of 26 August 1935 containing Regulations with regard to the organisation and the working of the National Minimum Wage Board.
Legislative Decree No. 436 of 26 November 1935, amending § 2 of Legislative Decree No. 18 and Decree No. 2142.
Constitution of the Republic (Article 61).
Code of Social Defence (Article 575).
Various Resolutions and Decrees concerning wage rates, etc., dating from 1940 to 1945.

France.

Decree of 10 November 1939 respecting conditions of employment for the duration of hostilities (§ 5).
Decree of 1 June 1940 respecting the system of wages.

Validated Act of 30 November 1941 respecting conditions of employment and wages, as supplemented by the Validated Order of 9 January 1942 and the Orders of 9 October 1945 and 31 January 1946.

Acts of 1 August 1941 and 28 June 1943, to amend Book I of the Labour Code, § 33-33 (n) (homeworkers).

Act No. 46-353 of 6 March 1946 respecting the date for the application of Prefectorial Orders fixing the wages of homeworkers.

Act of 26 October 1946 respecting the regulation of wages and conditions of employment.

Act of 23 December 1946 respecting collective labour contracts (§ II).

Various Ministerial Orders and Resolutions issued in 1945 and 1946.

United Kingdom :

Great Britain.

Trade Boards Act, 1909 (B.B., Vol. V, 1910, p. 23).

Trade Boards Provisional Orders Confirmation Act, 1913.

Trade Boards Acts, 1918.

Various Regulations and Orders issued under the Acts.

The Wages Councils Act, 1945, 28 March 1945, and Regulations, S.R.O. Nos. 3483 and 484, 1945.

Regulations made under the Catering Wages Act 1943, S.R.O. 1944, No. 1145.

Various Orders under the Trade Boards Acts, the Wages Councils Act, the Road Haulage Act, and the Catering Wages Act.

Northern Ireland.

Trade Boards Act (Northern Ireland), 1923 (L.S. 1923, G.B. 3).

Various Orders and Regulations relating to minimum wage rates issued in 1945 and 1946.

Wages Councils Act (Northern Ireland), 1945, to repeal and re-enact with modifications the Trade Boards Acts (Northern Ireland), 1923 to 1944.

Hungary.

Act No. XIX of 1932 to ratify the Convention.
Order No. 50775 of 13 March 1945 concerning the regulation of wages of manual and intellectual workers employed in the Greater Budapest district.

Order No. 52700 of 10 May 1945 concerning the organisation of the National Committee for the fixing of wages and its rules of procedure.

Order No. 56100 of 20 June 1945 concerning the wages and salaries of workers employed in the mines and blast furnaces covered by the Mines Act, as well as other working conditions, amended by Order No. 57700 of 24 June 1945.

Order No. 59359 of 12 July 1945 concerning the regulation of wages and salaries and other working conditions of workers employed in industry outside the Greater Budapest district.

Order No. 6460 of 15 August 1945 concerning the scope of collective agreements, amended by Order No. 8730 of 28 September 1945.

Ordinance No. 8620/1946 ME of 28 July 1946 respecting collective agreements, supplemented by Ordinance No. 10.180/1946 ME of 5 September 1946.

Ireland.

Industrial Relations Act, 1946, to repeal the Trade Boards Acts, 1909 and 1918, and to provide for minimum wage-fixing machinery.

Italy.

Labour Charter of 21 April 1927 (L.S. 1927 It. 3).

Act No. 563 of 3 April 1926 concerning the legal regulation of collective relations in connection with employment (L.S. 1926, It. 2).

Royal Decree No. 1130 of 1 July 1926, issuing Rules for the administration of the above Act (L.S. 1926, It. 5).

Royal Decree No. 471 of 26 February 1928, issuing Regulations for the settlement of individual disputes arising out of employment (L.S. 1928, It. 1).

Royal Decree No. 1251 of 6 May 1928, to issue Rules for the filing and publication of collective contracts of employment (L.S. 1928, It. 3).

Act No. 877 of 26 April 1930, conferring force of law on the Convention.

Act No. 437 of 3 April 1933 to extend the legal Regulation of collective relations in connection with employment to share contracts in agriculture and contracts for small holdings (L.S. 1933, It. 7).

Act No. 150 of 25 January 1934 to regulate the validity of collective agreements and similar provisions during the period between the denunciation of such agreements and the conclusion of new agreements.

Act No. 163 of 5 February 1934 concerning the constitution and functions of the corporations (L.S. 1934, It. 1).

Royal Decree No. 1073 of 21 May 1934 containing new rules for the settlement of individual labour disputes.

Mexico.

Constitution of the United States of Mexico of 1917.

Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).

Decree of 6 October 1933 to amend the Federal Labour Act (L.S. 1933, Mex. 2).

Netherlands.

Royal Decree of 1945 to replace the special Decree of 5 October 1945 concerning labour relations, to replace Royal Decree of 17 September 1944 drawn up by the Netherlands Government in London.

New Zealand.

Factories Act, 1921-22, as amended by the Factories Amendment Act, 1936 (L.S. 1936, N.Z. 2).

Statutes Amendments Acts, 1937 (§ 11).

Shops and Offices Act, 1921-22, amended by the Act of 1936.

Industry Conciliation and Arbitration Act, 1925, amended by the Acts of 1928, 1932, 1936, 1937 and 1939.

Minimum Wage Act, No. 44 of 1945.

Union of South Africa.

Industrial Conciliation Act No. 36 of 1937 (L.S. 1937, S.A. 3), superseding Act No. 11 of 26 March 1924 (L.S. 1924, S.A. 1), as amended by Act No. 24 of 1930 (L.S. 1930, S.A. 5).

Wage Act No. 44 of 1937 (L.S. 1937, S.A. 4), superseding Act No. 27 of 1925 (L.S. 1925, S.A. 1), as amended by Act No. 23 of 1930 (L.S. 1930, S.A. 4).

Act No. 16, Wage Determinations Validation Act, 1935 (L.S. 1935, S.A. 1).

Various Awards, Determinations and Agreements issued under the above Acts.

Uruguay.

See under Convention No. 1, introductory note.

[SUMMARY OF ADDITIONAL INFORMATION
(II, IV, V, VI)]

The Government of *Belgium* states that minimum wage rates fixed by Legislative Decree of 14 September 1945 have been maintained. In April 1946, the Government strengthened its policy with regard to prices and wages and, by Legislative Decree of 14 May 1946, strictly prohibited any increases or modifications to wages and salaries in force on 15 April 1946. This policy was followed up to August 1946.

The results of an enquiry made by the Joint Wages Commission showed that the following were generally considered as "low wages": 9 frs. for women, 12 frs. for manual workers and 15 frs. for skilled workers. On 12 August 1946, the National Labour Conference decided that the Ministry of Labour and Social Welfare should take measures to adjust wages which were below the amounts given above. This decision was approved by Legislative Decree of 21 August 1946. [The minimum wages referred to above can be applied only with the approval of the Ministry of Labour and Social Welfare. The actual wages still in force are: 7.20 frs. for women of 21 years of age, 9.60 frs. for manual workers and 12 frs. for skilled workers (Legislative Decree of 14 September, 1945).

Practically all the joint commissions and many undertakings or groups of undertakings have introduced new wage scales based on the new minimum rates. Wages in Belgium are generally fixed at a minimum of 9 frs., 12 frs. and 15 frs., although these are not compulsory.

The national minimum wage rates for employees were fixed by Legislative Decree of 14 September 1945, and were in force until 1 August 1946. By a decision of the National Joint Commission for Employees, the national minimum salaries for male employees of 21 years of age were fixed at 2,900 frs. to 2,400 frs. per month in different regions. The minimum salaries for employees over 21 years of age were increased to 80 per cent. above the specified national minimum rates. This decision was approved by Ministerial Order of 14 October 1946.

The Government repeats the information given in its report for 1944-1945 regarding penal sanctions and the authorities responsible for the application of the relevant legislation. No observations have been received from employers' or workers' organisations.

The Government of *Bulgaria* states that the following methods are adopted for the fixing of minimum wages: the collective labour agreement, Ministerial Decisions, a Ministerial Order, wage scales and arbitration. The Labour Directorate and its various Departments and, under the Act of 1936, the arbitration authorities attached to the Labour Directorate, are responsible for the application of the Convention. Represent-

tatives of occupational organisations of employers and workers draw up collective agreements and forward them for information to the competent labour inspection service. No use has been made of the right of abatement under Article 3 of the Convention. No decisions were given by courts of law. No observations have been received from employers' or workers' organisations.

Canada. See under Convention No. 1, introductory note.

The Government of *Chile* refers to its reports covering the period 1934-1938, and adds that the reports of the inspection service show that, during the period under review, the Joint Minimum Wage Boards set up under the provisions of § No. 44 of the Labour Code have continued to function. The Government forwards tables showing the different industries and processes for which minimum wages have been fixed by joint committees and the hourly, daily and monthly wages in force in different parts of the country for 1946. Decisions are given fairly frequently by courts of law, but no copies of such decisions were received by the general Directorate of Labour during the past year. No observations have been received from employers' or workers' organisations.

The Government of *China* states that, during the period under review, new regulations were issued for wage adjustments in various industries in order to stabilise the conditions of living of workers and to meet the practical needs of post-war economic reconversion. With regard to public enterprises, the report states that, in February 1946, the Ministry of Communications enforced the revised scale of wages for workers employed in national railways under the direct control of the Ministry. New regulations relating to wage adjustments in private enterprises during the period of post-war reconversion were introduced by the Ministry of Social Affairs and submitted in April 1946 to the Executive Yuan for approval. The Executive Yuan has issued orders to the competent authorities in the various provinces, municipalities and districts for the immediate enforcement of these regulations.

The report contains detailed information regarding daily and monthly wages, cost of living allowances and wage adjustments for various classes of workers in public and private enterprise.

Arbitration Boards were set up in accordance with § 3 of the Regulations concerning arbitration and industrial disputes during the period of reconversion, promulgated by the Executive Yuan in April 1946. An Arbitration Board is composed of from 9 to 15 members, who are the competent officials of the local social, economic, food, public health and public administrations and of the local political councils, trade unions, chambers of commerce, trade organisations and other related agencies. The chairman of the Board is the competent official of the local social administration. The competent

authority for the enforcement of the revised wages scale for workers employed by local railways under the direct control of the Minister of Communications is the Ministry of Communications. The Ministry of Social Affairs and the provincial, municipal and local governments are responsible for the enforcement of the regulations for wage adjustments in private enterprise. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that the relevant legislation is in harmony with the Convention, and forwards copies of various agreements issued by the National Economy Wages Board adopted, after consultation with the parties concerned, in order to maintain wages at a level in keeping with the cost of living, in conformity with the principles of the Convention. The Government appends to its report the texts of various Decrees and Resolutions issued in this connection.

The Government of *France* states that the regulations applying the Ministerial Orders regarding the adjustment of wages indicate minimum wages for each occupational category and, if necessary, for each scale or occupation in these categories. Under the Order of 30 July 1946, these minimum wages are the same for men and women when they reach the age of 18 years, with certain specified percentage reductions for various groups between 14 and 18 years of age. Minimum wages have been fixed for each branch of industry after consultation with the most representative employers' and workers' organisations concerned. Under § 33 of the Labour Code, incorporated in the Code by the Act of 1 August 1941, as amended by the Act of 28 July 1943, certain conditions are laid down concerning the fixing of minimum wages for homeworkers.

Under Article 3 of the Convention, the Government states that the work in connection with the adjustment of wages which led to the publication of various Ministerial Orders from 1 April 1945 was preceded by consultation with the most representative national organisations of employers and workers. As a result of the proposals made by the National Occupational Wages Organisation, the Minister of Labour issued a Ministerial Order to fix wages for manual labourers in the Paris region for each occupational category. The rates of minimum wages so fixed apply to all employees with certain specified exceptions. Not more than 10 per cent. of the number of workers in a category may have their wages reduced, unless a special decision is given to the contrary by the divisional inspector of labour and manpower.

Details are given regarding the procedure for fixing minimum wages for homeworkers of both sexes employed in workshops, and the participation of the employers' and workers' organisations concerned in the

application of the legislation relating to homeworkers.

The application of the relevant legislation is entrusted to the labour inspection service. Sanctions are provided for breaches of the relevant legislation, under § 7 of the Decree of 10 November 1939 and § 99 (c) of Book I of the Labour Code. Under § 107 of Book I of the Labour Code, employers who are found guilty of breaches of the regulations are liable to public proceedings, after a report has been submitted by the inspection service in agreement with the police.

The application of the legislation relating to homeworkers is entrusted to the judicial authorities, who can apply civil and penal sanctions. Civil action with regard to the legislative provisions, and eventually the award of damages, is in the hands of the judges of the Probiviral Courts or a Justice of the Peace. Should a breach of the regulations regarding wages be notified by an individual or by an organisation of employers of workers, the labour inspection service issues a warning, and if necessary, applies the sanction provided for in the legislation.

Certain trade union groups have reported various doubtful points which they consider exist in different Departments regarding the time required for homework, and have requested that the time spent on this work should be fixed according to the national scheme by a decision of the Minister of Labour. These requests are being examined by the administrative authorities.

The Government of the *United Kingdom* states that, during the year under review, no new regulations concerning constitution and proceedings were made for any Wages Board of Council in *Great Britain*, nor were any new regulations made for the Road Haulage Wages Boards.

Commissions of Enquiry were appointed by the Minister under § 2 of the Wages Councils Act, 1945, to consider the establishment of Wages Councils for the retail food trade, retail drapery, outfitting and footwear trades, retail furnishing and allied trades, and the hairdressing trade, and, under § 3, for the retail bookselling, stationery, news-agency, confectionery and tobacco trades. These Commissions, consisting of three independent members, two representatives of the workers and two representatives of the employers, had not reported by 30 September 1946.

Sixty-one Wages Regulation Orders gave statutory effect to proposals submitted by Wages Councils and the Road Haulage Central Wages Board. Of these, 36 Orders fixed or varied minimum remuneration, two excluded trainees under the vocational training schemes from the application of the statutory minimum remuneration, and one provided for guaranteed weekly remuneration.

An additional Wages Board for unlicensed residential establishments was set up as a result of the examination of conditions by the Catering Wages Commission. It is

estimated that 76,000 establishments and 100,000 workers will be affected. Amending Orders were made by the Minister bringing within the scope of four Catering Wages Boards certain workers employed by local authorities who had previously been excluded. The activities of the District Trade Committees, which were considerably curtailed during the war, have not yet been fully resumed.

Information is also given regarding the number of certificates to learners, certificates providing special minimum rates for indentured apprentices, and the number of permits of exemption issued during the year.

In an appendix to the report detailed information is given regarding inspection and enforcement during 1945, the figures for 1946 being not yet available. The number of establishments on the Wages Councils lists was 99,276 and on the Road Haulage Board lists, 35,905. Information is also given relating to the number of inspections carried out, the wage arrears collected and the general minimum time rates in operation in Wages Councils trades, in the road haulage industry and in catering trades at 1 October 1946 for the lowest grades of experienced adult workers. No decisions were given by the courts of law or other courts. No observations have been received from organisations of employers or workers.

For *Northern Ireland* information is given with respect to minimum wage rates for learners and exemption, inspection and enforcement during the year ended 30 September 1946, together with statistical information regarding the number of employees and workers in each of the trades under the Act, and the general minimum time rates in operation on 30 September 1946 for the lowest grade of experienced adult workers.

The Government of *Hungary*, with reference to Article 1 of the Convention, states that wages are fixed by collective agreements for all branches of production in which workers are organised. All categories of workers are organised in trade unions. In regard to Article 2, the Government states that collective agreements are concluded on the initiation of the trade unions concerned. The scope of such agreements is extended to workers who are not members of their occupational trade unions. As regards Article 3, the Government appends to its report a summary of the text of Ordinance No. 8620/1946 ME, of 28 July 1946, issued by the Minister of Industry after consultation with the occupational organisations of employers and workers. As regards Article 5, the Government forwards a list of collective agreements for different occupations which were in force on 31 December 1946, together with information relating to the number of workers covered, and the hourly and monthly wages for different categories of workers and employees.

Compliance with wage scales is controlled by the labour inspectors, the trade unions and, in particular, by the works councils.

Under Ordinance No. 10180 of 5 September 1946, the text of which is appended to the report, sanctions are provided for non-compliance with the wages fixed by collective agreements.

The Government of *Ireland* states that, under the Industrial Relations Act, 1946 (a copy of which is appended to the report), which repeals the Trade Boards Acts, 1909 and 1918, the following minimum wage machinery is provided for: Joint Labour Committees, Court Wages Orders, recording of wages (standard rate) and bonus orders. The various articles of the Convention are applied under Part IV of the Industrial Relations Act, 1946. The Government forwards copies of Determinations for certain trades for the period under review. The number of workers covered by minimum wage-fixing machinery is subject to fluctuation. Figures are given showing the number of establishments inspected, the number of workers covered and the amounts collected in arrears of wages. During the year 1945, no court proceedings were instituted against any employer under the Trade Boards Acts, 1909 and 1918.

The Government of *Italy* refers to the information given in its report for 1944-1945 regarding the application of the relevant legislation and adds that, as the result of the restoration of normal conditions, the fixing of minimum wages by means of collective agreements has been extended to all categories of workers represented by trade unions. On the other hand, the compulsory legal force of collective agreements can only be established in the Constitutional State Charter which is now being drawn up. The supervision of the application of the relevant legislation is entrusted to the Ministry of Labour and Social Welfare, through its local departments. No decisions were given by courts of law and no observations or complaints have been received from workers' organisations.

The Government of *Mexico* refers to previous reports.

The *Netherlands* Government refers to its report for 1944-1945 and adds that the special Decree concerning labour relations was replaced on 5 October 1945 by a Royal Decree to ensure stricter regulations with regard to wage rates. Under this new Decree, a State Arbitration Board was entrusted with the application of the Government's policy with regard to wages. The Board is composed of eight members, one of whom is the President, appointed and withdrawn from office by the Minister of Social Affairs. Under § 12 of this Decree the State Arbitration Board may issue, either at the request of employers' or workers' organisations or *ex officio*, compulsory regulations respecting wages or other conditions of work. Information is given regarding collective agreements, compulsory wages laid down by the Board as from 15 October 1945

for industry, measures against low and high salaries, etc.

The Government of *New Zealand* states that the national law is in full harmony with the Convention and, in addition to the detailed information given in its report for 1944-1945, states that the Minimum Wage Act of 1945 applies, notwithstanding anything to the contrary in any enactment, award, industrial agreement or contract of service, to all workers of 21 years of age and upwards, of either sex, with certain exceptions for apprentices and persons under contracts of service. Information is given regarding industrial unions and agreements, awards and collective agreements under the Industrial Conciliation and Arbitration Act, 1925, in various occupations. Figures are also given showing the number of workers in factories and workshops covered by the statutory minimum rates for each of the six years (ending 31 March) 1941-1946. No statistics have been compiled in respect of shop assistants other than those contained in the quinquennial census.

The legislation applying the Convention is administered and supervised by the Department of Labour. The inspectors of the Department are empowered to act for the workers in proceedings for the recovery of wages under the relevant legislation. Figures are given in the report showing the results achieved by the inspectors of the Department of Labour in this connection for each of the six years (ending 31 March) 1941-1946. It is not possible to state how much of the industrial recoveries represented recoveries of arrears under minimum wage legislation.

Consultation of organisations of workers and employers is widely used in drafting parliamentary measures affecting industrial relations, and opportunity also exists for such organisations to place evidence and representations before parliamentary committees. No decisions have been given by courts of law and no observations have been received from organisations of employers and workers concerned.

The Government of the *Union of South Africa* refers to its report for 1942-1943 and adds that the position remains unaltered except that, during the period under review, additional members appointed by the Minister under the terms of the Wage Act served on the Wage Board for the purpose of investigations in the baking and milling industries. The report contains a list of the trades and industries regarding which the Wage Board was consulted, together with a list of trades in which collective agreements were substituted for Wage Act Determinations during the year under review. Detailed statistical information is also given concerning inspections and contraventions, the number of employers and employees in particular trades affected by different types of wage regulation, and the minimum rates of pay for certain classes of work in different industries and areas prevailing as at 30

September 1946. In almost all cases, these wage rates are associated with a ratio designed to prevent exploitation of workers receiving the lower and learnership scales of wages.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* states that the question of the application of this Convention to the *Belgian Congo* has not yet arisen.

The Government of *France*, states that under the Act of 19 March 1946, which classifies Guadeloupe, Martinique, Reunion and French Guiana as Departments of France, the application to these new Departments of the legislation in force in metropolitan France must be provided for in a Decree to this effect before 1 January 1947.

The Government of the *United Kingdom* states that the following legislation has been enacted :

Bahamas.

Minimum Wage (Stevedores) Order, 1946.

British Guiana.

Bakeries (Hours of Work) Ordinance No. 4 of 1946, under which provision is made for payment at overtime rates for work on public holidays and at nights.

Minimum Wages (Georgetown Water-front Workers) (Amendment) Order No. 9, 1946.

British Honduras.

Proclamation No. 64 of 1945 declaring a minimum wage for mahogany workers.
Proclamation No. 65 of 1945 declaring a minimum rate of wages for persons employed in the collection of chicle.

Ceylon.

Ordinance No. 40 of 1943 to amend the Wages Board Ordinance.
Ordinance No. 19 of 1945 amending the Wages Boards' Ordinance No. 27 of 1941 (became operative during the year).

Jamaica.

Minimum Wage (Printing Trade) Proclamation, 1945.
Minimum Wage (Catering Trade) (Country Parishes) Proclamation, 1946.
Minimum Wage (Biscuit Trade) (miscellaneous other categories) (Kingston and St. Andrew) Proclamation, 1946.
Minimum Wage (Bread and Cake Bakery Trade) (Country Parishes) Proclamation, 1946.

Mauritius.

Government Notice No. 126 of 1946 prescribing minimum rates of wages payable to labourers employed on sugar estates in the Colony.

Nigeria.

Orders in Council Nos. 7, 25 and 26, of 1946.

Public Notice No. 51 of 1946 made under the Labour (Wage Fixing and Registration) Ordinance No. 40 of 1943.

Order in Council No. 33 of 1946 made under the Labour Code Ordinance No. 54 of 1945.

Nyasaland.

Government Notice No. 99 of 1946 made under the Minimum Wage Ordinance of 1939, prescribing a minimum basic wage for adult African manual labour.

St. Vincent.

Department of Labour (Agricultural Workers) (Amendment No. 2) Order No. 61 of 1945, to prescribe minimum wages to be paid to able-bodied agricultural workers when employed on time-work.

Sierra Leone.

Ordinance to provide for the establishment of wages boards in Sierra Leone (No. 16 of 1945).

Wages Boards (Application to Mining Workers) Order in Council, 1946 (Public Notice No. 15 of 1946).

Wages Boards (Mining Workers) Rules, 1946 (Public Notice No. 12 of 1946).

Wages Boards (Mining Workers) (Amendment) Rules (Public Notice No. 89 of 1946).

Uganda.

Legal Notice No. 43 of 1945 made under the Minimum Wages Ordinance, to provide for the establishment of an Advisory Board.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

The Convention has not been published or promulgated in *Surinam*, as the Government does not consider it necessary to fix minimum wages for any trade.

In *Curaçao* the Convention is applied under the Wage-fixing Ordinance, 1946. Wage-fixing Order No. I of 1947 applying the above-named Ordinance contains a definition of the composition and method of procedure of the Advisory Board.

For *New Zealand*, see under Convention No. 1.

The Government of the *Union of South Africa* refers to its report for 1942-1943, in which it stated that, in the mandated territory of *South West Africa*, the only provision for the fixing of minimum wages is that contained in the Shop Hours and Shop Assistants Ordinance No. 15 of 1939.

TWELFTH SESSION (GENEVA, 1929)

27. Convention concerning the marking of the weight on heavy packages transported by vessels

This Convention came into force on 9 March 1932

Period covered by annual reports : 1 October 1945 - 30 September 1946

Countries	Date of registration of ratification	Reports received
Australia	9. 3. 1931	1. 3. 1947
Austria	9. 3. 1931	
Belgium	6. 6. 1934	10. 2. 1947
Bulgaria	4. 6. 1935	22. 3. 1947
Canada	30. 6. 1938	10. 2. 1947
Chile	31. 5. 1933	15. 2. 1947
China	24. 6. 1931	14. 5. 1947
Czechoslovakia	26. 3. 1934	3. 3. 1947
Denmark ¹	18. 1. 1933	
Estonia	18. 1. 1932	
Finland	8. 8. 1932	7. 2. 1947
France	29. 7. 1935	
Germany	5. 7. 1933	
Greece	30. 5. 1936	24. 3. 1947
Hungary	6. 12. 1937	14. 2. 1947
India	7. 9. 1931	
Ireland	5. 7. 1930	21. 2. 1947
Italy	18. 7. 1933	25. 3. 1947
Japan	16. 3. 1931	
Lithuania	23. 9. 1934	
Luxembourg	1. 4. 1931	
Mexico	12. 5. 1934	9. 9. 1946
Netherlands	4. 1. 1933	6. 2. 1947
Nicaragua	12. 4. 1934	
Norway	1. 7. 1932	
Poland	18. 6. 1932	7. 5. 1947
Portugal	1. 3. 1932	20. 1. 1947
Rumania	7. 12. 1932	
Spain	29. 8. 1932	
Sweden	11. 4. 1932	3. 2. 1947
Switzerland	8. 11. 1934	15. 1. 1947
Union of South Africa ¹	21. 2. 1933	
Uruguay ²	6. 6. 1933	21. 3. 1947
Venezuela	17. 12. 1932	1. 5. 1947
Yugoslavia	22. 4. 1933	
***	***	***
Burma ³	22. 12. 1937	

¹ Conditional ratification.

² See under Convention No. 1, introductory note.

³ See footnote 3 to Convention No. 1.

LIST OF LEGISLATION AND

ADMINISTRATIVE REGULATIONS, ETC. (I)

Australia :

The Navigation (Loading and Unloading) Regulations, issued under the Navigation Act, 1912-1926, and amended by Statutory Rules 1930, No. 126, and 1932, No. 20.

Queensland.

Regulation of 12 July 1934 concerning the marking of weights on certain heavy packages or articles loaded at Queensland ports (L.S. 1934, Austral. 2).

Victoria.

Marine Board of Victoria Loading and Unloading Regulations of 16 July 1931, No. 31.

Western Australia.

Regulation No. 180 of 24 August 1934 concerning the marking of the weight on heavy packages — Fremantle Harbour Trust (L.S. 1934, Austral. 4A).

Regulation No. 38 concerning the marking of the weight on heavy packages — Western Australian Government Railways. Jetty Regulations.

Amending Regulation of 12 September 1934 concerning the marking of the weight on heavy packages — Jetties Act, 1926 (L.S. 1934, Austral. 4B).

Amending Regulation of 17 September 1934 concerning the marking of the weight on heavy packages or articles — Bunbury Harbour Act, 1909 (L.S. 1934, Austral. 4C).

Belgium.

Act of 2 July 1899, concerning the safety and health of workpeople in industrial and commercial undertakings.

Royal Order dated 31 December 1932 to render obligatory the marking of the weight on heavy packages transported by vessels, and repealing the Order of 24 June 1932 (L.S. 1932, Bel. 7).

Bulgaria.

Legislative Decree of 25 March 1935 to carry out the Convention concerning the marking of the weight on heavy packages transported by vessels (L.S. 1935, Bulg. 3).

Canada.

Canada Shipping Act, 1934 (L.S. 1934, Can. 7), Section 468.

Chile.

Legislative Decree No. 178 of 13 May 1931 to approve the Labour Code (§§ 244 and 248) (L.S. 1931, Chile 1).

Decree No. 217 of 30 April 1926 to approve Regulations respecting industrial hygiene and safety (Extracts in L.S. 1926, Chile 2).

Regulations No. 655 of 25 November 1940 concerning industrial hygiene and safety.

China.

Regulations of 23 November 1933 concerning the marking of the weight on heavy packages transported by vessels, as revised by the Regulations of 10 December 1936.

Czechoslovakia.

Act No. 265 of 18 December 1934 concerning the marking of the weight on heavy articles transported by vessels (L.S. 1934, Cz. 10).
Decree of the Minister of Public Works of 25 June 1936 implementing the above Act.
Transport Regulations of the Czechoslovak Railways.

Finland.

Act of 10 June 1932 concerning the marking of the weight on heavy packages transported by vessels (L.S. 1932, Fin. 1).
Order of 10 June 1932 concerning the application of the Convention.
Act of 4 March 1947, concerning industrial inspection (L.S. 1927, Fin. 1).
Orders of the Council of Ministers, dated 4 March 1927, concerning the application of the Act of 4 March 1927.

Greece.

Act of 30 October 1935, to ratify the Convention (L.S. 1935, Gr. 11).
Decree of 20 May 1938 supplementing the above Act (L.S. 1938, Gr. 5).
Circular of the Ministry of Finance to the Customs Authorities, 11 June 1938.

Hungary.

Order No. 81.521/1939 to enforce Act No. 5 of 1938 to ratify the Convention.
Act No. VII of 1937 regarding the application of the Convention.

Ireland.

Act of 21 December 1934 making compulsory the marking of the gross weight on packages and articles of 1,000 kilograms or more gross weight consigned for transport by sea or inland waterway (L.S. 1934, I.F.S. 4).

Italy.

Royal Legislative Decree No. 154 of 26 January 1933 concerning the marking of the weight on heavy packages transported by water (L.S. 1933, It. 1).
Act No. 281 of 23 May 1933 to convert the previous Decree into an Act and to lay down Rules concerning the marking of the weight on heavy packages transported by water.
Royal Decree No. 676 of 8 March 1933 implementing the Convention throughout the Kingdom.

Mexico.

Customs Act of 31 December 1935, amended by Decree of 31 August 1936.

Netherlands.

Act No. 116 of 19 March 1932 to provide for the marking of the weight on packages transported by seagoing vessels (L.S. 1932, Neth. 2 A).
Act No. 117 of 19 March 1932 to provide for the marking of the weight on heavy packages transported by vessels engaged in inland navigation (L.S. 1932, Neth. 2 B).
Decree of 1 December 1932 to issue public administrative Regulations as provided in the second sentence of § 1 of the Act of 19 March 1932 to provide for the marking of the weight on heavy packages transported by seagoing vessels (L.S. 1932, Neth. 2 D).
Decree of 1 December 1932 to issue public administrative Regulations as provided in the second sentence of § 2 of the Act of 19

March 1932 to provide for the marking of the weight on heavy packages transported by vessels engaged in inland navigation (L.S. 1932, Neth. 2 D).

Decree of 1 December 1932 to fix the date on which the Acts of 19 March 1932 mentioned above shall come into operation (L.S. 1932, Neth. 2 E).

Poland.

Act of 31 January 1935 concerning the marking of the weight on packages transported by vessels (L.S. 1935, Pol. 1).

Portugal.

Decree No. 20611 of 11 December 1931 to provide for the marking of the weight on packages or objects of more than one thousand kilograms gross weight transported by vessels (L.S. 1931, Por. 5).
Decree No. 21024 of 24 March 1932 to settle the procedure to be followed in cases of infringement of the provisions of the preceding Decree.

Sweden.

Act of 11 March 1932 respecting the marking of the weight in certain cases on packages or objects to be transported by vessels (L.S. 1932, Swe. 1).

Switzerland.

Federal Act of 28 March 1934 concerning the marking of the weight on heavy packages consigned for transport by vessels (L.S. 1934, Switz. 2).
Circular, dated 8 November 1934, from the Federal Department of Public Economy to the cantonal Governments concerning the implementing of the above Act.
Cantonal measures of an organising and administrative nature to implement the Federal Act of 28 March 1934 in certain cantons.

Uruguay.

See under Convention No. 1, introductory note.

Venezuela.

Labour Act of 13 July 1936 (L.S. 1936, Ven. 2), amended by Act of 4 May 1945 (L.S. 1945, Ven. 1).
Regulations of 30 November 1938, issued under the Labour Act.
Decree of the Federal Executive of 12 April 1940 for the administration of the Labour Act and the Regulations framed thereunder.
Decree No. 70 of 30 November 1945 of the Revolutionary Junta of the Government to reorganise the various Sections attached to the Ministry of Labour.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Australia* refers to its report for 1944-1945 and adds that there has been no change in the position regarding the application of the Convention.

The Government of *Belgium* states that, during the period under review, no change has been made in the existing legislation. The application of the Regulations is entrusted to the technical inspectorate, which comprises engineer inspectors and controllers.

Four technical controllers are more especially concerned with supervising work in ports, and make regular visits to shipbuilding yards. Under § 3 of the Royal Order of 31 December 1932 the technical controllers require the production of waybills and bills of lading in respect of packages for which the weight indicated does not appear to them to be correct.

During the year under review, some breaches of the provisions of the Royal Order of December 1932 were noted by the inspectorate, but as the necessary corrective measures were taken immediately no cases were brought before the law courts. No observations from employers' or workers' organisations have been received by the technical inspectorate.

The Government of *Bulgaria* states that no special legislation has been enacted since the ratification of the Convention. The weight of heavy packages transported by vessels is generally indicated on the packages themselves or in accompanying documents.

The Government of *Canada* states that the shipping Act is administered by the Department of Transport, Ottawa. No court actions have been taken. No contraventions have been reported, and no representations made by organisations of employers or workers.

The Government of *Chile* refers to its reports covering the periods 1934-1937 and 1940-1942, and adds that the reports of the Maritime Labour Inspection Service show that there were no breaches of the relevant legislation during the period under review. No decisions by courts of law have come to the notice of the Government and no observations have been received from employers' or workers' organisations.

The Government of *China* states that the Convention is applied by §§ 1, 2, 4 and 5 of the Regulations of 23 November 1933, as revised, which are in complete harmony with the provisions of the Convention. The Bureau of Navigation and the customs offices are responsible for the application of the Convention. No breaches of the regulations were reported during the period under review. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Czechoslovakia* states that compliance with the legislative provisions is under the control of the Czechoslovak Shipping Office which is attached to the Ministry of Transport. Under § 2 of the Act of 18 December 1934, penalties are provided for breaches of the legislation. During the period under review, no breaches of the legislation have been noted by the appropriate authorities. No information is available regarding the activities of the shipping inspectorate. No observations from employers' or workers' organisations have been transmitted to the Ministry of Transport.

The Government of *Finland* states that no decisions have been given by courts of law. No reports respecting breaches of the legislation have been submitted by the labour inspectors of the Ministry of Social Affairs. No observations have been received from employers' or workers' organisations.

The Government of *Greece* refers to previous reports and adds that no new legislation has been enacted. It has not yet been possible to issue the Decree fixing details for the application of the Convention. The competent services of the Ministry of Labour and the Department of Finance have agreed to take the necessary action in this connection. The authorities of the port of Piræus report that very few of the packages loaded at this port weigh more than 1,000 kgs. The customs authorities and police at ports and the labour inspection service are responsible for the application of the provisions of the Convention. General regulations respecting the employment of dockers, which are in course of preparation, will include provisions relating to the application of the Convention.

The *Hungarian* Government states that the Convention has been applied under the same conditions as in the past, but that maritime and river navigation is practically non-existent.

The Government of *Ireland* states that there is no change in the position as outlined in its report for the period 1939-1940.

The Government of *Italy* repeats the information contained in its report for 1944/1945 and adds that no decisions were given by courts of law during 1946. No observations have been received from the organisations of workers concerned.

The Government of *Mexico* refers to previous reports.

The *Netherlands* Government states that breaches of the relevant legislative provisions have been noted in a few cases only, and that most of these breaches were due to negligence on the part of consignors. No proceedings were instituted. In general, Acts Nos. 116 and 117 of 19 March 1932 are satisfactorily applied.

See also under Convention No. 2, introductory note.

The Government of *Poland* states that, under § 1, paragraph 9 of the Act of 31 January 1935, the obligation to mark the weight rests with the consignor of the cargo or with the forwarding agent. If this is not done, the Director of the Maritime Office or the persons responsible for the inspection of inland navigation may order the weight to be marked at the expense of the consignor or forwarding agent. Repeated violations of these provisions are punishable by a fine not exceeding 2,000 zlotys.

The Maritime Offices and the labour inspection services and persons responsible for the inspection of inland navigation

supervise the application of the relevant legislation. No decisions were given by courts of law or other courts. No observations have been received from employers' or workers' organisations.

The *Portuguese* Government refers to its report for 1940-1945, and adds that no new measures were taken with regard to the Convention.

The Government of *Sweden* states that according to the reports submitted by the labour inspectorate, there were no breaches of the national legislation during the period under review.

The Government of *Switzerland* states that during the period under review no change has taken place in the federal legislation applying the Convention, and refers to its report of 30 October 1935. No breaches of the Federal Act of 28 March 1934 were reported. No suggestions, complaints or observations were submitted to the federal authorities by employers' or workers' groups. The Convention continues to be fully applied in Switzerland.

The Government of *Venezuela* states that, during the period under review, no amendment has been made to the relevant Articles of the Labour Act and of the Regulations issued under the Act.

§§ 200-205 of the Labour Act lay down the functions of the labour inspectorates attached to the Ministry of Labour and

Communications and of the Special Permanent Commissioners appointed by the labour inspectorates. Under § 294 of the Regulations issued under the Labour Act, the supervision of the application of the provisions of the Convention is entrusted to the harbour masters, who act as Special Permanent Commissioners of the various labour inspectorates for all matters relating to maritime employment, and are responsible for the supervision of the provisions of the Convention. As the Statistical Labour Service is at present being reorganised, the Government is unable to provide any statistical information. No observations have been received from employers' or workers' organisations or from any individual employer or worker.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The *Belgian* Government refers to previous reports, and in particular to the report for 1938/1939, and adds that no change has taken place in the relevant legislation.

For the *Netherlands Indies*, see under Convention No. 2.

In *Curaçao*, no legislative measures have been taken. In the majority of cases, the gross weight is indicated on big, heavy or cumbersome objects.

The Convention has been published in *Surinam*.

28. Convention concerning the protection against accidents of workers employed in loading or unloading ships

This Convention came into force on 1 April 1932

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Ireland	24. 6. 1930	21. 2. 1947
Luxembourg	1. 4. 1931	
Nicaragua	12. 4. 1934	
Spain ¹	29. 8. 1932	

¹ Since the ratification by Spain of Convention No. 32 was registered on 28 July 1934, its ratification of Convention No. 28 lapsed on 28 July 1935.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Ireland.

See below.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The *Irish* Government refers to the letter of 15 November 1939 from the Department of Industry and Commerce, indicating the protective measures already adopted with a view to minimising the risk of injury to life or limb of workers engaged in the processes referred to in the Convention. The Government adds that there is no change in the position outlined in this letter.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

Does not apply to reporting country.

FOURTEENTH SESSION (GENEVA, 1930)

29. Convention concerning forced or compulsory labour

This Convention came into force on 1 May 1932

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Australia	2. 1.1932	
Belgium	20. 1.1944	20. 3.1947
Bulgaria	22. 9.1932	22. 3.1947
Chile	31. 5.1933	15. 2.1947
Denmark	11. 2.1932	
Finland	13. 1.1936	7. 2.1947
France	24. 6.1937	
United Kingdom	3. 6.1931	27. 1.1947
Ireland	2. 3.1931	21. 2.1947
Italy	18. 6.1934	
Japan	21.11.1932	
Liberia	1. 5.1931	
Mexico	12. 5.1934	9. 9.1946
Netherlands	31. 3.1933	6. 2.1947
New Zealand	29. 3.1938	22. 2.1947
Nicaragua	12. 4.1934	
Norway	1. 7.1932	
Spain	29. 8.1932	
Sweden	22.12.1931	3. 2.1947
Switzerland	23. 5.1940	15. 1.1947
Venezuela	20.11.1944	
Yugoslavia	4. 3.1933	
Anglo-Egyptian Sudan (voluntary) ¹		

¹ A voluntary report for the period 1939-1940 was submitted by the Government of the Anglo-Egyptian Sudan although the Anglo-Egyptian Sudan is not a contracting party. By letter of 9 October 1944, the Government of the Anglo-Egyptian Sudan informed the Office that instructions would be given for the resumption of these voluntary reports as soon as the local administrative manpower situation improves. The Government also stated that an *ad hoc* report would be sent on any relevant event of sufficient importance.

INTRODUCTORY NOTE

The Government of *Bulgaria* states that, under the Constitution, forced or compulsory labour is strictly prohibited.

The Government of *Chile* refers to its report for 1933-1934 in which it stated that the type of labour dealt with by the Convention is non-existent in that country. Paragraph 9 (3) of Article 10 of the Constitution provides that "no person may be required to perform any kind of personal service... save by Decree of the competent authorities issued in accordance with the legislation permitting such service".

The Government of *Finland* states, as in previous reports, that the Convention was ratified as a measure of support of the principles contained in it. Finland has no colonies

or other territories where forced or compulsory labour exists or can arise.

The Government of *Ireland* states that there is no change in the position outlined in its report for the period 1941-1942 in which it stated that the Government has not under its sovereignty, jurisdiction, protection, suzerainty, tutelage or authority any territories to which the provisions of the Convention concerning forced or compulsory labour are applicable.

The Government is in favour of the suppression and abolition of forced or compulsory labour on the lines laid down in the Convention. The Convention was accordingly ratified, and the Government will be prepared to act in accordance with the provisions thereof should any occasion arise.

Netherlands. See under Convention No. 2. introductory note.

The Government of *New Zealand* states that forced or compulsory labour within the terms of the definition of this Article of the Convention does not exist in New Zealand, neither is there any prospect of it existing. The position is the same in the island territories attached to New Zealand and also in the mandated territory of Western Samoa. There has thus been no necessity to take any action to give effect to the instrument of ratification. This general statement is being furnished in substitution for the detailed report required under the report form issued by the International Labour Organisation.

When the questionnaire concerning this subject was under consideration it appeared that certain practices in Western Samoa, *e.g.*, the collection of beetles, and native customs authorised by the Native Regulations (New Zealand Statutory Regulations, Serial 87, § 1938), may have come within the definition then contemplated. These practices are now considered to be within the exemptions contained in paragraphs (d) and (e) of Article 2.

The Government of *Sweden* refers to its report for 1936-1937 in which it stated that Sweden possesses no territories to which there could be any question of applying the provisions of the Convention.

The Government of *Switzerland* refers to its report for 1940-1941 in which it stated that the type of forced or compulsory labour dealt with by the Convention is non-existent in Switzerland and that the Government has not under its sovereignty, jurisdiction, protection, suzerainty, tutelage or authority any territories to which the provisions of the Convention apply. This Convention, therefore, is without any practical value for Switzerland. In adhering to the Convention, the Government was inspired by the same principles which led it to adhere to the Slavery Convention signed at Geneva in 1926.

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LIST OF LEGISLATION, ETC.,
APPLYING THE PROVISIONS
OF THE CONVENTION

The Government of *Belgium* refers to its report for 1944-1945.

The following is a list of the principal legislative and administrative texts adopted either before or after the ratification of the Convention and applying in effect the principles of the Convention:

- (1) Act of 18 October 1908 on the Government of the Belgian Congo.
- (2) Decree of 16 March 1922 on the labour contract.
- (3) Decree of 5 December 1933 on Native districts.
- (4) Circular of 20 March 1936 on the Sunday rest of Natives subjected to forced labour.
- (5) Legislative Order of 11 June 1940 on civil requisitions.
- (6) Legislative Order of 8 December 1940 on the health and safety of labourers.
- (7) Legislative Decree of 20 May 1943 approving the international Convention on forced labour (L.S. 1943, Bel. 2).
- (8) Legislative Order of 13 October 1944 amending the Decree of 5 December 1933 on Native districts (§ 49).

Bulgaria. See introductory note.

Chile. See introductory note.

Finland. See introductory note.

United Kingdom: For a list of the territories in which there is no law or custom permitting the exaction of forced or compulsory labour as defined for the purposes of the Convention, see Report V, 1946 (Reports on the Application of Conventions).

Below is given a list of the principal laws in force in the Dependencies in which forced or compulsory labour is allowed by law:

Gold Coast.

Gold Coast Colony Labour Ordinance (No. 21 of 1935) (L.S. 1935, G.C. 1).
Ashanti Labour Ordinance (No. 32 of 1935).
Northern Territories Labour Ordinance (No. 33 of 1935).
Criminal Code (Cap. 29), § 449 (7).
Criminal Code Amendment and Extension Ordinance (No. 17 of 1935), § 16.
Roads Ordinance (Cap. 149), amended by Ordinance No. 22 of 1935.
Northern Territories Native Authority Ordinance (No. 43 of 1936), § 9.

Towns Ordinance (Cap. 170), S 38 (1), amended by Ordinance No. 23 of 1935.
Sanitary Bye-Laws made under the Native Jurisdiction Ordinance (Cap. 113).
Gold Coast Colony Labour Regulations (No. B 38 of 1935).
Gold Coast Colony Labour Regulations (No. 29 of 1936).
Gold Coast Colony Bye-Laws, Nos. 8 and 9 of 1936 and Nos. 5, 6, 7, 8, 11, 12, 19 and 20 of 1937 made by the Ajumaku, Prampram, Anamabu, Agona, Ekunfi, Akim Busum, Akim Kotoku, Eguao, and Gomoa Assin States, revoking bye-laws having reference to the maintenance of roads, which are incompatible with the provisions of the Convention.
Ashanti Labour Regulations (No. B 44 of 1935).
Administration (Ashanti) (Roads Repeal) Rules (No. 17 of 1936).
Ashanti Labour Regulations (No. 28 of 1936).
Northern Territories Labour Regulations (No. B 45 of 1935).
Administration (Northern Territories) (Roads Repeal) Rules (No. 16 of 1936).
Northern Territories Labour Regulations (No. 27 of 1936).

Kenya.

Penal Code, § 243.
Compulsory Labour (Regulation) Ordinance, 1932.
Native Authority Ordinance, 1937.
Government Notices, Nos. 406 of 1926, 595 of 1928, 657 and 756 of 1933.

Nigeria.

Forced Labour Ordinance, 1933 (L.S. 1933, Nig. 1), amended by Ordinances Nos. 16 of 1937 and 60 of 1942.
Regulations with regard to the forced labour of persons as carriers, issued under § 7 of the above Ordinance.
Regulations No. 3 of 1934 made under §§ 13 and 16 of the above Ordinance, amended by Regulations Nos. 10 and 27 of 1937 and 4 of 1938.
Regulations No. 13 of 1934, made under § 16 of the above Ordinance, amended by Regulations No. 21 of 1936.
Regulations No. 23 of 1935, made under § 16 of the above Ordinance, amended by Regulation No. 24 of 1938.
Order in Council No. 18 of 1937, made under § 11 of the Native Courts Ordinance, 1933.

North Borneo.

Indian Penal Code (adopted as law in North Borneo under the Procedure Ordinance, 1926), § 374. Village Administration Ordinance No. 5 of 1913, § 9 (ii), as amended by Notifications Nos. 95 of 1931 and 37 of 1933.
Land Ordinance No. 9 of 1930, § 66.
Prohibition of Forced Labour Ordinance (No. 4 of 1933) (L.S. 1933, N.B. 1).
Notification No. 505 of 1930 (issued under the Land Ordinance, 1930), § 5.
Notification No. 159 of 1931 (issued under the Agricultural Pests Ordinance, 1917).

Nyasaland.

Forced Labour Ordinance No. 15 of 1933.

Sierra Leone.

Headmen Ordinance (Cap. 91).
Public Health (Protectorate) Ordinance, (Cap. 172), § 9.
Destruction of Locusts Ordinance No. 21 of 1931.
Forced Labour Ordinance No. 50 of 1932, amended by No. 11 of 1938.
Protectorate Ordinance No. 32 of 1933, § 9 (7).

Sierra Leone General Orders Nos. 461-477, as amended by Amendment Slips No. 40 of 24 January and No. 52 of 9 September 1933.

Tanganyika Territory.

Penal Code, §§ 243 and 34.
Native Authority Ordinance (Cap. 47).
Hut and Poll Tax Ordinance (Cap. 63), as amended by Ordinance No. 23 of 1930.
Employment of Porters (Restriction) Ordinance (Cap. 27).
Native Tax Ordinance (No. 20 of 1934).
Instructions concerning the recruitment, employment and care of Government labour, 2nd edition, 1933.
Native Administration Memorandum No. I.
Native Administration Memorandum No. VIII, 2nd edition, 1938.

Uganda.

Penal Code of 1930, § 223.
Native Authority Ordinance of 1919 (Cap. 60) as amended by Ordinance No. 14 of 1923.
Native Authority Rules, 1920.
Native Authority Rules, 1929, Rule 2 (ii) being repealed.
Poll Tax Ordinance, 1920 (Cap. 63).
Luwalo Law, 1930 and 1931 (Kingdom of Buganda).
Regulations and General Instructions for the control of compulsory labour, 1932.

Ireland. See introductory note.

Mexico. Political Constitution of the United States of Mexico, 1917.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2. In *Curaçao* the provisions of the Convention are strictly observed. The Convention has been published in *Surinam*, where forced or compulsory labour no longer exists.

New Zealand. See introductory note.

Sweden. See introductory note.

Switzerland. See introductory note.

II

ARTICLE 26 OF THE CONVENTION

No change has been reported in the declarations made under this Article of the Convention.

III

PROVISIONS OF LEGISLATION, ETC., UNDER WHICH THE ARTICLES OF THE CONVENTION ARE APPLIED

Articles 1-21

Belgium. The Government refers to its report for 1944-1945.

The Government of the *United Kingdom* has supplied separate reports on the territories in which any of the forms of compulsory labour which are subject to the stipulations of the Convention can be employed, viz., *Gold Coast*, *Kenya*, *Nigeria*, *Nyasaland*, *Sierra Leone*, *Tanganyika*, *Uganda*. Particulars concerning the position in *North*

Borneo will be furnished in the next annual report.

Bulgaria, *Chile*, *Finland*, *Ireland*, *Netherlands*, *New Zealand*, *Sweden*, *Switzerland*. See introductory note.

Article 22

Belgium. The Government refers to its report for 1944-1945.

United Kingdom. No forced or compulsory labour within the meaning of the Convention was exacted during the period under review in the *Gold Coast* and *Nyasaland*. Statistical information concerning the incidence of forced or compulsory labour during the period under review is given in the reports for *Kenya*, *Nigeria*, *Sierra Leone*, *Tanganyika*, *Uganda*.

Bulgaria, *Chile*, *Finland*, *Ireland*, *Netherlands*, *New Zealand*, *Sweden*, *Switzerland*. See introductory note.

Articles 23 to 25

Belgium. The Government refers to its report for 1944-1945.

Bulgaria, *Chile*, *Finland*, *Ireland*, *Netherlands*, *New Zealand*, *Sweden*, *Switzerland*. See introductory note.

IV

GENERAL APPRECIATION OF MANNER IN WHICH THE CONVENTION IS APPLIED

Belgium. The Government refers to its report for 1944-1945.

United Kingdom. No change has taken place during the year under review.

Mexico. The Government refers to its report for 1943-1944.

Bulgaria, *Chile*, *Finland*, *Ireland*, *Netherlands*, *New Zealand*, *Sweden*, *Switzerland*. See introductory note.

V

DECISIONS GIVEN BY COURTS OF LAW, ETC.

Belgium. The Government refers to its report for 1944-1945, in which it stated that no decisions were given by courts of law and no observations had been made with regard to the practical application of the Convention.

United Kingdom. In *Sierra Leone*, during the month of March 1946, 11 men failed to render forced labour lawfully required under the relevant legislation. Fines were imposed in each case.

The other reports supplied by the Government of the *United Kingdom* on the separate dependent territories state that no decisions were given by courts of law and that no representations have been received from employers' or workers' organisations.

Mexico. The Government refers to its report for 1943-1944, in which it stated that no decisions had been given by courts of law and no observations had been made regarding the application of the Convention.

New Zealand. No decisions were given by courts of law. No observations have been received from organisations of employers or workers.

30. Convention concerning the regulation of hours of work in commerce and offices

This Convention came into force on 29 August 1933

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Austria ¹	16. 2. 1933	
Bulgaria	22. 6. 1932	22. 3. 1947
Chile	18. 10. 1935	15. 2. 1947
Cuba	24. 2. 1936	21. 4. 1947
Finland	13. 1. 1936	7. 2. 1947
Mexico	12. 5. 1934	9. 9. 1946
New Zealand	29. 3. 1938	27. 3. 1947
Nicaragua	12. 4. 1934	
Spain	29. 8. 1932	
Uruguay ²	6. 6. 1933	21. 3. 1947

¹ Conditional ratification.

² See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Bulgaria.

Act of 1917 respecting the health and safety of workers (B.B., Vol. XIII, 1918, p. 27).
Legislative Decree No. 9844 of 26 May 1936 concerning hours of work in commercial establishments, amended and supplemented by Decree No. 13272 of 20 July 1936 (L.S. 1936, Bulg. 2).

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (Book I, Part IV) (L.S. 1931, Chile 1).
Decree No. 969 of 18 December 1933, issuing administrative Regulations in application of Book I, Part IV of the Labour Code.
Decree No. 702 of 8 June 1935 to approve the Regulations for hours of work in railway undertakings (superseding Decree No. 224 of 16 March 1932) (L.S. 1932, Chile 1).

Cuba.

Decree No. 1693 of 19 September 1933 respecting the 8-hour day.
Decree No. 2513 of 19 October 1933 (L.S. 1933, Cuba 4), issuing general Regulations for the administration of the above Decree, amended by § 66 of the Constitution.
Code of Social Defence, § 575.

Finland.

Act of 8 December 1934 respecting the conditions of employment in commercial establishments and offices (L.S. 1934, Fin. 4), replaced by the Act of 2 August 1946 (L.S. 1946, Fin. 4).
Order of 5 December 1935 respecting the application of the Convention.
Act of 4 March 1927 respecting industrial inspection (L.S. 1927, Fin. 1).
Resolution of the Council of State of 4 March 1927 respecting the application of the Act of that date (L.S. 1927, Fin. 1 B).

Mexico.

Political Constitution of the United States of Mexico, 1917.
Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).
Act fixing the Civil Servants' Statute, 1941 (to repeal the Statute promulgated in the *Diario Oficial* of 27 September 1938).
Presidential Decree of 16 May 1944, fixing business hours in commercial establishments in the Federal District.

New Zealand.

The Shops and Offices Act, 1921-22.
The Shops and Offices Amendment Acts, 1927, 1936 and 1945.
Statutes Amendment Act, 1937, § 29.

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Bulgaria* states, under Article 1 of the Convention, that the national legislation does not apply to persons employed in the postal, telegraph and telephone services. Under Articles 5 and 6, the Government states that the national legislation does not allow for an extension of the daily hours of work or for the distribution of hours of work over a period longer than the week.

The General Labour Directorate and the administrative and police authorities are responsible for the supervision of the application of the relevant legislation. No decisions were given by courts of law. No statistics are compiled regarding the application of the Convention. No observations have been received from employers' or workers' organisations.

The Government of *Chile* states that decisions have been given fairly frequently regarding the application of the relevant provisions of the Convention, and attaches to its report copies of the texts of five decisions involving fines for various breaches of the Regulations. The number of workers protected by the legislation is approximately 180,000. No observations have been received from employers' or workers' organisations.

The Government of *Cuba* refers to its report for 1943-1944.

The Government of *Finland* states, under Article 7 of the Convention, that the Council of Ministers may issue special Ordinances authorising certain permanent exceptions. With regard to temporary exceptions, wage rates for hours of work in excess of those laid down in the legislation are increased by 50 per cent. for the first two hours' overtime and by 100 per cent. for any further hours of overtime. For work on Sundays and on other religious holidays, Independence Day or 1 May, wage rates are increased by 150 per cent. above normal for the first two hours' overtime and by 200 per cent. for any further hours of overtime.

For the purpose of inspection the country is divided into 8 districts, the inspection staff including 29 inspectors and assistant inspectors, 4 women inspectors and 12 worker inspectors. In addition, there are inspectors in each commune who are paid by the commune and whose activities are controlled by the State factory inspectors. According to the report of the inspectorate for 1945, there were in that year 19,082 commercial establishments and offices, with 61,573 employees. During the year under review, no proceedings were instituted for breaches of the relevant legislation. The employers' and workers' organisations have made proposals with a view to the stricter application of the provisions relating to hours of work and overtime, and new instructions to this effect have been given to labour inspectors.

The Government of *Mexico* refers to previous reports.

The Government of *New Zealand* appends to its report a schedule of working hours fixed by the Court of Arbitration. Under § 20 of the Industrial Conciliation and

Arbitration Amendment Act, the Court of Arbitration is directed to fix at not more than 40 the maximum number of hours (exclusive of overtime) to be worked in any week by any worker bound by the award.

The annual report for the Department of Labour for 1946, with reference to the Shops and Offices Acts, shows that, from available information, it is estimated that the number of shops operating during the year was 28,138, of which 13,228 were carried on without assistants; 22,842 males and 29,759 females were employed. Visits of inspection numbered 9,569, disclosing 434 breaches of the legislation. Investigations were made into 301 complaints in respect of alleged breaches of the legislation, resulting in fines totalling £111.10s.

In addition, 487 warnings were issued. The number of workers covered by the legislation in 1945 was 15,833 shop assistants and 24,193 clerical workers.

The report adds that, with the cessation of hostilities and the consequent demobilisation of military personnel, the inspection staff of the Department is returning to normal strength. It can be anticipated, therefore, that there will be increased inspection visits which will enable greater accuracy in the compilation of statistics regarding the number of shops and the number of assistants covered by the legislation. No decisions were given by courts of law and no observations have been received from the organisations of employers or workers concerned.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

For *New Zealand* see under Convention No. 1.

SIXTEENTH SESSION (GENEVA, 1932)

32. Convention concerning the protection against accidents of workers employed in loading or unloading ships (revised 1932)

This Convention came into force on 30 October 1934

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Canada .	6. 4. 1946	
Chile	18. 10. 1935	15. 2. 1947
China	30. 11. 1935	14. 5. 1947
United Kingdom	10. 1. 1935	27. 1. 1947
Italy	30. 10. 1933	25. 3. 1947
Mexico	12. 5. 1934	9. 9. 1946
New Zealand	29. 3. 1938	22. 2. 1947
Spain	28. 7. 1934	
Sweden	3. 8. 1938	3. 2. 1947
Uruguay ¹	6. 6. 1933	21. 3. 1947

¹ See under Convention No. 1, introductory note.

INTRODUCTORY NOTE

The Government of *Mexico* refers to its report for 1943-1944 in which it stated that, in the absence of specific legislation, port authorities have been recommended to comply with the protective provisions of the Convention. Further, when the Regulations under the Act concerning general means of communication are adopted and the Regulations concerning measures for the prevention of industrial accidents are drawn up they will both include the provisions of the Convention. The competent section (*Oficina de Extension y de Asuntos Internacionales*) of the Department of Social Information of the Labour Secretariat is in touch with the Navy Department and the Directorate of Social Welfare of the Labour Secretariat with a view to expediting the co-ordination of the national legislation with the Convention. This Section has communicated to the Navy Department and to the social welfare authorities the observations made by the Committee of Experts in 1937.

The Government of *New Zealand* states that while the national legislation is not absolutely in harmony with the provisions of the Convention the difficulties are so small that it has not been considered necessary at present to make any amendments to ensure full compliance.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (§§ 244 and 248) (L.S. 1931, Chile 1).

Decree No. 217 of 30 April 1926 to approve the Regulations respecting industrial hygiene and safety (Extracts in L.S. 1926, Chile 2).

Decree No. 655 of 25 November 1940 issuing Regulations concerning industrial hygiene and safety.

China.

Regulations of 22 April 1937 concerning the protection against accidents of workers employed in loading or unloading ships.

United Kingdom.

The Factories Act, 1937.

The Explosives Act of 14 June 1875.

Petroleum (Consolidation) Act of 3 August 1928.

The Docks Regulations of 6 March 1925 (Regulations 18, 19, 20 and 46 only) (in Northern Ireland 1926) (L.S. 1925, G.B. 1).

The Docks Regulations of 5 March 1934 (in Northern Ireland also 1934) (L.S. 1934, G.B. 1), amended by the First-Aid Regulations 1937.

(The Northern Ireland Code is, save for certain slight differences in administrative machinery, the same as the Code in Great Britain.)

Model Byelaws under the Explosives Act of 1875 and the Petroleum (Consolidation) Act 1928.

Italy.

Royal Decree No. 1319 of 21 September 1933 to give effect to the Convention.

Mexico.

Decree of 2-31 July 1935, promulgating Convention (*Diario Oficial* No. 39, 14 August 1935). See also introductory note.

New Zealand.

The Harbours Act, 1923 (No. 40), as amended by the Acts of 1925 and 1933.

The Westport Harbour Act, 1920, as amended by the Act of 1935.

The Finance Act, 1925 (§ 13).

The General Harbour Regulations.
The Safe Working Load Regulations.
See also introductory note.

Sweden.

Royal Decree No. 815 of 8 October 1937 respecting the precautions incumbent upon the master in connection with the loading and unloading of a vessel (*Svensk Författningsamling*, Nos. 813-817, 15 October 1937) amended by Decree No. 842 of 10 December 1943.

Royal Decree No. 816 of 8 October 1937 respecting the precautions incumbent upon the employer, etc., in connection with the loading and unloading of a vessel (*Svensk Författningsamling*, Nos. 813-817, 15 October, 1937).

Order No. 599 of 30 July 1938 of the State Insurance Office, containing certain exceptions to Royal Decree No. 816 of 8 October 1937.

Order No. 600 of 30 July 1938 of the State Insurance Office, containing special provisions under Royal Decree No. 816 of 8 October 1937.

Royal Decree No. 321 of 21 June 1946, amending § 2, paragraphs 1 (a) and (b) of Royal Decree No. 815 of 8 October 1937 (*Svensk Författningsamling*, Nos. 321-322, 28 June 1946).

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Chile* refers to previous reports and adds that decisions are given fairly frequently with regard to the application of the relevant legislation, but the General Directorate of Labour does not possess copies of the texts of any such decisions.

According to the reports of the maritime labour inspection service and of the section for the prevention of industrial accidents, the provisions of the relevant legislation are applied more or less satisfactorily. The number of workers covered by the legislation was 14,390. During 1945, there were 893 accidents, 31 of which were slight and 5 serious, resulting in the death of the victims. No statistical information is available. No observations have been received from employers' or workers' organisations.

The Government of *China* refers to its report for 1936-1937 for details regarding the application of the Convention. During the period under review, the Regulations of 22 April 1937 were carefully observed by all the shipping companies. The Bureau of Navigation and the local governments are responsible for the application of the Convention. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of the *United Kingdom* states that in 1946 there were 6,943 accidents on docks, wharves and quays in Great Britain, of which 54 were fatal. The principal causes of these accidents were: handling goods in manufacturing, etc., processes

(1,964, including 3 fatal); struck by falling body (1,265, including 5 fatal); persons falling (1,080, including 16 fatal); lifting machinery (1,045, including 22 fatal); stepping on or striking against objects (400); railway locomotives and rolling stock (368, including 5 fatal); use of hand tools (49). Twenty-two dangerous occurrences at docks were reported during the period October 1945-September 1946. All were ascribed to the collapse, etc., of lifting appliances.

In 1946, legal proceedings for breaches of the Docks Regulations were instituted in 6 cases against employers, and convictions were secured in 4. The other 2 cases were withdrawn. No decisions were given by courts of law or other courts. No observations have been received from employers' or workers' organisations.

In *Northern Ireland*, no fatal accidents were reported to the Chief Inspector during 1945 as occurring at docks, wharves and quays, but 158 non-fatal accidents involving 3 days' absence from work were reported. The causes of these accidents are analysed in the report.

The Government of *Italy* refers to previous reports, and adds that the competent authorities in Italian ports are responsible for the supervision of the relevant legislation. No decisions were given by courts of law and no observations have been received from the workers' organisations concerned.

Mexico. See introductory note.

The Government of *New Zealand* repeats the detailed information given in its report for 1944-1945 regarding the application of the Convention, and adds that waterside inspectors have been appointed in the principal ports to ensure compliance with the provisions of the regulations and the legislation. There is no provision for the posting up by public authorities of summaries of the relevant regulations, but this point may be considered for incorporation in amending regulations. There are at present no statistics available regarding the number of workers covered by the legislation, but the annual report of the Department of Labour for 1946 indicates that 6,362 persons were members of the industrial unions embracing waterside employees, stevedores and timekeepers. No decisions were given by courts of law or other courts. No representations or observations have been made by organisations of employers or workmen.

See also introductory note.

The Government of *Sweden* refers to its report for 1936-1937, as supplemented in certain respect by subsequent communications, and adds that the Royal Decree of 8 October 1937 was amended by the Decree of 21 June 1946, the text of which accompanies the report. This Decree provides for the inspection and testing of hoisting gear taken into use before 1 January 1947 on board ships of less than 300 tons register.

COLONIES, ETC.
(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of the *United Kingdom* states that the following legislation has been enacted :

Trinidad.

Factories Ordinance No. 44 of 1946.

For *New Zealand*, see under Convention No. 1.

33. Convention concerning the age for admission of children to non-industrial employment

This Convention came into force on 6 June 1935

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Austria	26. 2.1936	
Belgium	6. 6.1934	10. 2.1947
Cuba	24. 2.1936	21. 2.1947
France	29. 4.1939	
Netherlands	12. 7.1935	6. 2.1947
Spain	22. 6.1934	
Uruguay ¹	6. 6.1933	21. 3.1947

¹ See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Consolidated Act concerning the employment of women and children (for the text see Royal Order of 28 February 1919 (L.S. 1919, Bel. 2)), amended by the Eight-Hour Day Act of 14 June 1921 (L.S. 1921, Bel. 1).

Royal Order of 27 April 1927 concerning the employment of women and children; prohibition of the employment of children under the age of sixteen years in theatres, music halls, dancing establishments and night bars (L.S. 1927, Bel. 2).

Cuba.

§ 66 of the Constitution of 1940 (L. S. 1940, Cuba 1).

Legislative Decree No. 647 of 31 October 1934 respecting the night work of young persons employed in industry and the minimum age for admission of children to industrial employment (L.S. 1934, Cuba 11).

Netherlands.

Labour Act of 1919 (codified text : L.S. 1930, Neth. 2), amended by the Act of 9 May 1935 (L.S. 1935, Neth. 2).

Decree of 25 September 1933 concerning employment of women and young persons (L.S. 1933, Neth. 4).

Uruguay.

See under Convention No. 1, introductory note.

SUMMARY OF ADDITIONAL INFORMATION
(II, IV, V, VI)

The Government of *Belgium* refers to previous reports and adds that, during the period under review, no amendments have been made to existing legislation, which has been applied entirely satisfactorily. No observations have been made by employers' or workers' organisations.

The Government of *Cuba* refers to previous reports and adds that § 66 of the Constitution strictly prohibits the employment of minors under 14 years of age.

Netherlands. See under Convention No. 5, and under Convention No. 2, introductory note.

COLONIES, ETC.
(ARTICLE 35 OF THE CONSTITUTION) (III)

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

In *Curaçao*, the employment of children under 13 years of age is strictly prohibited.

The Convention has not been published or promulgated in *Surinam*. As far as can be ascertained, there are no serious abuses of child labour. Statutory measures relating to the Convention are in course of preparation.

SEVENTEENTH SESSION (GENEVA, 1933)

34. Convention concerning fee-charging employment agencies

This Convention came into force on 18 October 1936

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Chile	18.10.1935	15. 2.1947
Finland	13. 1.1936	7. 2.1947
Mexico	21. 2.1938	9. 9.1947
Spain	27. 4.1935	
Sweden	1. 1.1936	3. 2.1947
Turkey (notified)	8. 7.1946	

Royal Decree of 10 February 1939 respecting the extension of the authorisation to engage in fee-charging placing operations.

Act of 30 April 1942 to modify certain sections of the Act of 18 April 1935 containing certain provisions respecting placing in employment.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Chile* refers to its report for 1936-1937 and adds that the courts have given comparatively few decisions regarding the application of the Convention. The text of one of these decisions accompanies the report. The provisions of the relevant legislation are satisfactorily applied. Non-fee-charging employment agencies are required to send to the National Employment Service every two weeks data concerning completed contracts of employment as well as information concerning the person seeking employment. No statistical information is available. No observations have been received from employers' or workers' organisations.

The Government of *Finland* states that fee-charging employment agencies are strictly prohibited by the legislation. Only associations which have obtained the required authorisation may engage in placing activities. Associations which procure employment or workers for their members have the right to collect fees at a rate fixed when the authorisation is granted to them. These activities are under the supervision of the public authorities. No fee-charging employment association so far has applied for authorisation for placing or recruiting workers abroad. No agreements to this effect have been concluded with any other countries. The authorities responsible for finding employment for demobilised military conscripts, undertakings controlled by the State and social welfare authorities may carry on placing work on behalf of the persons for whom they are responsible. Such work must be done without charge. The same provisions apply to the municipal authorities. Information concerning such placing operations must be furnished to the Minister of Social Affairs. The legislation regarding placing in employ-

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Chile.

Legislative Decree No. 178 of 13 May 1931 to ratify the Labour Code (L.S. 1931, Chile 1).
Decree No. 113 of 12 March 1926 concerning collective recruitment.

Finland.

Act of 23 July 1936 respecting employment exchange (L.S. 1936, Fin. 2).
Order of 23 July 1936 to implement the above Act.
Order of 23 July 1936 concerning placings effected by the Society of Hospital Nurses.
Order of 13 February 1942 concerning regional and local manpower administration.
Ordinance of 2 November 1945 respecting the local and regional administration of manpower.

Mexico.

Political Constitution of the United States of Mexico, 1917.
Federal Labour Act of 18 August, 1931 (L.S. 1931, Mex. 1).
Regulations of 6 March 1934 respecting employment agencies (L.S. 1934, Mex. 2).
Decree of the President of the Republic of 26 August 1942 to set up the Employment Service.
Resolutions of 23 March 1943 respecting the Joint Employment Exchange to be set up in Vera Cruz under Presidential Order of 23 October 1942.

Sweden.

Act of 18 April 1935 containing certain provisions respecting placing in employment (L.S. 1935, Swe. 1), as amended by the Act of 31 August 1940.
Royal Decree (of 28 June 1935) respecting the authorisation by the State of employment agencies for hospital nurses.

ment provides for penal sanctions and for the withdrawal of permits.

Since the beginning of 1941 the application of the relevant legislation is under the temporary supervision of the sections of the Ministry of Communications and Public Works which are in charge of labour and manpower. The inspection service is also under this Ministry. No decisions were given by courts of law. No observations have been received from employers' or workers' organisations.

The Government of *Mexico* refers to previous reports.

The Government of *Sweden* refers to its report for 1936-1937, as supplemented by

subsequent communications, and adds that at the beginning of 1945 authorisations were granted to 72 private employment agencies (under the provisions of the Act of 18 April 1935, which contained certain provisions respecting placing in employment) to operate until the end of 1945. At the beginning of 1946, 69 of these agencies had continued their activities, having the required authorisation to do so.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

Does not apply to reporting countries.

35. Convention concerning compulsory old-age insurance for persons employed in industrial or commercial undertakings, in the liberal professions, and for out-workers and domestic servants

This Convention came into force on 18 July 1937

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Chile	18.10.1935	15. 2.1947
France	23. 8.1939	20. 3.1947
United Kingdom	18. 7.1936	5. 3.1947
Peru	8.11.1945	

INTRODUCTORY NOTE

The Government of *Northern Ireland* states that the contributory pension scheme in Northern Ireland is the same as that in operation in Great Britain, with some minor differences of the administrative machinery. Northern Ireland has, however, a land frontier with Ireland and Article 14 of the Convention therefore applies. Arrangements have been made for the payment in post offices in Eire of pensions payable under the Contributory Pensions Acts of Northern Ireland to persons resident in Eire.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Chile.

Decree No. 34 of 22 January 1926 promulgating the text of Act No. 4054 of 8 September 1924 (L.S. 1924, Chile 1) respecting compulsory insurance against sickness, invalidity and old age (L.S. 1926, Chile 1).
Decree No. 205 of 8 April 1925 issuing Regulations under Act No. 4054.
Legislative Decree No. 203 of 14 July 1932 concerning the method of constituting the Council of the Compulsory Insurance Fund.
Legislative Decree No. 499 of 26 August 1932, specifying the powers of the Council and General Manager of the Compulsory Insurance Fund.

Legislative Decree No. 331 of 29 July 1932 including illegitimate children among the heirs entitled to refund of the contributions paid by their deceased insured parent.

Act No. 5067 of 1 March 1932 concerning the inspection service of the Compulsory Insurance Fund.

Act No. 5937 of 16 October 1937 increasing the maximum income compatible with liability to insurance.

Act No. 6172 of 22 February 1938 increasing the rate of the employer's contribution in order to finance workers' housing.

Act No. 6236 of 10 September 1938 increasing the rate of the State contribution, in order to finance maternal and infant welfare services.

Act No. 6174 of 9 February 1938 establishing a preventive medical service for the insured population (L.S. 1938, Chile 1).

Decree No. 360 of 9 May 1938 issuing Regulations under Act No. 6174.

Act No. 7771 of 26 June 1944, to abolish the maximum salary limit of workers covered by the Compulsory Sickness and Invalidity Insurance Fund.

France.

Legislation applied from 1939-1945

Legislative Decree of 28 October 1935 to amend the law relating to social insurance (L.S. 1935, Fr. 12).

Decree of 11 July 1939 to issue public administrative regulations for the application of the above-named Decree with regard to the social insurance system to be applied to insured persons in commerce and industry. The Measure known as the "Act" of 14 March 1941, subsequently repealed and replaced by the Ordinance of 2 February 1945, to organise on a new basis the old-age allowances for employees, and to amend the system of old-age and invalidity insurance pensions.

Acts Nos. 27 and 29 of 6 January 1942, to simplify the working of the social insurance system (L.S. 1942, Fr. 9, A and B).

Legislation actually in force

Ordinance of 4 October 1945, respecting the organisation of social security (L.S. 1945, Fr. 14).

Public administrative regulations of 8 June 1946, as amended, for the application of the above-named Ordinance.

Ordinance of 19 October 1945 to prescribe the social insurance system applicable to insured persons in non-agricultural occupations (L.S. 1945, Fr. 1 G).

Public administrative regulations of 29 December 1945, as amended, for the application of the above-named Ordinance (L.S. 1945, Fr. 1 I).

Act of 22 May 1946 respecting the general organisation of social security.

Act of 13 September 1946 to fix the date of the application of the above-named Act in so far as it concerns old-age insurance, establishing a temporary old-age allowance, and respecting State aid to economically weak social groups (L.S. 1946, Fr. 1 D).

Act of 24 October 1946 to reorganise the legal departments for the social security system and mutual benefit societies in agriculture.

Public administrative regulations of 31 December 1946 for the application of the above-named Act.

United Kingdom :

Great Britain.

Widows', Orphans' and Old-Age Contributory Pensions Act, 1936 (L.S. 1936, G.B. 5).

Widows', Orphans' and Old-Age Contributory Pensions (Voluntary Contributors) Act, 1937 (L.S. 1937, G.B. 1).

National Health Insurance Act, 1936 (L.S. 1936, G.B. 8).

National Health Insurance (Amendment) Act, 1938 (L.S. 1938, G.B. 2).

National Health Insurance and Contributory Pensions (Emergency Provisions) Act, 1939 (L.S. 1939, G.B. 5).

Old-Age and Widows' Pensions Act, 1940 (L.S. 1940, G.B. 1).

National Health Insurance Contributory Pensions and Workmen's Compensation Act, 1941 (L.S. 1941, G.B. 2).

Ministry of National Insurance Act, 1944.

National Insurance Act, 1946.

Various Orders and Regulations concerning Contributory Pensions and National Health Insurance, dating from 1937 to 1945.

Northern Ireland.

Widows', Orphans' and Old-Age Contributory Pensions (Northern Ireland) Act, 1936.

Widows', Orphans' and Old-Age Contributory Pensions (Voluntary Contributors) Act (Northern Ireland), 1937.

National Health Insurance (Amendment) Act (Northern Ireland), 1938.

Old-Age and Widows' Pensions Act (Northern Ireland), 1940 (L.S. 1940, G.B. 1).

National Health Insurance and Contributory Pensions Act (Northern Ireland), 1941.

Various Orders and Regulations concerning Contributory Pensions and National Health Insurance, dating from 1937 to 1943.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Chile* refers to its previous report, and adds that very few decisions are given regarding the application of the relevant legislation. The text of one decision, which refers indirectly to the application of the Convention, accompanies the report. Administrative decisions issued by the Compulsory Insurance Fund do not relate in general to questions of principle. The Government also appends to its report

statistical information compiled by the Compulsory Social Insurance Fund. No observations have been made by employers' or workers' organisations.

In a very detailed report covering the period 1939 to 1946, the Government of *France* states that the old-age insurance system has been considerably amended by new legislative measures which constitute the basis for the complete organisation of social security. In future, old-age insurance will cover, not only wage-earners and assimilated persons, but the whole of the population.

The report contains detailed information regarding the application of each of the Articles of the Convention. No use is now made of the exceptions provided for under paragraph 2 of Article 2 of the Convention. In general, certain branches of industry or establishments (central, departmental or municipal administrations, mines, railways, gas and electricity undertakings) remain subject to a special system under which benefits are equivalent to those granted under the general system.

The report also contains information relating to the rates of employers' and workers' contributions, which take into account the wages ceiling for the calculation of benefits; the administration of old-age insurance through regional funds which include employers' and workers' representatives, and a national social security fund under the control of the Ministries of Labour, Finance and National Economy; the control of the relevant legislation, under the authorities responsible for the general control of social security; the settlement of law suits or disputes; sanctions for breaches of the regulations; and wages for foreign workers.

Information is also given regarding the age at which pensions are granted (65 years for unskilled workers or workers who, for at least 20 years, have been engaged in particularly difficult work); pension rates; the number of workers covered by the legislation (7,500,000 in 1945); the number of beneficiaries and the amounts expended and received by the social security bodies, from which it is not possible to separate the expenditure for the administration of old-age insurance. No legal or administrative decisions were given.

The Government of the *United Kingdom* gives detailed information regarding changes effected by the Contributory Pensions Regulations of 1946. For new entrants the qualifying period for a pension is increased from 5 to 10 years. The pension of a worker who retires from regular employment varies from 10/- to 26/- a week. If a retired pensioner earns more than 20/- a week, his pension is reduced, but, in no case, below 10/-. Provision is made for hearing appeals on questions of retirement and earnings.

Persons resident in *Eire* who are employed in *Northern Ireland* are insured for all purposes of the contributory pensions scheme in *Northern Ireland*, but the receipt of an

old-age pension by such a person is conditional on his having been a resident in the United Kingdom for a period of two years at some time prior to the date at which his right to the pension would otherwise have accrued.

See also introductory note.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of the *United Kingdom* states that there is nothing to report in respect of the year under review.

36. Convention concerning compulsory old-age insurance for persons employed in agricultural undertakings

This Convention came into force on 18 July 1937

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Chile	18.10.1935	15. 2.1947
France	23. 8.1939	3. 4.1947
United Kingdom	18. 7.1936	5. 3.1947

INTRODUCTORY NOTE

Northern Ireland.

See under Convention No. 35.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Chile.

- Decree No. 34 of 22 January 1926 promulgating the text of Act No. 4054 of 8 September 1924 (L.S. 1924, Chile 1) respecting compulsory insurance against sickness, invalidity and old age (L.S. 1926, Chile 1).
- Decree No. 205 of 8 April 1925 issuing Regulations under Act No. 4054.
- Legislative Decree No. 203 of 14 July 1932 concerning the method of constituting the Council of the Compulsory Insurance Fund.
- Legislative Decree No. 499 of 26 August 1932, specifying the powers of the Council and General Manager of the Compulsory Insurance Fund.
- Legislative Decree No. 331 of 29 July 1932 including illegitimate children among the heirs entitled to refund of the contributions paid by their deceased insured parent.
- Act No. 5067 of 1 March 1932 concerning the inspection service of the Compulsory Insurance Fund.
- Act No. 5937 of 16 October 1937 increasing the maximum income compatible with liability to insurance.
- Act No. 6172 of 22 February 1938 increasing the rate of the employer's contribution in order to finance workers' housing.
- Act No. 6236 of 10 September 1938 increasing the rate of the State contribution in order to finance maternal and infant welfare services.
- Act No. 6174 of 9 February 1938 establishing a preventive medical service for the insured population (L.S. 1938, Chile 1).
- Decree No. 360 of 9 May 1938 issuing Regulations under Act No. 6174.
- Act No. 7771 of 26 June 1944, to abolish the maximum salary limit of workers covered by the Compulsory Sickness and Invalidity Insurance Fund.

France.

- Act of 14 March 1941 to establish an old-age allowance for employees and to modify the system of social insurance in agriculture.
- Decree of 28 June 1941 to abolish non-occupational bodies for social insurance in agriculture.
- Act No. 4 of 1 February 1943 to amend the Act relating to social insurance in agriculture (L.S. 1943, Fr. 1 A).
- Decree of 4 January 1944 respecting the transitional system of social insurance in agriculture.
- Decree of 8 November 1944 to issue public administrative regulations for the application of the Decree of 30 October 1935.
- Ordinance of 30 December 1944 respecting the financing of the allowance to aged employees not covered by social insurance.
- Ordinance of 2 February 1945 to organise the system of allowances to aged employees.
- Order of 1 June 1945 for the application of the above-named Ordinance.
- Ordinance of 19 October 1945 to amend the system of social insurance for agriculture (L.S. 1945, Fr. 4 B).
- Act of 3 January 1946 to organise the system of old-age allowances for employees.
- Order of 9 April 1946 respecting the allocation of compulsory insurance contributions.
- Act of 22 May 1946 to effect a generalisation of social security.
- Act of 13 September 1946 to fix the date of application of the above-named Act in so far as it concerns old-age pensions.
- Act of 7 October 1946 to increase the rate of old-age allowances and pensions to employees.
- Act of 24 October 1946 respecting the legal departments of the mutual benefit societies.

United Kingdom:

Great Britain.

- Widows', Orphans' and Old-Age Contributory Pensions Act, 1936 (L.S. 1936, G.B. 5).
- Widows', Orphans' and Old-Age Contributory Pensions (Voluntary Contributors) Act, 1937 (L.S. 1937, G.B. 1).
- National Health Insurance Act, 1936 (L.S. 1936 G.B. 8).
- National Health Insurance (Amendment) Act, 1938 (L.S. 1938, G.B. 2).
- National Health Insurance and Contributory Pensions (Emergency Provisions) Act, 1939 (L.S. 1939, G.B. 5).
- Old-Age and Widows' Pensions Act, 1940 (L.S. 1940, G.B. 1).
- National Health Insurance, Contributory Pensions and Workmen's Compensation Act, 1941 (L.S. 1941, G.B. 2).
- Ministry of National Insurance Act, 1944.
- National Insurance Act, 1946.
- Various Orders and Regulations covering Contributory Pensions and National Health Insurance, dating from 1937 to 1946.

Northern Ireland.

Widows', Orphans' and Old-Age Contributory Pensions Act (Northern Ireland), 1936.
 Widows', Orphans' and Old-Age Contributory Pensions (Voluntary Contributors) Act (Northern Ireland), 1937.
 National Health Insurance (Amendment) Act (Northern Ireland), 1938.
 Old-Age and Widows' Pensions Act (Northern Ireland), 1940 (L.S. 1940, G.B. 1).
 National Health Insurance and Contributory Pensions Act (Northern Ireland), 1941.
 Various Orders and Regulations concerning Contributory Pensions and National Health Insurance, dating from 1937 to 1943.

SUMMARY OF ADDITIONAL INFORMATION
 (II, IV, V, VI)

The Government of *Chile* states that, during the period under review, no changes have taken place in the application of the Convention. No decisions by courts of law have been brought to the attention of the Government. The report contains statistical information. No observations have been received from employers' or workers' organisations.

In a very detailed report covering the period 1939 to 1946, the Government of *France* states that, in accordance with the Act of 22 May 1946, which came into force on 1 April 1947 under the Act of 13 September 1946, all French citizens residing in the metropolitan territory of France, at least 65 years of age, and possessing financial resources lower than a minimum fixed by the Act of 7 October 1946, are covered by old-age insurance, even if they have not paid contributions. Under the above-named Acts, all French citizens, whether gainfully employed or not, are obliged to contribute to old-age insurance and in return are granted an old-age pension under the same condi-

tions as those relating to agricultural workers and workers in other occupations. With the exception of these provisions, no changes have occurred during the period under review in the legislation respecting old-age insurance pensions for employees in agricultural undertakings. The report contains data concerning the rates of contribution paid by employers and workers, the age of admittance to a pension, the amounts of these pensions, the number of persons contributing (1,107,109 in 1945 and 950,000 in 1946), the total number of pensioners and the total amount paid out in pensions. The old-age insurance system for agricultural workers is administered by a public body, the *Caisse générale garantie*, established under § 38 of the Decree of 30 October 1935. Until 31 December 1946, an insured person's rights to appeal are determined by previous legislation. However, jurisdiction and rights of appeal have been fundamentally modified by the Act of 24 October 1946, which came into force as from 1 January 1947. There have been no judicial or administrative decisions concerning the application of the Convention.

United Kingdom. See under Convention No. 35.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that the legislation concerning old-age insurance and employees in agriculture has not been applied to the colonies, protectorates and possessions for which the Government of the French Republic is responsible.

For the *United Kingdom*, see under Convention No. 35.

37. Convention concerning compulsory invalidity insurance for persons employed in industrial or commercial undertakings, in the liberal professions, and for out-workers and domestic servants

This Convention came into force on 18 July 1937

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Chile	18.10.1935	15. 2.1947
France	23. 8.1939	21. 2.1947
United Kingdom	18. 7.1936	5. 3.1947
Peru	8.11.1945	

INTRODUCTORY NOTE

The Government of *Northern Ireland* states that the national health insurance scheme in Northern Ireland is identical with that in force in Great Britain, except for some differences in administrative machinery.

Northern Ireland has, however, a land frontier with Eire and Article 15 of the Convention therefore applies.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Chile.

Decree No. 34 of 22 January 1926 promulgating the text of Act No. 4054 of 8 September 1924 (L.S. 1924, Chile 1) respecting compulsory insurance against sickness, invalidity and old-age (L.S. 1926, Chile 1).

Decree No. 205 of 8 April 1925 issuing Regulations under Act No. 4054.

Legislative Decree No. 203 of 14 July 1932 concerning the method of constituting the Council of the Compulsory Insurance Fund.

Legislative Decree No. 499 of 26 August 1932, specifying the powers of the Council and General Manager of the Compulsory Insurance Fund.

Legislative Decree No. 331 of 29 July 1932 including illegitimate children among the heirs entitled to refund of the contributions paid by their deceased insured parent.

Act No. 5067 of 1 March 1932 concerning the inspection service of the Compulsory Insurance Fund.

Act No. 5937 of 16 October 1937 increasing the maximum income compatible with liability to insurance.

Act No. 6172 of 22 February 1938 increasing the rate of the employer's contribution in order to finance workers' housing.

Act No. 6236 of 10 September 1938 increasing the rate of the State contribution in order to finance maternal and infant welfare services.

Act No. 6174 of 9 February 1938 establishing a preventive medical service for the insured population (L.S. 1938, Chile 1).

Decree No. 360 of 9 May 1938 issuing Regulations under Act No. 6174.

Act No. 7771 of 26 June 1944, to abolish the maximum salary limit of workers covered by the Compulsory Sickness and Invalidity Insurance Fund.

France.

Laws and regulations in force from 1939 to 1945

Decree of 11 July 1939 to issue public administrative regulations under the Legislative Decree of 28 October 1935, as amended, respecting the social insurance system applicable to insured persons in commerce and industry.

The Measure known as the "Act" of 14 March 1941, subsequently repealed and replaced by the Ordinance of 2 February 1945, to organise on a new basis the system of old-age allowances for employees and to amend the social insurance system of old-age and invalidity pensions (L.S. 1945, Fr. 1).

Acts Nos. 27 and 29 of 6 January 1942, to simplify the working of the social insurance system (L.S. 1942, Fr. 9, A and B).

Laws and regulations at present in force

Ordinance of 4 October 1945 respecting the organisation of social security (L.S. 1945, Fr. 14).

Ordinance of 19 October 1945 to prescribe the social insurance system applicable to insured persons in non-agricultural occupations.

Act of 22 May 1946 to effect a generalisation of social security.

Act of 13 September 1946 to fix the date of application of the above-named Act in so far as it concerns old-age insurance, establishing a temporary old-age allowance, and regulating State aid to economically weak social groups.

Act of 24 October 1946 to reorganise the legal departments of the social security system and mutual benefit societies in agriculture.

United Kingdom:

Great Britain.

National Health Insurance Act, 1936 (L.S. 1936, G.B. 8).

National Health Insurance (Amendment) Act, 1937 (L.S. 1937, G.B. 4 A).

National Health Insurance (Amendment) Act, 1938 (L.S. 1938, G.B. 2).

Widows', Orphans' and Old-Age Contributory Pensions Act, 1936 (L.S. 1936, G.B. 5).

Widows', Orphans' and Old-Age Contributory Pensions (Voluntary Contributors) Act, 1937 (L.S. 1937, G.B. 1).

National Health Insurance and Contributory Pensions (Emergency Provisions) Act, 1939 (L.S. 1939, G.B. 5).

Old-Age and Widows' Pensions Act, 1940 (L.S. 1940, G.B. 1).

National Health Insurance, Contributory Pensions and Workmen's Compensation Act, 1941 (L.S. 1941, G.B. 2).

Ministry of National Insurance Act, 1944.

Various Orders and Regulations dating from 1937 to 1946.

Northern Ireland.

National Health Insurance (Amendment) Act (Northern Ireland), 1938.

Widows', Orphans' and Old-Age Contributory Pensions Act (Northern Ireland), 1936.

Widows', Orphans' and Old-Age Contributory Pensions (Voluntary Contributors) Act (Northern Ireland), 1937.

Old-Age and Widows' Pensions Act (Northern Ireland), 1940.

National Health Insurance and Contributory Pensions Act (Northern Ireland), 1941.

National Health Insurance and Contributory Pensions Act (Northern Ireland), 1946.

Various Orders and Regulations dating from 1937 to 1944.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

Chile. See under Convention No. 36.

The Government of *France*, in a very detailed report covering the period 1939-1946, states that, under the new legislation and in pursuance of the combined provisions of the Ordinances of 4 October 1945 (respecting the organisation of social security) and 19 October 1945 (prescribing the social insurance system applicable to insured persons in non-agricultural occupations), all employees and assimilated persons are compulsorily subject to social insurance legislation, regardless of their age, the amount and the nature of their remuneration, or the form, nature or validity of their contract. These measures are in force as from 1 January 1947. No advantage has been taken of the exceptions provided for in paragraph 2 of Article 2 of the Convention. However, certain branches of activity, departmental and communal establishments, mines, railroads, gas and electricity undertakings, remain covered by a special system which provides for benefits equivalent in amount to those granted under the general system. The insured person is entitled to a pension when his invalidity reduces his working or earning capacity by at least two-thirds, and on condition that he has been registered for at least one year at the beginning of the quarter during which the sickness occurs. During the period of three months after which he ceases to be insured, and in certain cases during a longer period, the insured person retains his benefit rights. The pension rate is calculated on the average yearly salary of the last ten years preceding the medical decision; in the event of considerable increases in the general wages level, a Decree by the Ministers of Labour, of National Economy and of Finance can establish a coefficient of increase. Disabled persons are classified in various categories in so far as the fixing of the pension is concerned, the maximum

pension rate being 40 per cent. of the salary increased by 20 per cent. Under the Ordinance of 19 October 1945, persons receiving an invalidity pension are entitled, without any time limit, to payments in kind, provided that they contribute by at least 20 per cent. to the medical and pharmaceutical costs involved.

The report contains various other data concerning pension rates, the accumulation of pensions and other sources of income, the cases in which the cancellation of pensions may be ordered, the settlement of disputes and lawsuits, and sanctions for contraventions. The rates of contribution by employers and workers are also given.

The administration of invalidity insurance is entrusted to the regional social security funds. On the national level, compensation is effected by the National Social Security Fund, a public body controlled by the Ministers of Labour and Social Security, of National Economy and of Finance.

Foreign workers residing in France, and those whose countries of origin have concluded an agreement to this effect with France, are entitled to benefits. Workers in frontier districts who reside abroad are entitled to benefits if an agreement has been concluded with their country of origin. The report contains statistical data concerning the number of insured persons paying contributions (7,500,000 in 1945), the number of persons in receipt of invalidity pensions (120,000 at the end of 1945), and the amount of receipts and expenses during the year 1945. There have been no judicial or administrative decisions concerning the application of the Convention.

The Government of the *United Kingdom* refers to previous reports and states that, during the period under review, no changes have taken place in *Great Britain* regarding the application of the Convention.

As regards *Northern Ireland*, the Government states that, by virtue of the reciprocal arrangements referred to under Article 14 of the Convention, persons who are employed in *Eire* and resident in *Northern Ireland*, or *vice versa*, are treated as insured in the country of residence. Contributions in respect of such persons are payable under the legislation of the country where the employment takes place, and under cross-accounting systems the appropriate sums are transferred to the country of residence in support of the insurance rights conferred in that country. See also introductory note.

Statistical information is given for *Great Britain* and *Northern Ireland*. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that § 125 of the Ordinance of 19 October 1945 provides for the extension of the social security system to *Algeria* and the colonies by means of legislative measures. See also under Convention No. 35.

United Kingdom. See under Convention No. 35.

38. Convention concerning compulsory invalidity insurance for persons employed in agricultural undertakings

This Convention came into force on 18 July 1937

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Chile	18.10.1935	15. 2.1947
France	23. 8.1939	3. 4.1947
United Kingdom	18. 7.1936	5. 3.1947

INTRODUCTORY NOTE

Northern Ireland.

See under Convention No. 37.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Chile.

Decree No. 34 of 22 January 1926 promulgating the text of Act No. 4054 of 8 September 1924

respecting compulsory insurance against sickness, invalidity and old age (L.S. 1926, Chile 1). Decree No. 205 of 8 April 1925 issuing Regulations under Act No. 4054.

Legislative Decree No. 203 of 14 July 1932 concerning the method of constituting the Council of the Compulsory Insurance Fund. Legislative Decree No. 499 of 26 August 1932, specifying the powers of the Council and General Manager of the Compulsory Insurance Fund.

Legislative Decree No. 331 of 29 July 1932 including illegitimate children among the heirs entitled to refund of the contributions paid by their deceased insured parent.

Act No. 5067 of 1 March 1932 concerning the inspection service of the Compulsory Insurance Fund.

Act No. 5937 of 16 October 1937 increasing the maximum income compatible with liability to insurance.

Act No. 6172 of 22 February 1938 increasing the rate of the employer's contribution in order to finance workers' housing.

Act No. 6236 of 10 September 1938 increasing the rate of the State contribution in order to finance maternal and infant welfare services.

Act No. 6174 of 9 February 1938 establishing a preventive medical service for the insured population (L.S. 1938, Chile 1).
 Decree No. 360 of 9 May 1938 issuing Regulations under Act No. 6174.
 Act No. 7771 of 26 June 1944 to abolish the maximum salary limit of workers covered by the Compulsory Sickness and Invalidity Insurance Fund.

France.

Act of 5 April 1941 respecting the operation of social and family legislation in agriculture.
 Decree of 28 June 1941 to abolish non-occupational social insurance carriers in agriculture.
 Act of 1 February 1943 to amend the social insurance system for agriculture.
 Act of 4 January 1944 respecting the payment of social insurance contributions in agriculture.
 Decree of 4 January 1944 respecting the transitional social insurance system for agriculture.
 Decree of 8 November 1944 to issue public administrative regulations for the application of the Decree of 30 October 1935 (establishment of reduced occupational capacity).
 Ordinances of 19 April and 19 October 1945 to amend the social insurance system in agriculture.
 Order of 9 April 1946 respecting the allocation of social insurance contributions in agriculture.
 Order of 8 July 1946 respecting the registration, removal from register, and affiliation of persons covered by the social insurance system in agriculture.
 Act of 22 May 1946 to effect a generalisation of social security.
 Act of 13 September 1946 to fix the date of application of the above-named Act.

United Kingdom :

Great Britain.

National Health Insurance Act, 1936 (L.S. 1936, G.B. 8).
 National Health Insurance (Amendment) Act, 1937 (L.S. 1937, G.B. 4).
 National Health Insurance (Amendment) Act, 1938 (L.S. 1938, G.B. 2).
 Widows', Orphans' and Old-Age Contributory Pensions Act, 1936 (L.S. 1936, G.B. 5).
 Widows', Orphans' and Old-Age Contributory Pensions (Voluntary Contributors) Act, 1937 (L.S. 1937, G.B. 1).
 National Health Insurance and Contributory Pensions (Emergency Provisions) Act, 1939 (L.S. 1939, G.B. 5).
 Old-Age and Widows' Pensions Act, 1940 (L.S. 1940, G.B. 1).
 National Health Insurance, Contributory Pensions and Workmen's Compensation Act, 1941 (L.S. 1941, G.B. 2).
 Ministry of National Insurance Act, 1944.
 Various Orders and Regulations dating from 1937 to 1946.

Northern Ireland.

National Health Insurance (Amendment) Act (Northern Ireland), 1938.
 Widows', Orphans' and Old-Age Contributory Pensions Act (Northern Ireland), 1936.
 Widows', Orphans' and Old-Age Contributory Pensions (Voluntary Contributors) Act (Northern Ireland), 1937.
 Old-Age and Widows' Pensions Act (Northern Ireland), 1940 (L.S. 1940, G.B. 1).
 National Health Insurance and Contributory Pensions Act (Northern Ireland), 1941.

National Health Insurance and Contributory Pensions Act (Northern Ireland), 1946.
 Various Orders and Regulations dating from 1924 to 1945.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

Chile. See under Convention No. 36.

The Government of *France*, in a very detailed report covering the period 1939-1946, states that invalidity insurance contributions are at present payable on remunerations up to a maximum of 60,000 francs a year. Invalidity insurance applies henceforth to members of the employer's family unless they are able to prove that they share in the profits and losses of the undertaking. This measure takes effect as from 1 April 1947. The right to a pension is subject to the completion of 8 quarterly periods preceding the period during which the illness or disabling accident occurred. The calculation of the pension rate takes into account the time spent in insurance, with a guaranteed minimum varying from category to category. The report contains information relating to the rates of contribution, the participation of the public authorities, lawsuits and disputes and the right of appeal, the total amount paid in pensions, the number of insured persons covered by the legislation (1,107,109 in 1945 and 950,000 in 1946), the number of persons receiving pensions, as well as the total expenses resulting therefrom and from treatment for disabled persons.

The administration of social insurance in agriculture and, therefore, of old-age insurance, is entrusted to occupational funds approved by the Minister of Agriculture who, since 1941, is responsible for all matters relating to social policy in agriculture. The control of the system is supervised provisionally and on behalf of the Minister of Agriculture by the superintendents of the General Social Insurance Control Service in the Ministry of Labour. There have been no judicial or administrative decisions concerning the application of the Convention.

United Kingdom. See under Convention No. 37.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that no decision has been taken as regards the application of the Convention to the colonies and protectorates for which the Republic of France is responsible.

United Kingdom. See under Convention No. 35.

EIGHTEENTH SESSION (GENEVA, 1934)

41. Convention concerning employment of women during the night (revised)

This Convention came into force on 22 November 1936

Period covered by annual reports : 1 October 1945-30 September 1946.

Countries	Date of registration of ratification	Reports received
Afghanistan	12. 6.1939	
Belgium	4. 8.1937	10. 2.1947
Brazil ¹	8. 6.1936	
Estonia	21.12.1935	
France	25. 1.1938	
United Kingdom	25. 1.1937	27. 1.1947
Greece ¹	30. 5.1936	24. 3.1947
Hungary	18.12.1936	14. 2.1947
India ²	22.11.1935	
Iraq	28. 3.1938	24. 1.1947
Ireland	15. 3.1937	21. 2.1947
Netherlands	9.12.1935	6. 2.1947
New Zealand	29. 3.1938	22. 2.1947
Peru	8.11.1945	
Switzerland	4. 6.1936	15. 1.1947
Union of South Africa	28. 5.1935	2. 1.1947
Venezuela	20.11.1944	1. 5.1947
***	***	***
Burma ³	22.11.1935	26. 2.1947

¹ Has denounced Convention No. 4.

² Has ratified this Convention but has not denounced Convention No. 4.

³ See footnote 3 to Convention No. 1.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Act of 28 February 1919 relating to the employment of women and children (L.S. 1919, Bel. 2), as amended by the Eight-Hour Day Act of 14 June 1921 (L.S. 1921, Bel. 1) and completed by the Act of 7 April 1936 relating to the definition of the term "night" for certain industries in the Vervier region.

Act of 7 April 1936 to supplement § 8 of the consolidated text of the Act of 28 February 1919 relating to the employment of women and children (L.S. 1936, Bel. 7 A).

Royal Decrees of 16 January and 15 March 1939 authorising (under § 8 of the consolidated text of the Act relating to the employment of women and children), the interruption of the night period for women employed in the manufacture of hats, in the textile industry and in the manufacture of cardboard cylinders in the Vervier region.

United Kingdom.

Hours of Employment (Convention) Act, 1936 (L.S. 1936, G.B. 2).

Factory and Workshop Act 1901,¹ superseded by the Factories Act, 1937 (L.S. 1937, G.B. 2), which came into force on 1 July 1938.

Coal Mines Act, 1911.

¹ Still in force in Northern Ireland.

Northern Ireland.

Supplies and Services (Transitional Powers) Act, 1945.

Various Orders issued under the above Act and Regulation No. 59 of the Defence (General) Regulations, 1939.

Greece.

Act No. 4029 of 24 January/6 February 1912 concerning the work of women and minors (B.B., Vol. VII, 1912, p. 285).

Royal Decree of 14/27 August 1913 issued in application of Act No. 4029 (B.B., Vol. IX, 1914, p. 219).

Royal Decree of 25 September / 8 October 1913 respecting the night employment of women in factories and workshops for packing fish in boxes (preserved fish) (B.B., Vol. IX, 1914, p. 225).

Act No. 4819 of 14 July 1930 concerning the organisation of the factory inspection service (L.S. 1930, Gr. 9).

Decree of 4 July 1925 respecting the employment of women over the age of eighteen years at night in dairies (L.S. 1925, Gr. 3).

Decree of 30 August 1927 respecting the employment of women at night in factories and workshops for the packing of dried and green figs (preserved figs) (L.S. 1927, Gr. 3 A).

Decree of 20 February 1932 respecting the employment of women over the age of eighteen years at night in the preparation and packing of grapes and raisins (L.S. 1932, Gr. 1).

Legislative Decree of 30 October 1935 ratifying the revised Convention No. 41.

Decree of 28 April 1937 to extend the eight-hour day to weaving and spinning mills, rope-walks, hosiery factories and flannel and knitted goods factories (L.S. 1937, Gr. 3).

Hungary.

Act No. V of 1928 on the protection of children, young persons and women employed in industrial and certain other undertakings (L.S. 1928, Hung. 1).

Order No. 150443 of 30 December 1930 by the Minister for Commerce on the application of §§ 1-3, 8, 12-16, 18-20, 22-24, and 30 of Act No. V of 1928 (L.S. 1930, Hung. 5).

Order No. 33469 of 2 June 1933 by the Minister for Commerce on the night rest period of 11 hours for young persons and women employed in brickworks (L.S. 1933, Hung. 5).

Act No. 1 of 1937 to ratify the Convention.

Order No. 52300 of 3 August 1946 concerning the application of certain provisions of Act No. V of 1928.

Iraq.

Labour Law No. 72 (§ 5) (L.S. 1936, Iraq 2) as amended by Labour Law No. 36 (§ 5, para. 3) of 1942.

Ireland.

Employment of Women, Young Persons and Children Act, 1920 (L.S. 1920, G.B. 9).
Conditions of Employment Act, 1936 (L.S. 1936, I.F.S. 1).

Netherlands.

Labour Act of 1919 as subsequently amended (L.S. 1930, Neth. 2 B).
Order of 8 September 1936 to issue public administrative Regulations in pursuance of §§ 22 (2) and (3), 23, 25, 31 (1) and (7), 68 (11) and 91 of the Labour Act of 1919 : hours of work in factories and workshops (L.S. 1936, Neth. 2).
Mining Regulations of 1906 amended by the Decrees of 9 February 1917 and 7 October 1922 (L.S. 1922, Neth. 4).

New Zealand.

Factories Act, 1921-1922, as amended by the Factories Amendment Acts, 1936 (L.S. 1936, N.Z. 2 A) and 1945 (L.S. 1945, N.Z. 6).
Coal Mines Act, 1925 (L.S. 1925, N.Z. 2), as amended by the Act of 1937 (L.S. 1937, N.Z. 2 A).
Mining Act, 1926 (L.S. 1926, N.Z. 1), as amended by the Act of 1937 (L.S. 1937, N.Z. 2 B).
Quarries Act, 1944.
Woollen Mills Labour Legislation Suspension and Modification Order, 1946.

Switzerland.

Federal Act of 18 June 1914-27 June 1919 relating to work in factories (B.B., Vol. IX, 1914, p. 269, and L.S. 1919, Switz. 3).
Federal Act of 31 March 1922 relating to the employment of young persons and women in industry (L.S. 1922, Switz. 2).
Administrative Orders of 3 October 1919-7 September 1923 under the Factory Act (L.S. 1919, Switz. 4, and 1923, Switz. 3).
Administrative Order of 15 June 1923 respecting the application of the Federal Act relating to the employment of young persons and women in industry (L.S. 1923, Switz. 1 A).
Order of 9 October 1936, regulating employment in the watch-making industry outside factories, prolonged by Order of 9 December 1937 (L.S. 1936, Switz. 1).
Federal Act of 12 December 1940 concerning homework (L.S. 1940, Switz. 2-3).
Order of the Federal Council of 16 July 1943 concerning work in mines.
Order of 24 September 1943, issued by the War-time Office for Industry and Labour concerning hours of work and economy of fuel in undertakings and administrations.

Union of South Africa.

Factories, Machinery and Building Work Act, No. 22 of 1941 (L.S. 1941, S.A. 3).
Wage Act, No. 44 of 1937.
Industrial Conciliation Act, No. 36 of 1937.
Mines and Works Act, No. 12 of 1911 (L.S. 1931, S.A., 1 B).

Venezuela.

Labour Act of 16 July 1936 (L.S. 1936, Ven. 2), amended by the Act of 4 May 1945 (L.S. 1945, Ven. 1).
Regulations of 30 November 1938 issued under the Labour Act.
Regulations of 4 May 1945 governing work in agriculture and stockbreeding (L.S. 1945, Ven. 2).
Regulation of 6 May 1939, authorising the employment of women up to 10 p.m. in public entertainments on days of national holidays.

SUMMARY OF ADDITIONAL INFORMATION
(II, IV, V, VI)

The Government of *Belgium* refers to previous reports and adds that no amendments have been made to the relevant legislation. Any court decisions which have been given have confirmed the proceedings instituted by the inspection service in order to ensure compliance with the legislation which, in general, has been strictly observed. No observations have been made by employers' or workers' organisations.

The Government of the *United Kingdom* states that no decisions defining the line which separates industry from commerce and agriculture have so far been given by the competent authority which, in the United Kingdom, would be the courts of law.

As a result of the war it became necessary to take advantage of the provisions of § 150 of the Factory Act, 1937, to permit the employment of women at night. Regulation 59 of the Defence (General) Regulations, 1939, which confers on the Minister of Labour and National Service similar but wider powers of exemption from the provisions of the Factories Act, was continued by an Order made in 1945 under the Supplies and Services (Transitional Powers) Act, 1945. It has been necessary to continue to permit the employment of women at night in certain cases during the period of transition, but the number of such cases rapidly decreased during 1946.

By Order in Council, the transfer of certain functions of the Secretary of State for Home Affairs to the Minister of Labour and National Service was made permanent with effect from 1 April 1946 (see also under Convention No. 5).

No decisions were given by courts of law or other courts regarding the application of the Convention.

No complete figures for 1946 are available for the number of women concerned, but in 1945 in *Great Britain* the number of women employed in factories was estimated at 2,150,000 ; 1,393 women aged 20 years or over (excluding clerks and salaried persons) were employed above ground at mines and 110 (excluding clerks and salaried persons) above ground at quarries (excluding quarries producing less than 1,000 tons per annum). In 1946 there were two prosecutions for breaches of the Convention. In each case two women were illegally employed. No observations have been received from employers' or workers' organisations.

In *Northern Ireland*, no legal decisions have been given regarding the application of the Convention. No information is available regarding the number of workers covered by the relevant legislation. Previous Orders made under Regulation No. 59 of the Defence (General) Regulations, 1939, authorising the employment of women at night in factories engaged on work arising

from war conditions continued in force, except in three cases where the Orders were revoked. Four new Orders were issued under this Regulation and the Supplies and Services (Transitional Powers) Act, 1945, to factories engaged on work essential to the wellbeing of the community.

The Government of *Greece* states that, during the period under review, no amendments were made to existing legislation. It has not been possible to define the line of demarcation which separates industry from commerce and agriculture. The industrial recovery of the country has enabled several industries (in particular the textile industry) which employ a large number of women to use the two-shift system. In these industries, the work of the first shift commences at 6 a.m. and that of the second shift finishes at 10 p.m. No use was made of the exceptions provided for under paragraphs 2 and 3 of Article 2 of the Convention. Act No. 4029 of 1912 prohibits the night work of women, irrespective of the nature of the positions which they hold. No authorisations for the exception provided for under Article 4 of the Convention have been authorised. The exception provided for under Article 6 has never been applied. For information relating to the authorities entrusted with the application of the relevant legislation, see under Convention No. 1.

The *Hungarian* Government states that, under Order No. 52300 of 3 August 1946, the scope of Act No. V of 1928, §§ 12, 13, 14, 15 and 19 of which contain provisions relating to night work of women, has been extended to mining undertakings, blast furnaces and to the factories connected therewith.

The application of the relevant legislative provisions is ensured by the mines superintendents, who are the administrative authorities of first instance, under the direct supervision of the Minister of Industry.

The Government of *Iraq* states that Article 1 of the Convention is applied by the provisions of § 1 of Labour Law No. 72 of 1936, as amended by Labour Law No. 36 of 1942. Article 3 of the Convention is applied by the provisions of paragraph 3 of § V of the above-mentioned Labour Law, as amended. According to this paragraph, "no woman or young person may be employed in any industrial undertaking at night". The report adds that the Ministry of Social Affairs has under its administration the Directorate General of Labour and of Social Security which deals with all matters concerning labour and the enforcement of all laws and regulations applying the Convention.

The Government of *Ireland* states that no exception was granted under paragraph (a) Article 4 of the Convention. Under paragraph (b) of this Article, 31 permits were granted to firms engaged in the killing, plucking and packing of fowl prior to Christmas. Three contraventions were reported. Legal proceedings are pending in one case and

warning letters have been issued in the other cases.

The *Netherlands* Government states that there were no breaches of the provision relating to the nightly rest. No proceedings were instituted for breaches of the regulations regarding the employment of women between 10 o'clock in the evening and 5 o'clock in the morning.

See also under Convention No. 5, introductory note.

The Government of *New Zealand* states, under Article 1 of the Convention, that the Coal Mines Act, 1925 (§ 2), applies to all mines of coal claystone, fire-clay or shale and all works belonging to such mines. The Mining Act, 1926, applies to mines of gold and any metal or mineral other than coal, and to the erection, maintenance and construction of necessary works and machinery. The Quarries Act, 1944, applies to any place in which persons work in excavating any kind of material from the earth, including work machinery and plant used in connection with quarrying operations in a quarry. The factories Act, 1921-1922, applies to factories as therein defined, including bakeries, power plants and laundries.

No legislation exists specifically applying the Convention to building and construction. The 1936 census figures, which are the latest available, showed that only ten women wage-earners were employed in this industry, of whom most if not all were exempted under the provisions of Article 8, and none were conceivably employed during night hours. The Government therefore does not consider it necessary that special legislation should be passed to deal with these workers.

Under § 2 (2) of the Factories Amendment Act, 1945, no woman may be employed in or about a factory between 6 p.m. and 8 a.m. Extensions are permitted, but are limited to 3 hours, and employment does not therefore occur later than 9 p.m.

The Coal Mines Act, 1925, § 66, the Mining Act, 1926, § 256 (as amended in 1937), and the Quarries Act, 1944, § 21, prohibit the employment of women in or about a mine or quarry. This prohibition does not apply to women engaged in clerical employment or as nurses or charwomen.

No exceptions are provided for under Articles 4, 6 and 7 of the Convention. Under § 22 of the Factories Act, 1921-1922, during the period January to April in any year, women employed in fruit-canning and jam factories may be asked to work overtime for not more than 3 hours a day. Employment therefore does not occur later than 9 p.m. However, in order to keep up the production of certain wollen goods in short supply, the prohibition as regards night work for women has been relaxed temporarily in respect of the woollen-mills operated by two named firms under the terms of the Woollen Mills Labour Legislation. Suspension and Modification Order, 1946. This step was taken with the full approval of the industrial union of workers concerned.

No definition has been adopted as regards Article 8 of the Convention.

The application of the Convention is entrusted to, and supervision and enforcement is ensured by, the Department of Labour (for mines, the Mines Department) with an inspection service. No decisions were given by courts of law.

The 1936 census showed 27,111 women employed in manufacturing industries and 64 women employed in the mining industry. In respect of registered factories, the number of female employees in 1945-1946 was 37,663. According to a National Service Department estimate there were, at the end of 1945, 37,000 women employed in manufacturing industries and none in the mining or building and construction industries. No observations have been received from employers' or workers' organisations.

The Government of *Switzerland* refers to previous reports and states that, during the period under review, no changes were made in the normal federal and cantonal legislation applying the Convention. Order No. 3 of 12 September 1945 of the Federal Department of Public Economy (concerning hours of work, which enforced the prohibition of the night work of young persons under 18 years of age employed in the loading and unloading of goods waggons outside the normal hours of work), together with Order No. 1 of 15 November 1941 and Order of 7 December 1945 concerning hours of work and an Order of the Federal Council of 4 September 1941 (concerning the adaptation of hours of work to the needs of war economy and of the labour market authorising exceptions as a result of the war period), were abrogated, as from 1 May 1946, by an Order of the Federal Council of 26 April 1946.

The Government appends to its report copies of the report submitted by the federal factory inspectors on their activities during 1945. In the spring of 1946, the cantons were asked to submit a report on the application of the Federal Act relating to the employment of young persons and women in industry during 1944 and 1945. These reports show that, in general, the application of the provisions relating to the night work of women is ensured.

During the period 1945-1946, the federal authorities were notified of 13 convictions for breaches of the prohibition of the night work of women laid down in the Factories Act. In all these cases fines were imposed. The federal authorities were not notified of any convictions for breaches of the provisions of the Act relating to the employment of young persons and women in industry. Among the cases relating to the Factories Act, there were several where a breach of the legislation was committed, not outside the hours prohibited by the Convention, but in the interval between 8 p.m. (5 p.m. on Saturdays and on the eve of public holidays) and 10 p.m., which is defined as "night" in the national legislation. There

were some convictions for non-compliance with the minimum nightly rest period prescribed in the Convention and in the national legislation.

The report adds that the Convention continues to be fully applied in Switzerland. The report submitted by the Federal Council to the Chambers on its administration during 1945, a copy of which is appended to the Government's report, gives a general account of the application of the provisions which ensure the application of the Convention. During the period under review no suggestions, complaints or observations were received from employers' or workers' organisations. All professional groups co-operate with the authorities.

The Government of the *Union of South Africa* states that the position reported for the period 1 October 1942 to 30 September 1943 remains unaltered except with regard to the following exemptions under Article 4 of the Convention:

Exemptions were granted under § 54 (4) of the Factories, Machinery and Building Work Act, 1941. These exemptions authorised the employment of 6 women between 6 and 10 p.m. in the creamery process, 3 women for nine months and 24 for one year in connection with the dairying process.

In its first report, the Government of *Venezuela* states that Article 1 of the Convention is applied by § 8 of the Labour Act of 1945, which provides that every undertaking, business or establishment, whatever its nature, whether public or private, shall be subject to the provisions of the Act. The line of division which separates industry and commerce from agriculture and stock-breeding is defined by the Regulations of 4 May 1945 (§ 5). Article 2 of the Convention is applied by § 101 of the Labour Act (§ 72 of the Act of 1936), which provides that women shall not be employed outside the hours comprised between 6 a.m. and 7 p.m. except in certain specified non-industrial occupations. According to § 109 of the Regulations issued under the Labour Act, women employed at night in virtue of these exceptions must enjoy an uninterrupted rest period of at least 9 hours. The exceptions provided for in Articles 3 and 4 of the Convention are applied by § 110 (paragraphs 2 and 4) of the above-named Regulations (§ 64). An employer who makes use of the exceptions provided for in Article 4 must give 24 hours' notice to the competent labour inspectorate. As regards Article 6 of the Convention, the Regulations provide that in spinning and weaving mills or in any other establishment in which technical reasons necessitate a two-shift system, work may be extended until 10 p.m. provided that a compensatory rest period of 11 consecutive hours is granted. This rest period may be reduced, sixty times during the year, to 10 hours in exceptional cases by authorisation of the labour inspector.

Articles 7 and 8 of the Convention are applied under § § 113 and 110 of the Regu-

lations. Further, in virtue of the provisions of § 72 of the Labour Act (§ 101 of the Act of 1945), which empowers the Federal Executive to authorise exceptions by special resolutions, a Resolution of 6 May 1939 provides that women may be employed until 10 p.m. on work in public exhibitions in national fairs organised by industrial and other specified undertakings.

For information regarding the authorities entrusted with the application of the legislation, etc., see under Convention No. 3. The application by the labour inspection services of § 257 of the Labour Act (sanctions in the case of contraventions of the provisions respecting women) has worked satisfactorily. No decisions were given by courts of law and no observations have been made by employers' or workers' organisations or by employers or workers.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The *Belgian* Government states that it has nothing new to report and refers to

the information supplied in previous reports.

The Government of the *United Kingdom* states that the following legislation has been enacted:

Nigeria.

Labour Code Ordinance No. 54 of 1945 (paragraphs 148, 149 and 150).

With regard to *Hong-Kong*, the Government states that an exception to Conventions Nos. 4 and 41 was granted to a local company, and appends to its report an account of the circumstances under which the exception was granted.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

In *Curaçao*, breaches of the provisions of the Convention are unknown.

Convention No. 4 has been promulgated in *Surinam* but the revised Convention (No. 41) has not been promulgated.

42. Convention concerning workmen's compensation for occupational diseases (revised)

This Convention came into force on 17 June 1936

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Austria	26. 2.1936	
Brazil	8. 6.1936	
Cuba	22.10.1936	21. 2.1947
Denmark	22. 6.1939	14. 3.1947
United Kingdom	29. 4.1936	24. 2.1947
Hungary	17. 6.1935	14. 2.1947
Iraq	25. 7.1941	24. 1.1947
Ireland	15. 3.1937	21. 2.1947
Japan	6. 6.1936	
Mexico	20. 5.1937	9. 9.1946
Netherlands	1. 9.1939	6. 2.1947
New Zealand	29. 3.1938	27. 3.1947
Norway	21. 5.1935	
Sweden	24. 2.1937	3. 2.1947
Turkey	8. 7.1946	

Presidential Decrees Nos. 1252 and 1653 of 6 May and 27 June 1936.

Denmark.

Act of 20 May 1933 concerning insurance against the consequences of accidents (L.S. 1933, Den. 5), as amended by the Act of 13 April 1938 (L.S. 1938, Den. 6).

United Kingdom:

Great Britain.

Workmen's Compensation Acts, 1925-1931 (L.S. 1925, G.B. 3; 1926, G.B. 10 and 1931, G.B. 4). The Adoption of Children (Workmen's Compensation) Act, 1934.

Workmen's Compensation (Supplementary Allowances) Act, 1940 (L.S. 1940, G.B. 4). (A similar Act was passed in Northern Ireland.)

Workmen's Compensation (Temporary Increases) Act, 1943 (L.S. 1943, G.B. 1 B).

Workmen's Compensation, Pneumoconiosis (Statutory Rules and Orders, No. 886 of 1943). Ministry of National Insurance (Workmen's Compensation) Order, 1945.

Workmen's Compensation (Industrial Diseases Order) No. 349 of 12 March 1946, made under § 43 of the Workmen's Compensation Act, 1925.

The Various Industries (Silicosis) Amendment scheme, 1946, dated 17 January 1946, made under § 47 of the Workmen's Compensation Act, the Workmen's Compensation (Silicosis and Asbestos) Act, 1930 and the Workmen's Compensation Act, 1943.

The Shipping Industry (Pneumoconiosis) Compensation Scheme, 1946, dated 30 January 1946, made under the Workmen's Compen-

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Cuba.

Decree No. 2687 of 15 November 1933 to repeal and replace the Act of 12 June 1916 on industrial accidents (L.S. 1933, Cuba, 3 A), amended by the Decrees Nos. 3156 and 3341 of 16 and 30 December 1933 respectively (L.S. 1933, Cuba, 3 B and C) and the Legislative Decree No. 596 of 18 February 1936 (L.S. 1936, Cuba, 1).

Decree No. 1049 of 22 April 1936 enumerating the industries or processes in which silicosis may occur.

Presidential Decree No. 223 of 31 January 1935, issuing the Regulations under the Act concerning industrial accidents, amended by

sation Act, 1925, the Workmen's Compensation (Silicosis and Asbestos) Act, 1930, and the Workmen's Compensation Act, 1943.

Northern Ireland.

The Adoption of Children (Workmen's Compensation) Act (Northern Ireland), 1934.

Workmen's Compensation (Supplementary Allowances) Act, 1940 (L.S. 1940, G.B. 4). (A similar Act was passed in Northern Ireland.)

Workmen's Compensation (Temporary Increases) Act (Northern Ireland), 1943.

Order No. 87, dated 13 June 1946, made by the Minister of Labour and National Insurance, extending the provisions of § 44 of the Workmen's Compensation Act (Northern Ireland) 1927.

Hungary.

Act No. XXII of 1935 incorporating the Convention in Hungarian legislation.

Act No. XXI of 1927 respecting compulsory accident and sickness insurance (L.S. 1927, Hung. 1), amended by Decrees Nos. 9090 of 29 December 1931 (L.S. 1931, Hung. 5), 9600 of 1932 (L.S. 1932, Hung. 4), 6000 of 1933 (L.S. 1933, Hung. 4), and 6500 of 1935 (L.S. 1935, Hung. 2).

Decree No. 74302 of 19 August 1926 respecting the occupational diseases of workers insured with the National Agricultural Workers' Fund supplemented by Decree No. 88888 of 20 December 1930.

Decree No. 7600 of 30 December 1936 respecting the schedule of occupational diseases for which compensation is payable as for industrial accidents (L.S. 1936, Hung. 5).

Iraq.

Labour Law No. 72 of 1936, amended by Labour Law No. 36 of 1942 (Article 11).

Ireland.

Workmen's Compensation Act, 22 March 1934 (L.S. 1934, I.F.S. 1).

Workmen's Compensation Act, 1934 (Industrial Diseases) Order, 1934, pursuant to § 76 of the above Act (L.S. 1934, I.F.S. 2).

Workmen's Compensation Act, 1934 (Industrial Diseases) Order, 1934 (Amendment) Order, 1945.

Mexico.

Political Constitution of the United States of Mexico, 1917.

Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).

Industrial Hygiene Regulations of 9 October 1934, amended by the Regulations of 18 October 1945.

Social Insurance Act of 31 December 1942 (L.S. 1942, Mex. 1).

Decree of 1 April 1943 to institute in the Federal District compulsory insurance for industrial accidents, occupational diseases and other diseases.

Netherlands.

Act No. 804 of 15 December 1938 (L.S. 1938, Neth. 3 A), to amend the Decree of 28 June 1921 promulgating the Act of 2 January 1921 respecting the statutory insurance of workers against the pecuniary consequences of accidents in specified industries (L.S. 1921, Part II, Neth. 1), amended by the Acts of 2 July 1928 (L.S. 1928, Neth. 1 B), 7 February 1929 (L.S. 1929, Neth. 2 B), 18 July 1930 (L.S. 1930, Neth. 3 A), 23 May 1935 (*Staatsblad*, No. 324) and 17 July 1936 (*Staatsblad*, No. 800) (L.S. 1935, Neth. 3).

Act No. 808 of 15 December 1938 (L.S. 1938, Neth. 3 B), to amend the Act of 20 May 1922 to insure persons employed in agricultural occupations against the pecuniary consequences of accidents with which they meet in connection with their employment (L.S. Neth. 2), as amended by the Acts of 21 March 1924 (L.S. 1924, Neth. 2), 13 May 1927 (L.S. 1927, Neth. 1), 2 July 1928 (L.S. 1928, Neth. 2), 7 February 1929 (L.S. 1929, Neth. 2 A) and 18 July 1930 (L.S. 1930, Neth. 3 B).

New Zealand.

Workers' Compensation Act, 1922, as amended by the Workers' Compensation Act, 1926 (L.S. 1926, N.Z. 2), and the Workers' Compensation Amendment Acts, 1936, 1943 and 1945 and affected by the Finance Act No. 2 of 1933 (§ 56) and the Law Reform Act, 1936, Parts 3 and 6.

Phosphorous Matches Act, 1910.

Statutes Amendment Acts: 1938 (§ 62); 1939 (§ 70); 1940 (§ 70).

Various Orders and Regulations relating to compensation issued between 1910 and 1944.

Sweden.

Act of 14 June 1929 on insurance for certain occupational diseases amended by the Acts of 26 June 1936, 3 June 1938.

Royal Decree of 24 November 1944 containing special provisions with regard to the application of the Act of 14 June 1929.

Order of the State Insurance Office of 22 December 1936 relative to the establishment of certain forms.

SUMMARY OF ADDITIONAL INFORMATION

(II, IV, V, VI)

The Government of *Cuba* repeats the information given in its previous reports.

The Government of *Denmark* refers to its report for 1944-1945.

The Government of the *United Kingdom* refers to previous reports, and enumerates three Statutory Rules and Orders issued in *Great Britain* in 1946 relating to inflammation of the skin caused by radiant energy, silicosis, and pneumoconiosis. The texts of these three Orders are appended to the report.

In *Northern Ireland*, an Order was issued in 1946 relating to inflammation of the skin caused by radiant energy. A copy of this Order is appended to the report. No certificates were given in respect of any of the diseases and toxic substances mentioned in the Schedule to Article 2 of the Convention.

The *Hungarian* Government states that, during the period under review, the legislation giving effect to the provisions of the Convention has been applied as in the past. Statistical information regarding the application of the Convention will be supplied as soon as this is available.

The Government of *Iraq* states that § 11 of Labour Law No. 36 of 1942 (which amends Labour Law No. 72 of 1936) provides for compensation for personal injury or accidents and lays down the conditions for the calculation of benefits. The Government adds that Regulation No. 15 of 1937 is

being amended to include the diseases and toxic substances contained in the Schedule appended to the Convention. Cases of dispute in regard to compensation for occupational diseases are dealt with by arbitration boards appointed by the Ministry of Social Affairs. The decisions of these boards, after approval by the Minister of Social Affairs, are final and may be executed, if necessary, by the competent department of the Ministry of Justice. Statistics of occupational diseases for the period under review are being compiled, but the final results are not at present available. The application of the existing labour legislation is entrusted to the Ministry of Social Affairs and, in particular, to the Directorate General of Labour and Social Security, which is responsible for all matters relating to labour.

The Government of *Ireland* states that there is no change in the position as outlined in its report for 1944-1945.

The Government of *Mexico* refers to previous reports and supplies statistical information relating to various industries and occupations. The texts of two decisions given during the period under review are appended to the report.

The *Netherlands* Government supplies a copy of the last report, published in 1943, on the position and activities of the State Insurance Bank and adds that no later information is available. The Government has nothing special to report regarding the application of the Convention.

See also under Convention No. 2, introductory note.

The Government of *New Zealand* repeats the detailed information given in its report for 1944-1945, and adds that it is not possible to give statistics of the cases of occupational diseases reported, nor of the sums paid by way of compensation, as the available figures do not distinguish for compensation purposes between compensation for industrial accidents and for occupational diseases. No accurate figures are available to show the number of workers employed in the trades, industries or processes concerned, but statistical information collected for other purposes and supplied in the report gives some indication of the decision in this respect. No decisions were given by courts of law.

The Government of *Sweden* states that during the period under review 3,901 cases of occupational diseases were reported. During the year 1943, for which detailed statistical information is available, there were 1,252 cases, of which 861 gave rise to compensation. Decisions given by the Insurance Council are published in particular in *Arbetarskyddet* which is forwarded regularly to the International Labour Office. The application of the relevant legislation is entrusted to the State Insurance Office.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of the *United Kingdom* states that the following legislation has been enacted :

British Honduras.

Workmen's Compensation (Amendment Regulations), No. 67 of 1945.

Northern Rhodesia.

Silicosis (Temporary Arrangements) Ordinance No. 22 of 1945.

This Ordinance makes temporary provisions for the payment of compensation to persons who have contracted certain industrial diseases, and was brought into force on 1 October 1945.

Nyasaland.

Workmen's Compensation Ordinances of 1944 (brought into force on 1 July 1946 by Government Notice No. 40).

With regard to the *Gold Coast*, the Government states that preliminary discussions have been initiated with the Chamber of Mines regarding the payment of compensation for silicosis.

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

In *Curaçao*, the Convention is completely covered by the Accident Regulations, 1936, which make no distinction between occupational diseases and accidents and grant the same compensation for both.

The Convention has not been published or promulgated in *Surinam*. The provisions of the Convention are taken into account in the draft Ordinance referred to under Convention No. 17.

43. Convention concerning the regulation of hours of work in automatic sheet-glass works

This Convention came into force on 13 January 1938

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Belgium	4. 8.1937	10. 2.1947
Czechoslovakia	19. 9.1938	3. 3.1947
France	5. 2.1938	14. 2.1947
United Kingdom	13. 1.1937	27. 1.1947
Ireland	15. 5.1939	21. 2.1947
Mexico	9. 3.1938	9. 9.1946
Norway	21. 5.1935	

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Act of 22 December 1936 respecting sheet-glass works.

Legislative Decree of 5 May 1944 regarding the Orders and other administrative decisions issued during the period of enemy occupation.

Czechoslovakia.

Act No. 126/1938/Sb., of 11 May 1938, to give effect to the International Conventions concerning the regulation of hours of work in automatic sheet-glass works and the reduction of hours of work in glass-bottle works.

Notification No. 616/1945 of the Minister of Labour and Social Welfare, dated 1 December 1945, concerning the regulation of hours of work and wages of employees in sheet-glass and plate-glass works.

France.

Decree of 13 February 1937 to lay down rules for the application of the Forty-Hour Week Act of 21 June 1936 (L.S. 1936, Fr. 8) respecting hours of work in glass-works of all kinds, (L.S. 1937, Fr. 3 A).

United Kingdom.

The Hours of Employment (Convention) Act, 1936 (L.S. 1936, G.B. 2).

Ireland.

Conditions of Employment Act, 1936 (L.S. 1936 I.F.S. 1).

Conditions of Employment (Sheet-Glass Works) (Exclusion) Regulations, 1938 (Statutory Rules and Orders No. 193 of 1938).

Mexico.

Political Constitution of the United States of Mexico, 1917.

Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).

Collective Agreement between the Monterey Glass Works and the Union of Glass Industry Workers.

Works Regulations for the Monterey Glass Works.

SUMMARY OF ADDITIONAL INFORMATION
(II, IV, V, VI)

The Government of *Belgium* states that the Labour Inspection Service, which is under the authority of an administrative director, assisted by two chief inspectors, and is composed of 24 inspectors and 120 social controllers, together with the police officers, is responsible for the application of the legislation, which is in conformity with the provisions of the Convention. No proceedings have been instituted for breaches of the relevant legislation. The Government adds that the few glass works which exist in the country employ a considerable number of staff. The social services of these undertakings are perfectly organised and no observations have been made by employers or workers' organisations regarding the four-shift system.

The Government of *Czechoslovakia* states that § 1 of Notification No. 616 of 1 December 1945 provides that the Notification shall apply in *Bohemia* and *Moravia* to all sheet and plate-glass works and, in accordance with Act No. 221 of 9 October 1924 (as subsequently amended and supplemented), to all employees liable to sickness, invalidity and old-age insurance. The hours of work shall be fixed in accordance with existing legislation. Sundays, public holidays and anniversaries shall be observed as days of rest (between 6 p.m. and 6 a.m. of the following day). Employees are obliged to work overtime at night and on days of rest if the works council so decides. Wage rates for such overtime are increased by 25 per cent. for work in excess of the normal working hours and by 50 per cent. for night work between 10 p.m. and 5 a.m. — except in cases of normal shift work — and for work on days of rest. Work on recognised public holidays and anniversaries shall be remunerated according to the provisions laid down in the relevant legislation. A copy of the above-mentioned Notification shall be posted up by the employer in a suitable place accessible to all employees.

The labour inspection service is entrusted with the supervision of compliance with the appropriate legislative measures. See under Convention No. 1 for information relating to the organisation and activities of the inspection service. No decisions were given by courts of law or other courts.

The Government adds that the Convention came into force in *Czechoslovakia* on 19 September 1939, the date on which Act No. 126 of 1938 was to come into operation, but at this later date the territory

of the Republic was already under enemy occupation. Since the liberation of the country, it has not been possible, owing to the general labour shortage, in particular in glass works located in most cases in border districts, to implement the provisions of this Act. At the same time, glass works were confronted with an important task in connection with the entire economic reconstruction of the country. As soon as economic conditions, and in particular the labour supply in the works concerned, so permit, the Government intends to apply the provisions of the Convention, in accordance with Act No. 126 of 1938. The position with regard to this Convention is analagous to that indicated under Convention No. 1, with regard to which exceptions may be made authorising work outside the limits laid down by the Convention.

The Government of *France* states that the Decree of 13 February 1937 applies to industries (glass works of all kinds) and not to individuals. The provisions of Article 2 of the Convention are reproduced in this Decree. With regard to Article 3 of the Convention, the Government states that, under § 6 of the above-named Decree, the limits of hours of work can be extended provisionally in case of urgent work which is necessary in order to prevent accidents etc., provided due warning is given to the labour inspector. No compensation is made for such overtime, either in the form of compensatory rest or of additional payments. No decisions which are worthy of

note were given regarding the application of the Convention.

The Government of the *United Kingdom* states that in *Great Britain* no decisions have been given by courts of law or other courts affecting the application of the Convention. No observations have been made by employers' or workers' organisations.

There are no sheet-glass works in *Northern Ireland*.

The Government of *Ireland* states that there is no change in the position as outlined in its report for 1939-1940.

The Government of *Mexico* refers to previous reports.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* states that the question of the application of the Convention to the *Belgian Congo* does not arise.

The Government of *France* states that, under the Decree of 2 March 1939, the provisions for the method of application of the Act of 21 June 1936 to *Guadeloupe*, *Martinique*, *Guiana*, *Reunion* and *New Caledonia* are determined by Orders of the Governor.

The Government of the *United Kingdom* states that the position remains as stated in the report supplied for the year 1937-1938.

44. Convention ensuring benefit or allowances to the involuntarily unemployed

This Convention came into force on 10 June 1938

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
United Kingdom	29. 4. 1936	24. 3. 1947
Ireland	10. 6. 1937	28. 3. 1947
New Zealand	29. 3. 1938	22. 2. 1947
Switzerland	14. 6. 1939	15. 1. 1947

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

United Kingdom :

Great Britain.

Unemployment Insurance Acts, 1935-1938 (L.S. 1935, G.B. 1; L.S. 1936, G.B. 1).
Unemployment Insurance Act (Amendment), 1940.
National Health Insurance, Contributory Pensions and Workmen's Compensation Act, 1941.
Unemployment Insurance (Increase of Benefit) Act, 1944 (Commencement) Order, 1944.
Unemployment Insurance (Increase of Benefit) Act, 1944.
Ministry of National Insurance Act, 1944.

Unemployment Assistance Act, 1934 (L.S. 1934, G.B. 2).
Old-Age and Widows' Pensions Act, 1940.
Determination of Needs Act, 1941.
Pensions and Determination of Needs Act, 1943.
Family Allowances Act, 1945 (§ 13) (L.S. 1945, U.K. 3).
National Insurance Act, 1946.
Various Orders, Rules, and Regulations concerning unemployment insurance and assistance, national insurance and family allowances, dating from 1921 to 1946.

Northern Ireland.

Unemployment (Agreement) Act (Northern Ireland), 1936.
Unemployment Insurance Acts, 1936-1938.
Unemployment Insurance Act (Northern Ireland), 1939.
Unemployment Insurance Act (Northern Ireland), 1940.
Unemployment Insurance (Increase of Benefit) Act (Northern Ireland), 1944.
Unemployment Assistance Act (Northern Ireland), 1934.
Old-Age and Widows' Pensions Act (Northern Ireland), 1940.
Pensions and Determination of Needs Act (Northern Ireland), 1943.

Family Allowances Act (Northern Ireland), 1945, (L.S. 1945, U.K. 3).
 National Insurance Act (Northern Ireland), 1946.
 Various Orders, Rules and Regulations concerning unemployment insurance and assistance and national insurance, dating from 1921 to 1946.

Ireland.

The Unemployment Insurance Acts, 1920-1933 (L.S. 1920, G.B. 3; L.S. 1921, G.B. 1, 2; L.S. 1922, G.B. 1; L.S. 1923, I.F.S. 2; L.S. 1924, I.F.S. 1; L.S. 1924, I.F.S. 4; L.S. 1926, I.F.S. 3; L.S. 1930, I.F.S. 1; L.S. 1933, I.F.S. 3).
 Unemployment Insurance Act, 1941.
 Unemployment Insurance Act, 1943.
 Unemployment Insurance Act, 1945, to amend the Unemployment Insurance Acts 1920 to 1943.
 Unemployment Insurance (Subsidiary Employments) Special Order, 1944.
 Unemployment Insurance (Inclusion) Order, 1944.

New Zealand.

Social Security Act, 1938 (in particular, §§ 51-54 and 58).
 Social Security Contributory Regulations, 1939.
 Social Security Monetary Benefits, 1939.

Switzerland.

Ordinance of 28 May 1940 concerning measures for the stabilisation of the labour market and for improving the professional aptitude of unemployed persons.
 Order of the Federal Council of 7 October 1941 concerning the funds necessary for the payment of subsidies to mobilised men to compensate wage loss, the creation of employment opportunities and assistance to unemployed persons.
 Order of the Federal Council of 24 December 1941 concerning assistance to aged unemployed persons.
 Ordinance No. 1 of the Federal Department of Public Economy of 20 May 1943 concerning assistance to aged unemployed persons.
 Order of the Federal Council of 14 July 1942 concerning the administration of assistance to unemployed persons during the emergency caused by the war, amended by Executive Provisions of 18 September 1942, Resolutions of the Federal Council of 11 January 1944, 27 July 1945 and Order of the Federal Department of Public Economy of 24 August 1945.
 Order of the Federal Council of 29 July 1942 respecting the administration of the provision of employment opportunities during the emergency period caused by the war.
 Order of the Federal Council of 23 December 1942 for the administration of assistance to unemployed persons in distress, supplemented by Executive Provisions of the Federal Department of Public Economy of 30 December 1942 and Order No. 2 of the Federal Department of Public Economy of 28 July 1944.
 Ordinance of the Federal Department of Public Economy of 8 January 1943 respecting the keeping of the accounts of the unemployment insurance funds.
 Ordinance of 3 April 1943 of the Federal Department of Public Economy respecting assistance to unemployed persons in distress (state of distress, family obligations or responsibilities, amount of allowance), supplemented by Order No. 3 of 23 February 1945.
 Order of the Federal Council of 23 February 1945 for the administration of additional grants as assistance to unemployed persons in distress to meet increased cost of living.
 Ordinance of the Federal Department of Public Economy of 20 January 1946 respecting the

waiting period to be observed by hotel and restaurant employees (to repeal the Ordinance of 2 March 1943).

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of the *United Kingdom* refers to previous reports, and adds that the law governing unemployment insurance and unemployment assistance was amended during the year under review by the Family Allowances Act, 1945 (§ 13), the National Insurance Act, 1946 and various administrative measures in 1945 and 1946.

In a very detailed report on the application of the Convention, the Government states, under Article 1, that the Unemployment Insurance (Emergency Powers) Regulations No. 408 of 20 March 1946 (which came into effect on 8 April 1946) reinstated with certain modifications the provisions regarding the days of unemployment benefit other than agricultural benefit, additional to the standard period of benefit, which were suspended at the outbreak of the war by Regulation No. 7 of the Unemployment Insurance (Emergency Powers) Regulation No. 1148 of 1939.

Under Articles 6 and 11 of the Convention, the Government gives information regarding the calculation of the number of additional days of benefit, as laid down in Regulations No. 408 of 20 March 1946. The Unemployment Insurance (Insurance Industry Special Scheme) Amendment Order No. 734 of 22 May 1946 applied the provisions of the above-named Regulation to the insurance industry special scheme, and the Unemployment Insurance (Banking Industry Special Scheme) (Amendment) Order No. 1392 of 15 August 1946 applied these provisions to the banking industry special scheme.

The report contains detailed information regarding the following: a resettlement grants scheme to assist men and women who were owners of one-man businesses or who were in work on their own account which they had to relinquish as a direct consequence of war service; a scheme for further education and training, which makes arrangements for assisting financially young men and women whose training and education were interrupted during the war; an inclusive scale of training allowances under the vocational training scheme; a scheme for the permanent resettlement of transferred workers and a voluntary temporary transfer scheme which is supplementary to the normal arrangements for assisting such workers to obtain suitable employment.

The Minister of National Insurance is entrusted with the general administrative responsibility of the unemployment insurance and unemployment assistance scheme. Certain functions under the Unemployment Insurance Acts are, however, carried out by the Ministry of Labour and National

Service on an agency basis through the medium of the local office organisation. The number of regional offices of the Ministry of Labour and National Service remains at 11. In addition, there are 534 employment exchanges, 494 employment offices, 175 branch employment offices, 193 local agencies, 197 juvenile employment offices, 35 district manpower offices and 12 appointment offices.

The position in *Northern Ireland* concerning benefit and allowances for the involuntarily unemployed continued to remain in all essential respects on the same basis as that which obtains in Great Britain. On 30 September 1946, there were 28 employment exchanges, 35 paying offices and 3 local agencies. The report contains figures showing the number of applicants registered for employment and the number of vacancies notified and filled during the year ending 30 September 1946. No decisions were given by any court of law or other competent authority regarding the application of the Convention.

The Government of *Ireland* refers to its reports for 1937-1938 and 1944-1945 and, under Article 2 of the Convention, states that the total insured population at the beginning of October 1945 was 409,969. Under the Act of 28 September 1946, 300 certificates of exemption were granted in respect of 705 persons. It is expected that, when the renewal of expired certificates has been completed, the number of persons excepted under paragraph (d) of Article 2 will be approximately 10,000. Figures are given regarding boy and girl claimants to unemployment benefit on 28 September 1946, the amounts paid by way of unemployment benefit, and the State contribution to the Unemployment Fund for the financial year 1944-1945.

The Government also refers to its report for 1942-1943, in which it stated that there were 30 employment exchanges, 91 branch employment offices and 2 control offices. No observations have been received from employers' or workers' organisations.

The Government of *New Zealand* repeats the detailed information given in its report for 1944-1945, and adds that the legislation is practically in full harmony with the provisions of the Convention.

The total amount paid in monetary benefits by the Social Security Department for the year ended 31 March 1946 was £22,238,005. The total cost of administration of these payments was £721,587 and the share accredited to the Social Security Department was £492,087. Figures are also given showing the total number of persons applying for unemployment benefit during the same year. No decisions were given by courts of law.

The Government of *Switzerland* refers to previous reports, and adds that certain exceptional measures regarding unemployment assistance, which were adopted during the war and remained in force for a period after the war, have now been repealed.

In respect of the qualifying conditions for benefit, the Government points out that the provisions as to the waiting period applicable to persons employed in the hotel and restaurant industries have been simplified under the provisions of the Ordinance of the Federal Department of Public Economy dated 20 January 1946. A copy of the text of this Ordinance is appended to the report.

The vocational training of unemployed persons has been encouraged by Federal grants. Statistics are given relating to this point and to the number of unemployed persons who accepted employment on relief works during 1946. No decisions of principle of a general nature regarding the application of the Convention were given by courts of law. The Government adds that the Convention is fully applied in Switzerland and forwards a copy of the report of the Federal Council on its activities in 1945. This report gives a general account of the application of the relevant legislation. No suggestions, complaints, or observations have been made by the employers' or workers' organisations concerned.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of the *United Kingdom* states that the observations made under Conventions Nos. 35-38 in the reports supplied for the year 1937-1938 still apply to this Convention.

NINETEENTH SESSION (GENEVA, 1935)

45. Convention concerning the employment of women on underground work in mines of all kinds

This Convention came into force on 30 May 1937

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Afghanistan	14. 5.1937	
Austria	3. 7.1935	
Belgium	4. 8.1937	20. 2.1947
Brazil	22. 9.1938	
Chile	16. 3.1946	
China	2.12.1936	14. 5.1947
Cuba	14. 4.1936	21. 2.1947
Estonia	4. 6.1937	
Finland	3. 3.1938	7. 2.1947
France	25. 1.1938	
United Kingdom	18. 7.1936	20. 1.1947
Greece	30. 5.1936	24. 3.1947
Hungary	19.12.1938	14. 2.1947
India	25. 3.1938	
Ireland	20. 8.1936	21. 2.1947
Mexico	21. 2.1938	9. 9.1946
Netherlands	20. 2.1937	6. 2.1947
New Zealand	29. 3.1938	21. 2.1947
Peru ¹	8.11.1945	5. 4.1947
Portugal	18.10.1937	20. 1.1947
Sweden	11. 7.1936	3. 2.1947
Switzerland	23. 5.1940	15. 1.1947
Turkey	21. 4.1938	3. 2.1947
Union of South Africa	25. 6.1936	18. 1.1947
Venezuela	20.11.1944	1. 5.1947

¹ See under Convention No. 1, introductory note.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Belgium.

Act relating to mines, underground diggings and quarries (text codified under the Royal Order of 15 September 1919 (§ 54), reproducing § 33 of the Act of 5 June 1911).

Act of 5 May 1936 to prohibit the employment of women and children in underground work in the deposits of ore-bearing earth, or peat and in quarries (L.S. 1936, Bel. 7 A).

Act of 6 June 1937 to ratify the Convention.

China.

The Mines Act, promulgated on 25 June 1936.

Cuba.

Legislative Decree No. 598 of 18 October 1934 concerning the employment of women in industry (L.S. 1934, Cuba 10).

Finland.

Act of 1 June 1937 prohibiting the employment of women in mines.

Order of 6 May 1938 concerning the putting into force of the Convention.

Act of 4 March 1927 concerning labour inspection.

Orders of the Council of Ministers of 4 March 1927 concerning application of the Act of 4 March 1927 concerning labour inspection.

Mines Act of 24 March 1943.

Ordinance of 24 March 1943 respecting the putting into effect of the above-named Act.

Ordinance of 4 February 1944 respecting the control of work in certain categories of mines.

United Kingdom.

Metalliferous Mines Regulation Act, 1872.

Coal Mines Act, 1911 (Section 91).

Greece.

Act No. 4029 of 24 January-6 February 1912 concerning the employment of women and minors (B.B., Vol. VII, 1912, p. 285).

Hungary.

No information. See under Summary of additional information.

Ireland.

Metalliferous Mines Regulations Act, 1872 (§ 4).

Coal Mines Act, 1911 (§ 91).

Mexico.

Political Constitution of the United States of Mexico, 1917.

Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).

Regulations of 31 July 1934 respecting the employment of women and children in dangerous and unhealthy occupations (L.S. 1934, Mex. 3).

Netherlands.

General Regulations No. 248 of 1906 relating to the mining industry (B.B., Vol. I, p. 505), amended by the Decrees of 13 October 1916 and No. 550 of 7 October 1922 (L.S. 1922, Neth. 4).

New Zealand.

Coal Mines Act, 1925 (L.S. 1925, N.Z. 2), as amended by the Act of 1937 (L.S. 1937, N.Z. 2 A).

Mining Act, 1926 (L.S. 1926, N.Z. 2), as amended by the Act of 1937 (L.S. 1937, N.Z. 2 B).

Peru.

See under Convention No. 1, introductory note.

Portugal.

Legislative Decree No. 24402 of 24 August 1934 to regulate hours of work in commercial and industrial undertakings (L.S. 1934, Port. 5).
Legislative Decree No. 27891 of 26 July 1937 to ratify the Convention.
Resolution of the Under-Secretary of State for Corporations of 21 July 1937 respecting the employment of women in underground work.

Sweden.

Act of 29 June 1912 respecting the protection of workers with the amendments made by the Act of 12 June 1931 (No. 288) to amend the former Act in certain respects (L.S. 1931, Swe. 5 B).

Switzerland.

Federal Act of 18 June 1914-27 June 1919 on the work in factories (B.B., Vol. IX, 1914, p. 269 and L.S. 1919, Switz. 3).
Federal Act of 31 March 1922 on the employment of young persons and women in industry (L.S. 1922, Switz. 2).
Order of the Federal Council of 8 April 1940 prohibiting the employment of women in underground work in mines.
Order of the Federal Council of 16 July 1943 concerning work in mines.
Order No. 1 of 16 July 1943 of the Federal Department of Public Economy concerning work in mines (compulsory sickness insurance).
Order No. 2 of 30 July 1943 of the Federal Department of Public Economy concerning work in mines (organisation and activities of the Federal Inspection Service for Mines).
Order No. 3 of the Federal Department of Public Economy of 3 August 1943 concerning work in mines (temporary provisions respecting hours of work in mines in course of equipment).

Turkey.

Labour Act No. 3008 of 8 June 1936 (L.S. 1933' Tur. 2).
Act No. 3229 of 15 June 1937 to ratify the Convention.

Union of South Africa.

Mines and Works Act, 1911 (No. 12 of 1911) (L.S. 1931, S.A. 1 B).

Venezuela.

Labour Act of 16 July 1936 (L.S. 1936, Ven. 2), amended by the Act of 4 May 1945 (L.S. 1945, Ven. 1).
Regulations of 30 November 1938 issued under the Labour Act.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Belgium* states that the Convention is strictly applied under the Acts of 5 June 1911 (§ 33) and 5 May 1936. The engineers of the Mines Department, who are responsible for the administrative supervision of mines, underground diggings and quarries, are entrusted with the application of the relevant legislation. No decisions were given by courts of law and no observations have been made by employers' or workers' organisations.

The Government of *China* states that § 5 of the Mines Act of 25 June 1936, which stipulates that "women and children should not work underground", is in full accord with the Convention. According to the report of the factory and mining inspectors, no women are employed underground. The competent authority for the application of the Convention is the Ministry of Social Affairs. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that the Legislative Decree of 16 October 1934, which prohibits the employment of women in all underground work, continues to be strictly applied.

The Government of *Finland* states, under Article 2 of the Convention, that the Acts of 24 March 1943 and 4 February 1944 prohibit the employment of women on underground work in mines. According to the provisions of § 81, paragraph 2 of the Mines Act and § 2, paragraph 2 of the Act respecting the control of work in certain categories of mines, the prohibition laid down in the Convention does not apply to the persons enumerated in paragraphs (a) to (d) of Article 3 of the Convention.

The supervision of the application of the relevant legislation is exercised by the Minister of Commerce and Industry and, in particular, by the Mines Service of this Ministry. In accordance with the provisions of the Act of 4 March 1927 relating to labour inspection and the Orders issued in application of this Act, the labour inspectors are responsible for the application of the legislative provisions and the regulations relating to the protection of workers. No decisions were given by courts of law and no observations have been made by employers' or workers' organisations.

The Government of the *United Kingdom* states that, during the period under review, no change has taken place in *Great Britain*.

The position in *Northern Ireland* is the same as that in *Great Britain*, except that the supervision of the application of the Convention is carried out by the Ministry of Commerce instead of the Mines Department.

The Government of *Greece* refers to previous reports, and adds that no change has been made in existing legislation. The Convention continues to be fully applied as in the past. It has not been necessary to authorise the exceptions provided for under Article 3 of the Convention. The employment of women in the mining industry is decreasing. The exploitation of mines has not yet been restarted.

The *Hungarian* Government refers to previous reports, and adds that no new measures have been taken during the period under review. Further, as no women were employed in mines in Hungary even before

the adoption of the Convention, legislation or other measures have not been necessary in order to implement the Convention.

The Government of *Ireland* states that there is no change in the position as outlined in its report for the period 1939-1940.

Netherlands. See under Convention No. 5 and under Convention No. 2, introductory note.

The Government of *New Zealand* states, under Article 1 of the Convention, that the Coal Mines Act, 1925, applies to all mines of coal, claystone, fireclay or shale and all works belonging to such mines (§ 2). The Mining Act, 1926, applies to mines of gold and other metals or minerals other than precious metals, precious stones and coal, and to the erection and construction of necessary works and machinery. The last-named Act may be extended to mining for any specified substance, including diamonds and other specified precious stones (§ 3 as amended). Under the Coal Mines Act, 1925 (§ 66 as amended), and the Mining Act, 1926 (§ 256 as amended), no woman may be employed in any capacity in or about a mine. This prohibition does not apply to persons engaged in clerical employment or as nurses and charwomen. In practice, no women are engaged on underground work.

The application of the legislation is entrusted to the Mines Department, and its supervision and enforcement is ensured by the full inspection staff of that Department. No decisions have been given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Portugal* states that, during the period under review, no new measures were taken with regard to the subjects covered by the Convention, and that it has nothing to add to its report for the period 1 October 1940 to 30 September 1945.

The Government of *Sweden* refers to its report for 1936-1937, as supplemented in certain respects by subsequent communications.

The Government of *Switzerland* states that, during the period under review, no change has taken place in the relevant federal or cantonal legislation.

In the spring of 1946, the Federal Inspection Service for Mines prepared a report on its activities in 1944 which showed that the prohibition regarding the employment of women on underground work in mines is enforced generally. Women are employed mainly for surface work in connection with the processing of coal. No women are employed in Switzerland on underground work in mines and, in this connection, the expansion of the mining industry as a result of the war economy has had no unfavourable result whatever. The reports of the Federal Factory Inspectors on their activities in 1945, which are appended to the report, contain no observations regarding the employment of women in mines covered

by establishments which come under the Factories Act. The report of the Federal Council to the Chambers on its activities in 1945, a copy of which is appended to the present report, gives a general account of the application of the provisions which ensure the application of the Convention. No sentences or decisions were given regarding the application of the Convention, which is strictly observed in Switzerland. No observations have been received from employers' or workers' organisations.

The Government of *Turkey* refers to its report for 1944-1945.

The Government of the *Union of South Africa* states that there has been no change in the laws or customs of the Union relating to the underground employment of women and adds that the position remains as set forth in its letter of 27 October 1942.

The Government of *Venezuela* repeats the detailed information given in its report for 1944-1945 and states that the national legislation does not provide for the exemptions allowed under Article 3 of the Convention.

The mines authorities co-operate with the labour inspection service to ensure the application of the relevant legislation. See also under Convention No. 3 in the Supplement to Report VI, 1947, for information relating to inspection, the authorities responsible for ensuring compliance with the regulations, the labour inspectorate and the compilation of statistical data. No decisions were given by courts of law and no observations have been made by employers' or workers' organisations or by individual employers or workers.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The *Belgian* Government states that § 10 of the Act of 18 June 1937 to ratify the Convention stipulates that, because of local conditions, it is not possible to extend the application of the Convention to the *Belgian Congo* and to *Ruanda Urundi*. In addition, not only in 1937 but at the present time, no women have been or are actually employed in underground work in mines in the *Belgian Congo* and in *Ruanda Urundi*.

The Government of the *United Kingdom* states that the following legislation has been enacted:

Nigeria.

Labour Code Ordinance No. 54 of 1945, Chapter IX (paragraphs 151-153).

Tanganyika.

Women and Young Persons (Amendment) Ordinance of 1946 (§ 14 (1) and (2)).

Netherlands. For the *Netherlands Indies*, see under Convention No. 2.

As the type of work referred to in the Convention does not exist in *Curaçao*, it has not been necessary to take any action with regard to the Convention.

The Convention has been published in *Surinam*. As underground work does not exist in the country, no legislative action is necessary.

The Government of *New Zealand* states that the instrument of ratification is being

regarded as operative only in the Dominion proper, the North Island and adjacent islets, the South Island and adjacent islets, Stewart Island and adjacent islets and the Chatham Islands. Extension to the Mandated Territory of Western Samoa and the Cook Islands is being reviewed. There are no mines in these areas.

The Government of the *Union of South Africa* states that the position remains as set forth in its letter of 27 October 1942.

46. Convention limiting hours of work in coal mines (revised 1935)

(Not yet in force)

Period covered by report: 1 October 1945-30 September 1946.

Countries	Date of registration of ratification	Reports received
Mexico ¹	1. 9.1939	9. 9.1946

¹ Voluntary report.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATION, ETC. (I)

Mexico.

Political Constitution of the United States of Mexico, 1917.

Federal Labour Act of 18 August 1931 (L. S. 1931, Mex. 1).

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Mexico* refers to its report for 1944-1945.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

Does not apply.

47. Convention concerning the reduction of hours of work to forty a week

(Not yet in force)

Period covered by report: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
New Zealand ¹	29. 3.1938	27. 3.1947

¹ Voluntary report.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

New Zealand.

Industrial Conciliation and Arbitration Amendment Act, 1936 (§§ 21 and 22) (L.S. 1936, N.Z. 1). Factories Amendment Acts, 1936 (L.S. 1936 N.Z. 2) and 1938.

Shops and Offices Amendment Act No. 38 of 1945.

Labour Legislation Emergency Regulations, No. 167 of 1939 and No. 123 of 1940.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *New Zealand* repeats the detailed information given in its report for 1945-1946 concerning application of the relevant legislation and gives figures showing the number of workers employed in the industrial undertakings concerned as of 31 December 1943. No decisions were given by courts of law and no observations have been made by employers' or workers' organisations.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

No information.

48. Convention concerning the establishment of an international scheme for the maintenance of rights under invalidity, old-age and widows' and orphans' insurance

This Convention came into force on 10 August 1938

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Hungary	10. 8. 1937	14. 2. 1947
Netherlands	6. 10. 1938	6. 2. 1947
Poland	21. 3. 1938	19. 2. 1947
Spain	8. 7. 1937	
Yugoslavia	4. 1. 1946	

INTRODUCTORY NOTE

The Government of *Hungary* states that the bilateral agreements which it concluded during the war with Germany and Slovakia for the regulation of questions of reciprocity in respect of social insurance are no longer applicable. There are no legislative measures to ensure the maintenance of pension rights in the course of acquisition under the various insurance schemes. Exchanges of views have been initiated, as provided for in the Convention, regarding the possibility of concluding bilateral agreements with other Members.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Hungary.

See introductory note.

Netherlands.

Act of 5 June 1913 respecting invalidity, old-age and survivors' insurance, as subsequently amended in 1919, 1920, 1921, 1922, 1923, 1925, 1933 and by the Act of 3 December 1937 (L.S. 1937, Neth. 5).

Public Administrative Regulations (Chapter VIII).

Poland.

Act of 18 March 1933 respecting social insurance (L.S. 1933, Pol. 5), as amended.

Order of the President of the Polish Republic of 24 November 1927, respecting the insurance of intellectual workers (L.S. 1927, Pol. 6), as amended.

Order of the Minister of Labour and Social Assistance of 13 June 1945, respecting the provisional determination of the amount of pensions under social insurance.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Hungary* states that the social insurance institutions of the country have continued to pay in full to beneficiaries the pensions which were ac-

quired in part by virtue of periods of insurance under a social insurance scheme abroad. The Private Employees' Insurance Institution has also paid pensions to numerous insured persons who had contributed to the Czechoslovak insurance institutions.

See also introductory note.

In its first detailed report on the application of the Convention, the Government of the *Netherlands* supplies the following information :

Article 2. The legislation on invalidity, old-age and survivors' insurance in general makes no distinction between workers of Dutch nationality and workers who are nationals of other countries. The obligations and rights of both are the same. The legislation is based on the principle : once insured, always insured. Compulsory insurance continues even when the insured person no longer fulfils the required conditions and can only be terminated on receipt of a declaration from the insured person to the labour board.

A national of another country who is compulsorily insured under Netherlands legislation remains insured if he leaves the Netherlands and becomes compulsorily insured under the legislation of another country. Thus, the maintenance of rights in the course of acquisition rests with the insured person. With regard to the number of contributions prescribed for entitlement to special advantages, account is taken of periods during which contributions were paid in the country of another Member which has ratified the Convention.

Under Article 3 of the Convention, the Government states that invalidity and old-age pensions depend on the time spent in insurance and on the contributions paid.

The structure of the Netherlands scheme is such that the case provided for in Article 5 of the Convention could not arise.

The Netherlands has not concluded any agreements with other Members, as provided for in Article 6.

On ratifying the Convention, the Government took advantage of the option provided for in paragraph 3 of Article 10.

Article 11. When the survivor's pension amounts to less than 264 florins, it may be commuted for a lump sum equal to its capital value, provided that the labour board considers this to be to the advantage of the beneficiaries. The same provisions apply in the case of a widow's pension.

Article 13. The State Bank discharges its liability to persons entitled to benefit in Netherlands currency.

Article 12. The documents required in the application of the Convention will generally be those required in the application of the legislation on invalidity insurance, and thus will be exempt from stamp duty and registration formalities.

No use has been made of the option provided for in Article 16.

Article 17. At the date of the ratification of the Convention, a compulsory invalidity, old-age and survivors' insurance scheme existed for employed persons.

Since the ratification of the Convention, no treaties as provided for in Article 19 have been concluded by the Netherlands. Prior to the date of ratification, the Netherlands and Belgium had concluded a treaty relating to the assimilation of their subjects in respect of the application of the invalidity and old-age insurance legislation of both countries. A copy of the text of this treaty accompanies the report.

The cases provided for under Article 20 have not arisen.

The Government adds that, as the country was occupied six months after the date on which the Convention came into force for the Netherlands, it has had little experience in the application of the Convention. No statistical data are available. No observations have been made by workers' or employers' organisations.

See also under Convention No. 2, introductory note.

In its first report, the Government of Poland states that, according to Polish legislation, insurance against the risks of invalidity, old age and death is compulsory for all persons employed under contract, including manual and intellectual workers. Details are given in the report regarding the qualifying conditions for entitlement to benefit and the amounts payable in bene-

fits. The insurance scheme covers foreign workers serving under contract. These workers are treated on the same footing as Polish citizens and are subject to the same obligations and enjoy the same rights. Polish nationals and foreigners who are entitled to benefits under the Polish invalidity, old-age and survivors' insurance scheme maintain their rights even if they leave Poland and settle abroad.

The Polish-French Agreement of 21 December 1929, respecting the maintenance of rights in the case of invalidity, old age or death of manual and intellectual workers employed by mining undertakings, is still in force. This Agreement, which was concluded prior to Poland's ratification of the Convention, applies the basic principles of the Convention and provides a system for the accumulation of pension rights acquired in one country with the rights acquired in another country when the right to the pension has been recognised. The Agreement only applies to a very limited group of workers employed by mining undertakings in the contracting States.

During the period under review, no new international agreements have been concluded for the purpose of applying the Convention. The attention of the Government has been directed to re-establishing and applying existing international agreements in this field. In addition, the Government has devoted considerable time to the collection and preparation of material to serve as a basis for the conclusion of future international agreements relating to all social insurance problems.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

No information.

49. Convention concerning the reduction of hours of work in glass-bottle works

This Convention came into force on 10 June 1938

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Czechoslovakia	19. 9.1938	3. 3.1947
France	25. 1.1938	14. 2.1947
Ireland	10. 6.1937	21. 2.1947
Mexico	21. 2.1938	9. 9.1946
New Zealand	29. 3.1938	21. 2.1947
Norway	21. 7.1936	

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Czechoslovakia.

Act No. 126/1938 Sb., of 11 May 1938, to give effect to the International Conventions for the regulation of hours of work in automatic

sheet-glass, and concerning the reduction of hours of work in glass-bottle works. Notification No. 616/1945, dated 1 December 1945, of the Minister of Labour and Social Welfare respecting the regulation of hours of work and the wages of employees in the manufacture of sheet-glass and plate-glass.

France.

Decree of 13 December 1937 to establish the rules of procedure for the application of the Forty-Hour Week Act of 21 June 1936 (L.S. 1936, Fr. 8), respecting hours of work in glass-bottle works of all kinds (L.S. 1937, Fr. 3 A).

Ireland.

Conditions of Employment Act, 1936 (L.S. 1936, I.F.S. 1).
Conditions of Employment (No. 1) Order, 1936.

Conditions of Employment (Glass-Bottle Works)
(Exclusion) Order, 1936.

Mexico.

Political Constitution of the United States of Mexico, 1917.
Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).
Collective Agreement between the Monterey Glass Works and the Union of Glass Industry Workers.
Works Regulations for the Monterey Glass Works.

New Zealand.

Factories Act, 1921/1922.
Factories Amendment Acts, 1936 (L.S. 1936, N.Z. 2), and 1945 (L.S. 1945, N.Z. 6).
Industrial Agreement under the Labour Disputes Investigation Act, 1913.

SUMMARY OF ADDITIONAL INFORMATION
(II, IV, V, VI)

Czechoslovakia. See under Convention No. 43.

France. See under Convention No. 43.

The Government of *Ireland* states that the position remains as stated in its report for 1938-1939.

The Government of *Mexico* refers to its previous reports.

The Government of *New Zealand* states that the Factories Amendment Act, 1945, limits hours of work to 40 (excluding meal-times) in any one week, and eight (excluding meal-times) in any one day. In each four-

weekly period, every worker normally works five periods of eight hours per week for three weeks and six periods of eight hours during the fourth week, thus giving an average of 42 hours per week, calculated over the four-weekly period. Overtime rates are payable for the fourth week in respect of the additional eight hours worked during the fourth period. The report contains figures showing the roster for shift work.

Under Article 3 of the Convention, the Government states that the Factories Amendment Act, 1945, provides that the prescribed working hours may be extended. Such overtime is to be calculated at time-and-a-half for the first three hours, and double time thereafter.

Under Article 5 of the Convention, the Government states that it considers that more favourable conditions than those prescribed in the Convention are provided by supplementary payment in respect of hours worked in excess of 40 in every fourth week and for all time worked after 1 p. m. on Saturdays, on Sundays and statutory holidays. No decisions were given by courts of law, and no observations have been received from organisations of employers or workers.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

New Zealand. See under Convention No. 1. The Government adds that there are at present no glass-bottle workers in any of New Zealand's possessions and mandated territories.

TWENTIETH SESSION (GENEVA, 1936)

50. Convention concerning the regulation of certain special systems of recruiting workers

This Convention came into force on 8 September 1939

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
United Kingdom	22. 5.1939	27. 1.1947
Japan	8. 9.1938	
Norway	7. 7.1937	

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of the *United Kingdom* states that the following legislation has been enacted (1944-1946):

Nigeria.

Labour Code Ordinance No. 54 of 1945, Chapter V (paragraphs 60-92).

Nyasaland.

Native Labour (Recruitment Permits) Rules of 1946. Government Notice No. 142 of 1946.

Seychelles.

Recruitment of Workers Ordinance (not yet brought into operation).

Tanganyika.

Master and Native Servants (Recruitment) Ordinance No. 6 of 1946.

Uganda.

Employment Ordinance No. 13 of 1946. Employment Rules, 1946.

A draft Ordinance, providing for the application of the Convention to *Ceylon*, has been prepared and is being considered by the Executive Committee for Labour, Industry and Commerce.

52. Convention concerning annual holidays with pay

This Convention came into force on 22 September 1939

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
Brazil	22. 9.1938	
Denmark	22. 6.1939	14. 3.1947
France	23. 8.1939	14. 2.1947
Mexico	9. 3.1938	9. 9.1946

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Denmark.

Act No. 170 of 13 April 1938 respecting holidays with pay (L.S. 1938, Den. 5).
Regulations of 30 April 1945 to modify Regulations No. 290 of 14 September 1938 (as subsequently amended), respecting the calculation of holiday payments to hotel and restaurant staff paid by tips.

Regulations of 7 June 1945 concerning the holidays of agricultural workers.
Regulations of 30 April 1946 concerning the certification of holiday stamp books in so far as strikes are concerned.

France.

Labour Code, Book II, Chapter IV, *ter* (§§ 54 (*f*) to (*n*)).
Act of 20 June 1936 to institute annual leave with pay in industry, commerce, the liberal professions, domestic service and agriculture (L.S. 1936, Fr. 6).
Acts of 31 July 1942 (L.S. 1942, Fr. 5 B), 20 July 1944 (L.S. 1944, Fr. 6) and the Act of 13 August 1945, 29 April 1946 (L.S. 1946, Fr. 5 C and D) and 19 August 1946 (L.S. 1946, Fr. 5), concerning holidays with pay, to amend §§ 54 (*g*) to (*l*) of Book II, Chapter IV *ter* of the Labour Code.
Decree of 29 July 1939 respecting, *inter alia*, funds for holidays with pay.
Various Decrees and Circulars issued in application of the above legislation.

Mexico.

Political Constitution of the United States of Mexico, 1917.

Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).

Act fixing the Civil Servants' Statute promulgated in the *Diario Oficial* of 17 April 1941.

value to one-twelfth of the remuneration received by these workers during the period in respect of which they are entitled to a holiday.

The Government of *Mexico* refers to its previous reports.

SUMMARY OF ADDITIONAL INFORMATION

(II, IV, V, VI)

The Government of *Denmark* refers to its report for 1944-1945 and indicates legislation adopted in 1945 and 1946.

The Government of *France* states that, under the Act of 19 August 1946, the length of the holiday period has been established for workers and apprentices who reach the age of eighteen years on 31 May of each year, at two days for each month worked; the total length of the holiday to which such workers are entitled must not exceed twenty-four working days. Workers and apprentices aged eighteen to twenty years on 31 May of each year are entitled to one and a half days for each month worked. Such workers are entitled, if they so request, to the holiday referred to above irrespective of their years of service in the undertaking.

Under Article 3 of the Convention, the Government states that the amount of holiday remuneration for young workers under eighteen years of age is equal in

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that § 3 of the Act of 20 June 1936, instituting annual holidays with pay in industry, commerce, the liberal professions, domestic service and agriculture, extends the application of this Act to Algeria. A Decree of 29 August 1945 extended to Algeria the amendment to Articles 54 (*g*) *et seq.*, under the Acts of 31 July 1942 and 20 July 1944.

In addition, § 32 of the Decree of 18 June 1945 instituting a Native Labour Code for the territories of French West Africa, French Equatorial Africa, the Cameroons, Togoland and French Somaliland, stipulates that: "Every worker is entitled, after one year's service with the same employer, to 10 days' paid holiday on condition that he has worked for at least 240 days during the year. If the contract is made for two complete years, the employer may grant the complete holiday at the end of this contract. Compensatory payment may not be made for the holiday."

TWENTY-FIRST SESSION (GENEVA, 1936)

53. Convention concerning the minimum requirement of professional capacity for masters and officers on board merchant ships

This Convention came into force on 29 March 1939

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
U.S.A.	29.10.1938	24. 3.1947
Belgium	11. 4.1938	17. 2.1947
Brazil	12.10.1938	
Denmark	13. 7.1938	14. 3.1947
Egypt	20. 5.1939	1. 5.1947
Estonia	20. 6.1938	
Mexico	1. 9.1939	9. 9.1946
New Zealand	29. 3.1938	22. 2.1947
Norway	7. 7.1937	

Ordinance No. 102 of 29 March 1930 applying the Act of 19 March 1930.
Regulation No. 263 of 6 September 1930 concerning vocational workshop training.

Egypt.

Law No. 61 of 1940 respecting masters and mates and marine engineers on merchant ships.
Ministerial Order No. 1 of 27 December 1945 defining Syllabus and Conditions for the examination of masters and mates on merchant ships.

Mexico.

Act of 30 December 1939 concerning general lines of communication.

New Zealand.

Shipping and Seamen Act, 1908, as amended in 1909, 1911, 1912, 1913, 1922, 1924, 1925, 1929 and 1936.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The *United States* Government states that only one change has been made in the implementing legislation during the period under review. In future, the United States Coast Guard will be responsible for the administration of the licensing laws previously entrusted to the Bureau of Marine Inspection.

The regulations regarding professional examinations have also been modified and the Marine Inspection Bureau may in appropriate cases place a limitation upon the duration of the licences. The regulations defining the requisite professional experience have also been slightly amended. Four violations of the implementing statutes were reported during the period under review and in each case a fine of \$100 was inflicted.

The Government of *Belgium* states that the revision of the conditions regarding the co-ordination of competency certificates for the mercantile marine (begun in 1945) will probably be finished in 1947 without altering the present regulations to any great extent.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

United States of America.

Act of 29 March 1939, exempting vessels of less than 200 gross registered tonnage as provided for in the Convention.

Act of 17 July 1939 respecting the requirements for competence of masters and other officers on board merchant ships so defined in the Convention.

Code of Federal Regulations, Title 46, Part 36 and Title 46, Part 62.

Belgium.

Act of 7 March 1938 to ratify the Conventions adopted by the International Labour Conference at its 1936 Session.

Royal Decree of 18 November 1929 on the co-ordination of Regulations regarding competency certificates in the Mercantile Marine.

Denmark.

Act of 28 February 1916 concerning employment at sea, as subsequently amended.

Ships Officers' and Engineers' Act of 28 February 1916, as subsequently amended.

Nautical Education Act of 28 February 1916, as subsequently amended.

Ordinance No. 198 of 23 June 1932 applying the Nautical Education Act of 28 February 1916.

Regulation No. 197 of 21 June 1932 implementing the Nautical Education Act of 28 February 1916.

Act of 29 March 1920 concerning the inspection of vessels.

Ordinance of 31 March 1928 concerning the conditions laid down with regard to the certificate and examination for officers.

Act No. 78 of 19 March 1930 concerning examinations for engineers, etc.

The Maritime Commissioner ensures, when the list of the crew is made up, that higher officers possess the required competency certificates. No decisions were given by courts of law nor were any observations received from employers' or workers' organisations.

The Government of *Denmark* refers to its report for 1944-1945 and states that Danish legislation continues to be in conformity with the Convention in spite of the difficulties resulting from the war or other special conditions.

The Government of *Egypt* states, under Article 1 of the Convention, that a Ministerial Order defining the conditions for the examination of masters of ships has been drafted. A copy of this Order will be sent to the International Labour Office as soon as it has been signed. Law No. 61 of 1940 ensures the application of Article 3 of the Convention. Foreign certificates equivalent to national certificates are recognised by the authorities. Some cases of *force majeure*, provided for in paragraph 2 of Article 3 of the Convention, have occurred, and the owners of vessels are allowed to engage persons with sufficient experience, even if they do not hold the required certificates. This practice will be continued until such time as a sufficient number of certificated persons is available. With regard to Article 4, the Government indicates the professional capacities which are required in practice. The provisions of paragraph 3 of this Article apply only to Egyptian Government officers to whom certificates appropriate to their ranks were issued. The Department of Maritime Inspection of the Ministry of Communications and the Administration of Ports and Lights are

entrusted with the application of the provisions of the Convention. The seamen's section of this department, which is responsible for the supervision of recruiting, ensures the application of Law No. 61. Article 6 has been applied in Egypt as far as possible. Complete agreement between the national legislation and the Convention will be obtained when two Ministerial Orders have been issued defining the conditions of examination of engineers, and defining the syllabus and conditions for the examinations of masters of ships whose tonnage is less than 200 tons. These Orders are at present under consideration. No contraventions of the provisions of the Convention have been noted on board Egyptian ships.

The Government of *Mexico* refers to its previous reports.

The Government of *New Zealand* refers to its previous reports and repeats the detailed information on the application of each of the various articles of the Convention. There has been no change in the situation since the report for 1944-1945. The report contains statistical data regarding the number of certificates issued from 1941 to 1945, and regarding infringements during the same period. Detailed information is also given regarding the requirements to be fulfilled by the various categories of officers. No decisions have been given by courts of law regarding the application of the Convention.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

New Zealand.

See under Convention No. 1.

54. Convention concerning annual holidays with pay for seamen

(Not yet in force)

Period covered by reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
U.S.A.	29.10.1938	
Belgium ¹	11. 4.1938	17. 2.1947
Mexico ¹	12. 6.1942	9. 9.1946

¹ Voluntary report.

Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).
Act of 30 December 1939 concerning general means of communication.
Regulations concerning technical inspection of machinery, promulgated on 27 January 1939.

SUMMARY OF ADDITIONAL INFORMATION
(II, IV, V, VI)

The Government of *Belgium* states that the provisions of the Convention are applied by means of joint agreements between professional associations of shipowners and seamen. All merchant seamen, without exception, benefit from the provisions of these agreements. The granting of paid

LIST OF LEGISLATION AND ADMINISTRATIVE
REGULATIONS, ETC. (I)

Belgium.

See below.

Mexico.

Political Constitution of the United States of Mexico of 1917 (§ 133).

holidays constitutes one of the clauses of the collective agreement in the maritime shipping industry. In case of disputes, the Maritime Commissioner institutes conciliation proceedings and, if necessary, the question is brought before the seamen's Probiviral Court. Several disputes which arose in connection with the details for the application of joint agreements were solved by means of conciliation. No decisions were given by courts of law. The joint agreements which were concluded during the war are still in force; they entitle officers to one day's leave for every twenty

days' service and ratings to one day's leave for every thirty days' service entered in the ship's register. During the year 1946, seamen have obtained longer paid holidays on their return to the country after the war.

The Government of *Mexico* refers to its previous reports.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

No information.

55. Convention concerning the liability of the shipowner in case of sickness, injury or death of seamen

This Convention came into force on 21 October 1939

Period covered by annual reports: 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
U.S.A.	29.10.1938	24. 3.1947
Belgium	11. 4.1938	17. 2.1947
Mexico	15. 9.1939	9. 9.1946

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

United States of America.

Admiralty Law of the United States.
Merchant Marine Act of 1920 (Jones Act) (U.S. Code Title 46, Sec. 688).
Public Health Service Act, 1 July 1944 (U.S.C.A. Title 42, § 201).
Act of 24 March 1943 (U.S.C.A., App., §§ 1291-1295) to extend certain statutory benefits to seamen on U.S. or foreign flag vessels operated by the U.S. Maritime Commission.
Longshoremen's and Harbor Workers' Compensation Act (U.S.C.A., Title 33, §§ 201 *et seq.*).
U.S. Code (Annotated), Title 46, §§ 621, 622, 624, 625, 666, 678, 679, 683
Code of Federal Regulations, Title 22, § 118.6 and 118.7; Title 42, § 2a.301 *et seq.*

Belgium.

Act of 5 June 1928 concerning seamen's articles of agreement (L.S. 1928, Bel. 5 A).
Act of 30 December 1929 concerning seamen's compensation for accidents.
Legislative Decree of 23 October 1946 to amend provisionally the above-named Act.

Mexico.

Political Constitution of the United States of Mexico, 1917.
Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).
Act of 30 December 1939 concerning general lines of communication.
Social Security Act of 31 December 1942 (L.S. 1942, Mex. 1).

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

In a detailed report regarding the application of each of the articles of the Convention, the *United States* Government states that "the question whether ratification of the Convention altered existing law, that is, whether the treaty is self-executing, has never been finally determined by the Supreme Court."

Under Article 1 of the Convention, the Government gives information regarding the workers covered by the legislation which implements the Convention, together with details of specific exceptions as provided for in the Convention. Wartime protective legislation for employees of the War Shipping Administration, noted in the report for 1941-1943 continued in effect during the period under review.

Under Article 2 of the Convention, information is given regarding the shipowner's liability in the event of sickness, injury or death of a seaman, together with information regarding specific exceptions as provided for in the Convention.

The report also contains information relating to medical care, etc., and maintenance guaranteed to seamen. The duration of the shipowner's liability for maintenance and care is not defined by the national legislation but has been determined by the courts, case by case, in Admiralty proceedings. No schemes of compulsory sickness and accident insurance or workmen's compensation are provided for by the federal legislation. The shipowner is liable for wages so long as the voyage lasts, whether or not the seaman remains on board. The 1946 amendments to the Social Security Act extend State unemployment benefits to seamen. The obligation to return destitute seamen, regardless of fault, has been assumed

by the United States Government. When the destitution is the fault of the shipowner, he becomes liable for the passage. The employer and the United States Government are charged with the burial expenses of seamen. § 46 U.S.C.A. (§§ 621, 624 and 625) provide for the disposition of deceased seamen's effects.

Shipping Commissioners and, in certain cases, consular officials are empowered to act as arbitrators in connection with disputes between employers and workers. Equality of treatment for all seamen on American ships is assured by the law, except in the case of foreign seamen who are shipped at a foreign port.

The general maritime law is enforceable in the federal courts (United States Constitution, Article 3, § 2). The Act of 24 March 1943, extending certain statutory benefits to United States seamen on United States or foreign flag vessels operated by the War Shipping Administration, provides that it shall be administered by the War Shipping Administration. This agency was abolished and its functions transferred to the United States Maritime Commission on 1 September 1946.

The United States Public Health Service administers the Public Health Services Act (42, U.S.C.A., § 201) under the direction and supervision of the Administration of the Federal Security Agency.

The State Department administers the statutes concerned with subsistence, repatriation and the effects and burial of seamen overseas. (46, U.S.C.A., §§ 678, 679, 623, 624).

Information is given respecting leading court decisions and decisions by the Supreme Court arising out of the legislation and administrative regulations which apply the provisions of the Convention. The Convention is applied by statute, regulation and by the general maritime law of the country. The Government has assumed certain obligations, notably in respect of repatriation and medical care. Seamen are guaranteed the benefits of the Convention with the two following exceptions: duration of medical care and wages when overseas. When public health facilities are available, seamen receive adequate medical care as defined in the Convention. For seamen who fall ill overseas, the responsibility to provide medical care rests with the shipowner exclusively, but the duty of the latter does not extend to complete cure or to the time when the injury is declared permanent, but only to the time required for the maximum degree of improvement. The amount of wages assured to seamen when incapacitated by injury or illness depends upon the length of the voyage. It is estimated that approximately 100,000 seamen are covered by the legislation. No information is available concerning the number of seamen who received benefits or assistance, or concerning the expenditure incurred by shipowners or by the United States Government. No

observations have been received from employers' or workers' organisations.

The Government of *Belgium* states that during the war seamen received more liberal treatment in certain respects than that provided for by the Convention and by the Acts of 5 June 1928 and 30 December 1929. The Legislative Decree of 23 October 1946 regarding industrial accidents amends, supplements and consolidates the Act of 30 December 1929 and various Legislative Decrees issued in London. Benefits in the event of death are now paid to the widow of the victim at the rate of 60 per cent. of the basic wages, increased by the war bonus, and, in the case of total permanent incapacity, 80 per cent. of the basic wage if the accident occurs at sea, and 100 per cent. if it is due to an act of war. Accidents caused by acts of war to seamen engaged under the pool system are assimilated to industrial accidents. The provisions of the Legislative Decree of 23 October 1946 cover the period 10 May 1940 to 31 December 1946. A new scheme is under consideration and is to come into force on 1 January 1947. In the event of sickness, disputes regarding shipowners' liability which have not been settled by conciliation through the Maritime Superintendent are dealt with by the Seamen's Probiviral Courts. Disputes regarding employment injuries are within the competence of the Justice of the Peace of the port to which the vessel is attached. The Government is unable to supply precise statistical data regarding the number of cases covered by the Convention.

The Government of *Mexico* refers to its previous reports.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The *United States* Government states that the general maritime law and the Jones Act, which cover seamen on all vessels of the United States, apply to *Alaska*, *Hawaii*, the *Virgin Islands*, and the *Panama Canal Zone*. The Longshoremen's and Harbor Workers' Compensation Act does not extend to the Canal Zone, where the Jones Act applies to all maritime workers. The Admiralty Law of the United States has not so far been extended to *Puerto Rico*, where local law is applied. Public health facilities are maintained in *Alaska*, *Hawaii* and *Puerto Rico*. Navy health facilities are available in *Guam* and *Samoa*, while Army facilities are supplied in *Panama*. The legislation has not been extended to seamen who are residents of *Guam* or *Samoa* and are employed on ships owned by Guamanians or Samoans which do not sail to any other territory or possession of the United States. In *Guam*, by local law, the owner of such a ship is liable for medical care and wages; only one such ship is at present in commission.

57. Convention concerning hours of work on board ship and manning

(Not yet in force)

Period covered by reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
U.S.A.	29.10.1938	
Australia ¹	24. 9.1938	1. 3.1947
Belgium ¹	11. 4.1938	17. 2.1947
Sweden ²	6. 1.1939	

¹ Voluntary report.² Conditional ratification.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

Australia.

Navigation Act, 1912-1935.
 Commonwealth Conciliation and Arbitration Act, 1904-1934.
 Navigation (Manning Accommodation and Coasting Trade) Regulations.
 National Security (Maritime Industry) Regulations, Orders Nos. 1-45, issued in 1942 and 1943.
 Various Determinations and Agreements by the Commonwealth Court of Conciliation and Arbitration.

Belgium.

Act of 7 March 1938 to ratify the Convention.

SUMMARY OF ADDITIONAL INFORMATION
(II, IV, V, VI)

The Government of *Australia* states that the position remains as indicated in its report for 1944-1945.

The Government of *Belgium* states that hours of work on board Belgian vessels are regulated by collective agreements between the parties concerned. During the year 1946, these agreements were amended on some points of detail to the benefit of the seafarer. The regulations are, in general, in conformity with the provisions of the Convention. Consequently, the regulations concerning the crews of vessels comply with the provisions of this Convention.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

No information.

TWENTY-SECOND SESSION (GENEVA, 1936)

58. Convention fixing the minimum age for the admission of children to employment at sea (revised)

to
This Convention came into force on 11 April 1939

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
U.S.A.	29.10.1938	24. 3.1947
Belgium	11. 4.1938	17. 2.1947
Brazil	12.10.1938	
Iraq	30.12.1939	24. 1.1947
Norway	7. 7.1937	
New Zealand	7. 6.1946	
Sweden	6. 1.1939	3. 2.1947

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

United States of America.

U.S. Code (Annotated), Title 46, §§ 643 and 672.

(See under Summary of additional information regarding legislation in various States.)

Belgium.

Act of 5 June 1928 concerning seamen's articles of agreement (L.S. 1928, Belg. 5 A).

Act of 7 March 1938 to ratify the Convention.

Iraq.

Labour Law No. 72 of 1936, § 1 (paragraphs 7 and 9).

Sweden.

Seamen's Act of 15 June 1922 (L.S. 1922, Swe. 1).
Act No. 610 of 30 September 1938 to amend §§ 10, 23, 51 and 73 of the Seamen's Act of 15 June 1922.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The *United States* Government states that effect is given to the Convention by administration of the U.S. Coast Guard Service, pursuant to Chapter 46, U.S.C.A.,

§ 643, which relates to certificates of identity and the seaman's discharge book. The legislative provisions provide that every seaman on vessels of 100 tons or over must be provided with one of these documents. Moreover, according to § 672 of the above-mentioned Code, every seaman employed on board a seagoing merchant vessel of 100 gross tons or over must possess a certificate of service which specifies the capacity in which he is authorised to serve. These requirements, however, do not apply to seagoing fishing vessels, whaling vessels, or yachts.

The Coast Guard Service does not in principle issue a certificate to any person under sixteen years of age and, in practice, does not issue a certificate to any persons between sixteen and eighteen years of age unless the parents assent and unless such a person is physically qualified to perform the duties required of him. During the period under review, certificates were given in two cases to minors of fifteen years of age. In both these cases it was stipulated that the minor was to be employed only on the vessel on which his father was an officer; the date of expiration of the certificate was set prior to the opening of the school term. In a certain number of States bordering on the Atlantic and Pacific Oceans, the Great Lakes, and the Mississippi, legislation exists establishing at sixteen years or over the minimum age for the employment of minors in the shipping industry.

The Government of *Belgium* refers to previous reports and states that the Maritime Superintendent at the port of embarkation is responsible for controlling the age of young persons suggested for registration and refuses registration to any young persons who do not comply with the minimum age requirements. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Iraq* states that the Convention is applied under § 1, paragraph 9, and § 7 of Labour Law No. 72 of 1936. The enforcement and application of the relevant legislation is entrusted to the Directorate of Labour and Social Security under the Ministry of Social Affairs, which is in charge of the application of existing labour legislation.

The Government of *Sweden* refers to its report for 1936-1937, as supplemented by subsequent communications.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The *Belgian* Government states that the application of the Convention has not been extended to the Belgian Congo. At the same time, the Act of 5 June 1928 concerning seamen's articles of agreement ensures, for young persons who are Natives of the Belgian Congo or any mandated territories and who are employed on board Belgian vessels, the guarantees provided for in the Convention.

TWENTY-THIRD SESSION (GENEVA, 1937)

59. Convention fixing the minimum age for admission of children to industrial employment (revised)

This Convention came into force on 21 February 1941

Period covered by annual reports : 1 October 1945-30 September 1946

Countries	Date of registration of ratification	Reports received
China	21. 2.1940	14. 5.1947
Norway	26. 8.1938	

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)

China.

Factory Act, as amended, promulgated by the National Government on 30 December 1932 (L.S. 1932, China 2 (A)).
Mines Act, promulgated on 25 June 1936.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *China* states that Article 8, paragraph 3 (a) of the Convention is applied by § 5 of the Mines Act, which provides that children shall not work underground. Paragraph 3 (b) of this Article is applied by §§ 6 and 7 of the Factory Act, which provide that "male and female workers between the ages of 14 and 16 years are children and children are only permitted to undertake work of a light character". § 6 of the Factory Act provides that children shall not be employed in certain types of work which are dangerous or likely to endanger their health or morals.
Article 8, paragraph 4, of the Convention, is applied by § 3 of the Factory Act, which provides that "the owner of every factory must keep a record of the name, sex, age, place of birth, address, etc., of every worker and send copies of such records to the competent authority for filing". The competent authorities for the application of the Convention are the Ministry of Social Affairs, the Provincial Departments and the local Bureaux of Social Affairs.
The Government adds that it has paid close attention to the conditions of employment in mining industries. The mines of the country are inspected at frequent intervals by labour inspectors attached to the Ministry of Social Affairs. According to the

reports of these inspectors, no children are employed underground. The Government has also paid close attention to the employment of children in factories. During the war, the living conditions of the people deteriorated, and many impoverished families sent their children to work in factories in order to relieve their economic burden. According to the reports of the labour inspectors and of the Ministry of Social Affairs, conditions have improved since the end of the war as a result of the constant advice and supervision of the labour inspectors. In Kwei Yang, for instance, during the war, out of 196 child workers in factories only 32 were below 14 years of age, representing 1 per cent. of the total number of workers. In August 1946, there was only one child below the age of 14 years employed in a factory; this employment has been eliminated by the labour inspectors. One practical difficulty in the enforcement of legislation for the protection of child labour in China arises out of the lack of universal application of the system of birth registration. Consequently, it has been found difficult to ascertain the correct age of children. In order to remedy this difficulty, the Ministry of Social Affairs has attempted to assess the age of children between 14 and 16 years of age by their height and weight. In order to establish an objective basis for age determination according to this method, a programme sponsored by the Ministry is now in progress for the measurement of the height and weight of children in all localities. The report adds that, in view of the importance of the Convention for the health of children and for the development of the nation's manpower, the Government is determined that the Convention shall be applied to the fullest possible extent. No decisions have been given by courts of law and no observations have been received from employers' or workers' organisations.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

Does not apply.

61. Convention concerning the reduction of hours of work in the textile industry*(Not yet in force)**Period covered by report: 1 October 1945-30 September 1946*

Countries	Date of registration of ratification	Reports received
New Zealand ¹	29. 3.1938	22. 2.1947

¹ Voluntary report.**LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)***New Zealand.*

Factories Act, 1921-1922, as amended by the Act of 1936 (L.S. 1936, N.Z. 2 A) and 1945 (L.S. 1945, N.Z. 6).

Labour Legislation Emergency Regulations, No. 167 of 1939 and No. 123 of 1940.

Various Awards relating to different industrial districts.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *New Zealand* repeats the detailed information given in its last

report regarding the application of the various articles of the Convention, and adds that the provisions of the Factories Amendment Act of 1936 (whereby the Court of Arbitration may extend any of the limits of working hours in a factory if it would be impracticable to carry on efficiently the work of the factory without such an extension) have been repealed by the Factories Amendment Act, 1945. At the same time, the Orders made pursuant to this provision continue in force until the date of their expiry. The last of such Orders expired on 31 December 1946.

Under Article 11 of the Convention, the Government states that a suspension Order made in respect of workers in the engineering trade has been revoked.

COLONIES, ETC.**(ARTICLE 35 OF THE CONSTITUTION) (III)**

No information.

62. Convention concerning safety provisions in the building industry*This Convention came into force on 4 July 1942**Period covered by annual reports: 1 October 1945-30 September 1946*

Countries	Date of registration of ratification	Reports received
Mexico	4. 7.1941	9. 9.1946
Switzerland	23. 5.1940	15. 1.1947

INTRODUCTORY NOTE

The Government of *Mexico* refers to its report for 1943-1944 in which it stated that the provisions of §§ 522 and 523 of the Regulations for the application of Article 8 are not as wide in scope as those of the Convention, but that, at an opportune moment, the necessary co-ordination will be effected.

With regard to Articles 9 and 10 of the Convention, the Government stated that there are no provisions in Mexican legislation which correspond exactly to the provisions of the Convention. This will be taken into account when the Regulations concerning construction are revised.

LIST OF LEGISLATION AND ADMINISTRATIVE REGULATIONS, ETC. (I)*Mexico.*

Political Constitution of the United States of Mexico, 1917.

Federal Labour Act of 18 August 1931 (L.S. 1931, Mex. 1).

Regulations for the prevention of industrial accidents, 29 November 1934.

Regulations concerning urban construction in the Federal District, 23 July 1942.

See also introductory note.

Switzerland.

Sickness and Accident Insurance Act, 1911.

Federal Order of 2 April 1940 concerning the prevention of accidents in the building industry.

SUMMARY OF ADDITIONAL INFORMATION (II, IV, V, VI)

The Government of *Mexico* refers to previous reports. See also introductory note.

The Government of *Switzerland* supplies figures covering the number of accidents and workers victims of industrial accidents during the year 1944. The Government appends to its report a copy of the annual report for 1945 of the Swiss Accident Insurance Fund.

COLONIES, ETC.**(ARTICLE 35 OF THE CONSTITUTION) (III)**

Does not apply to reporting countries.

TWENTY-FOURTH SESSION (GENEVA, 1938)

63. Convention concerning statistics of wages and hours of work in the principal mining and manufacturing industries, including building and construction, and in agriculture

This Convention came into force on 22 June 1940

Period covered by annual reports : 1 October 1945-30 September 1946

Note :

Article 2 of this Convention provides that :

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.

Countries	Date of registration of ratification	Reports received
Australia ¹	5. 9.1939	28. 3.1947
Canada	6. 4.1946	
Denmark ²	22. 6.1939	14. 3.1947
Egypt ³	5.10.1940	1. 5.1947
United Kingdom	26. 5.1947	
Ireland	9.10.1946	
Mexico	16. 7.1942	9. 9.1946
Netherlands	9. 3.1940	6. 2.1947
New Zealand ¹	18. 1.1940	21. 2.1947
Norway ²	29. 3.1940	
Sweden ²	21. 6.1939	3. 2.1947
Switzerland ³	23. 5.1940	15. 1.1947
Union of South Africa ⁴	8. 8.1939	7. 1.1947

¹ Excluding Part II.

² Excluding Part III.

³ Excluding Parts III and IV.

⁴ Excluding Parts II and IV.

I

The laws which carry out the provisions of this Convention are not usually laws passed specifically for this purpose but are general provisions relating to the compilation of statistics.

The Government of *Denmark* states that there is no legislation concerning the collection of statistics.

The Government of *Egypt* states that the Convention is implemented by Act No. 29 of 1942 and by Ministerial Decree No. 27 of 1943.

The *Mexican* Government refers to previous reports in which it stated that the Federal Labour Act on statistics issued on 22 December 1939 and the Regulations issued on 30 November 1940 give effect to the provisions of the Convention.

The Government of *Switzerland* refers to its report for 1944-1945 in which it stated that statistics are collected by the Federal Bureau of Labour created in accordance with § 3 of the Federal Order of 8 October 1920.

The Government of the *Union of South Africa* refers to previous reports in which it stated that no special legislation or administrative regulation is necessary to apply the provisions of the Convention. The Statistics Act, 1914, provides for the annual collection of statistics relating, *inter alia*, to " industrial matters, including rates of wages ", employment and unemployment. The most important instruments regulating wages and hours of work in the Union include the following : Industrial Conciliation Act, 1937 ; Wage Act, 1937 ; Apprenticeship Act, as amended ; and Factories Act, 1941.

ANALYSIS OF ADDITIONAL INFORMATION (II, IV, V)

II

Article 1

The reports received from *Australia*, *New Zealand* and *Sweden* give information concerning the compilation and publication of statistics relating to wages and hours of work.

The Governments of *Switzerland* and the *Union of South Africa* refer to previous reports.

Article 2

The Convention provides for optional exclusion from ratification of one or two

Parts as specified in the ratifying instrument. The Parts excluded by the ratifying Governments are indicated in the note preceding the table given above. Of the reporting countries, the Governments of *Mexico* and the *Netherlands* have stated that no Part of the Convention is excluded from ratification.

The Government of *Australia* states that the reservation in respect of Part II remains operative, and gives a short description of payroll tax statistics, which are published quarterly in the *Monthly Bulletin of Employment Statistics*. *Denmark* has not ratified Part III and the Government has taken no steps regarding the collection of statistics on time rates of wages and of normal hours of work in mining and in manufacturing industries.

The Government of *Egypt* states that the exclusion of Parts III and IV has not been cancelled. No measures have been taken with regard to the collection of statistics under the Parts excluded from ratification.

The *Netherlands* Government refers to previous reports. See also under Convention No. 2, introductory note.

The Governments of *Switzerland* (Parts III and IV excluded) and the *Union of South Africa* (Parts II and IV excluded) refer to previous reports.

Article 4

The Governments of *Australia*, *Denmark* and *Egypt* give information regarding the enquiries undertaken by the competent statistical authority in order to obtain the required information for purposes of statistics relating to all or a representative part of the wage-earners concerned.

The Government of *New Zealand* states that this requirement is not necessary in the case of New Zealand.

The *Netherlands* Government refers to previous reports.

See also under Convention No. 2, introductory note.

The Governments of *Mexico*, *Sweden*, *Switzerland* and the *Union of South Africa* refer to previous reports.

Articles 5-12

The Government of *Denmark* supplies information regarding statistics of average earnings and of hours actually worked in industry and handicraft.

The Governments of *Mexico*, the *Netherlands* (see also under Convention No. 2, introductory note), *Sweden*, *Switzerland* and the *Union of South Africa* refer to previous reports for statistics of average earnings and hours actually worked in the mining and manufacturing industries.

Articles 13-21

With regard to statistics of time rates of wages and normal hours of work in the

mining and manufacturing industries, information is supplied by the Government of *Australia*. The Governments of *Mexico* and the *Netherlands* (see also Convention No. 2, introductory note) refer to previous reports.

The Government of *New Zealand* states, under Article 19 of the Convention, that a family benefit is payable from 1 April 1946 at the rate of 10 shillings a week for each child under sixteen years of age. Prior to 1 April 1946 family benefits were payable subject to a means test.

The Governments of *Denmark*, *Sweden*, *Switzerland*, and the *Union of South Africa* have excluded Articles 13-21 from the scope of ratification.

Article 22

Detailed information is given with regard to statistics of wages and hours of work in agriculture by the Governments of *Denmark*, *New Zealand* and *Sweden*.

The Governments of *Mexico* and the *Netherlands* (see also under Convention No. 2, introductory note) refer to previous reports.

The Government of *Egypt* has excluded Article 22 from the scope of ratification.

The Government of *Switzerland*, which refers to previous reports, has excluded Article 22 from the scope of ratification.

Article 23

The Government of *Denmark* states that the Faroe Islands and Greenland are not covered by the statistics compiled in pursuance of this Convention. Wage-earners in these areas are very few and the collection of information would be very difficult.

The Government of *Egypt* states that no region has been exempted from the application of the provisions of paragraphs 1 and 2.

The Government of *Mexico* refers to previous reports in which it stated that it has not yet been necessary to exempt, in whole or in part, any special regions in Mexico from the scope of the Convention.

The Government of *New Zealand* desires to have recourse to this Article in respect of the following industrial districts: Taranaki, Nelson, Marlborough and Westland. These are smaller areas where, because of delayed development of the collective bargaining procedure, awards of the Court of Arbitration are not generally applied. Further, there is a trend towards extension of wages to these areas, and where this has occurred, the rates of wages awarded in other districts have been generally applied. This limitation does not apply to agriculture, except market gardening, as the legislation here is of universal application.

The Government of *Switzerland*, referring to previous reports, has not availed itself of the permission to exempt any areas in whole or in part from the application of the Convention.

Article 24

The Government of *Denmark* states that the Ministry of Labour and Social Affairs will probably set up in the near future a sub-committee entrusted with the task of making proposals for the amplification of statistics of wages. When this is done, the Government will have an opportunity of considering the provisions of this Article.

The Government of *Mexico* refers to previous reports in which it stated that Mexico will receive with appreciation any suggestions from the International Labour Office to improve and develop statistics compiled in application of the Convention as well as regards the improvement of the comparability of such statistics.

IV

The statistical authority or authorities entrusted with the compilation of statistics are as follows :

Australia : Commonwealth Bureau of Census and Statistics (except in relation to external territories).

Denmark : Statistical Department.

Egypt : Department of Statistics.

Mexico : Statistical Section of the Department of Social Information in the Ministry of Labour and the General Statistical Office in the Ministry of National Economy.

Netherlands : Central Bureau of Statistics.

Sweden : The Social Board.

Switzerland : Swiss Federal Bureau of Industry, Arts and Crafts, in particular the Section of Social Statistics.

V

OBSERVATIONS, ETC.

The Government of *Australia* refers to previous reports in which it stated that no decisions had been given in courts of law or other courts and no observations have been made by employers' or workers' organisations.

The Government of *Denmark* states that, while Denmark has not complied with all the requirements of the Convention on all points, an inter-Scandinavian Committee has been set up for discussing the co-ordination of wage statistics in the Scandinavian countries. This Committee will deal, *inter alia*, with questions bearing upon the subjects covered by the Convention. The Government is also considering the setting up of a special Danish Committee whose task it will be to ensure the compilation of

statistics to meet the requirements of the Convention.

The Government of *Egypt* states that no observations have been made by employers' or workers' organisations.

The Government of the *Netherlands* refers to its report for 1944-1945, in which it stated that, except in certain details mentioned in this report, the data conformed to the provisions of the Convention and on certain points are more advanced than the Convention required. See also under Convention No. 2, introductory note.

The Government of *Switzerland* states that the Convention is fully observed throughout the country.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

Australia. No information.

The Government of *Denmark* states that no action has been taken to extend the application of the Convention to the Faroe Islands and Greenland (see also under Article 23). No changes have taken place in the local conditions which make an extension of the application of the Convention practicable.

Egypt. Inapplicable.

Mexico. Inapplicable.

Netherlands. For the *Netherlands Indies*, seen under Convention No. 2.

In *Curaçao*, a Bill is under consideration. If it is adopted, the provisions of the Convention will be applied.

The Convention has not been published or promulgated in *Surinam*. During the period under review, the compilation of wage statistics has been started and will be brought up to date every six months. This work has not yet been completed, but will be entrusted to the *Algemeen Bureau voor de Statistiek* which has been established recently. In so far as the hours of work are concerned, the Government states that, in the undertakings for which the Labour Contracts Ordinance of 1943 is in force, the maximum hours of work in every twenty-four-hour period are ten; there has been no control in this connection. The recently established labour inspection service, which forms a part of the Department of Social Affairs and Immigration, controls the above-mentioned undertaking and collects data with regard to other undertakings. A survey in this connection will be forwarded to the International Labour Office as soon as it is available.

Sweden. Inapplicable.

Switzerland. Inapplicable.

Union of South Africa. No comment.

INTERNATIONAL LABOUR CONFERENCE

THIRTIETH SESSION

GENEVA, 1947

SUMMARY OF ANNUAL REPORTS UNDER ARTICLE 22 OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION

APPENDIX

REPORT OF THE COMMITTEE OF EXPERTS
ON THE APPLICATION OF CONVENTIONS



INTERNATIONAL LABOUR OFFICE

GENEVA, 1947

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APPENDIX

Report of the Committee of Experts on the Application of Conventions (Article 22 of the Constitution of the International Labour Organisation)

1. INTRODUCTORY

The Committee of Experts appointed to examine the annual reports submitted under Article 22 of the Constitution of the International Labour Organisation upon the application of Conventions ratified by the Members of the Organisation and report on them to the Governing Body of the International Labour Office met in Geneva from 24 to 29 March 1947 and held their 17th Session.

During the period which has passed since the last session, one addition has been made to the membership of the Committee. The Governing Body at its 101st Session (Geneva, March 1947) appointed Professor Frederick Marie Baron VAN ASBECK (Netherlands) as a member of the Committee, following a recommendation made by the Committee at their last session that a new member particularly qualified to devote special attention to the application of Conventions in non-metropolitan territories should be added to the Committee.

The composition of the Committee is accordingly as follows :

Baron Frederick VAN ASBECK (Netherlands),

Professor-Extraordinary of Comparative Colonial Constitutional Law at the University of Leyden, former Professor of the Law School at Batavia, former Secretary of the Government of the Netherlands East Indies, former member of the Mandates Commission of the League of Nations ;

Mr. Paal BERG (Norway),

Ex-President of the Supreme Court of Norway, former Chairman of the Governing Body of the International Labour Office ;

Sir Atul CHATTERJEE, G.C.I.E. (India),
Former Member of the Secretary of State for India's Council, former Secretary to the Government of India in the Department of Labour (Indian Civil Service), former Member of the Viceroy's Executive Council, former High Commissioner for India in London, Chairman of the Governing Body of the International Labour Office, 1932-33, President of the Tenth (1927) Session of the International Labour Conference ;

Mr. H. S. KIRKALDY (United Kingdom),
Professor of Industrial Relations at the University of Cambridge ;

Mr. Helio LOBO (Brazil),
Doctor of Law, Member of the Brazilian Academy of Letters, former Minister Plenipotentiary, Representative of the Brazilian Government on the Governing Body of the International Labour Office, 1938-1941 ;

Mr. William RAPPARD (Switzerland),
Professor at the University of Geneva, Director of the Graduate Institute of International Studies, former Vice-Chairman of the Mandates Commission of the League of Nations, Director of the Mandates Section of the League Secretariat, 1920-1925 ;

Mr. Georges SCELLE (France),
Professor at the Faculty of Law of the University of Paris, Associate of the Institute of International Law, former Professor at the University of Geneva and at the Graduate Institute of International Studies, Assistant Secretary-General of the Academy of International Law at The Hague ;

Dr. Shao-hwa TAN (China),
Former Professor of International Law at the National Central University of China, former Chinese Minister to Mexico and Brazil ;

Mr. Paul TSCHOFFEN (Belgium),
Doyen of the Bar at the Appeal Court of Liège, Minister of State, former Minister of Justice, of Labour and for the Colonies ;

Hon. Charles E. WYZANSKI, Jr. (United States of America),

Federal Judge, Representative of the United States Government on the Governing Body of the International Labour Office in 1935, Solicitor to the Department of Labor, Washington, D.C., May 1933-November 1935.

Of these ten members the following were present :

Sir Atul CHATTERJEE,
Mr. H. S. KIRKALDY,
Mr. William RAPPARD,
Mr. Georges SCELLE,
Mr. Paul TSCHOFFEN,
Hon. Charles E. WYZANSKI, Jr.

Much to the Committee's regret, four of the members were unable to take part in the session. Mr. LOBO was absent for reasons of health; Professor VAN ASBECK, Mr. BERG and Dr. TAN were prevented from attending because of the pressure of other work.

Mr. B. R. TURNER, Assistant Director, Liaison and Co-ordination Division, Department of Economic and Social Affairs, United Nations, attended the session as an Observer on behalf of the United Nations.

The Committee unanimously elected Mr. TSCHOFFEN as Chairman and Professor KIRKALDY as Reporter.

The Committee, at the outset of their Report, would venture once more to ask the Governing Body to give further consideration to the composition of the Committee. With the addition which has been made during the past year, the membership is still considerably below that of 1939. Meanwhile, the work has continued to increase and various proposals for constitutional reform seem likely to increase that work still further. For example, the revised Articles 19 and 23 of the Constitution, when they come into force, will widen the scope of the reports to be submitted by Governments, and may entail an extension of the functions of the Committee.

Meanwhile, and apart altogether from these developments, which relate to the future, the size of the Committee is of particular importance in relation to the task, which the Committee have been able to resume this year on a limited scale, of each member of the Committee assuming initial responsibility for the examination in advance of the meeting of the Committee of the reports relative

to a certain number of Conventions. As the number of Conventions and the number of ratifications increase, the burden of this task becomes heavier, and if in future, as the Committee hope, Governments in all cases submit full and prompt reports on all ratified Conventions, the burden of the work may become beyond the capacity of a Committee of the present size.

So far as the annual meeting of the Committee is concerned, the Committee are not unaware of the advantages to be derived from keeping the size of the Committee within reasonable limits and so retaining its essential character of a working party in contrast to the more formal atmosphere which might prevail in a larger body. It has to be borne in mind that membership of the Committee is of an honorary nature and some of the members, on the occasion of each session, are inevitably prevented by other duties from attending. Their appointments to the Committee being moreover of a personal nature, they cannot be replaced by substitutes.

The Committee would therefore request the Governing Body to consider as a matter of urgency the enlargement of the Committee at least to its pre-war size and, in doing so, the Governing Body might see fit to appoint to the Committee, which has hitherto consisted entirely of men, one or more women. The Committee feel that in view of the important part which the International Labour Organisation has played since its early days in the development of protective legislation for women and young persons, a woman member who has specialised in this field would be a valuable addition to their membership and would be of particular assistance to them in their appreciation of the extent of conformity of national legislation and practice to international labour Conventions.

In their last Report the Committee expressed their earnest desire that at their present session they might be able to carry out their task in circumstances more nearly approaching those of normality. One of the factors in the resumption of regular peacetime practices has, however, on this particular occasion, rendered more difficult the task of Governments in supplying the reports on which the essential work of the Committee is based ; some of these reports did not arrive in time for examination by the Committee

and they were therefore handicapped in the performance of their primary function of ascertaining whether national law and practice are in harmony with the requirements of ratified Conventions. The decision of the Governing Body to convene the International Labour Conference this year again in June, as had been the custom before the war, has reduced the usual interval between two ordinary sessions of the Conference to eight months, and has rendered the preparation of annual reports by Governments, and their preliminary examination by the International Labour Office, particularly difficult.

The Committee, while again emphasising the very great importance of Governments dispatching their annual reports to the Office by the time limit indicated by the Office, assume that the particular difficulties involved by these circumstances this year are not likely to recur. The Committee trust that with the return to normal conditions and with the lapse of a full year between annual sessions of the Conference, the Governments will spare no effort to ensure that all reports reach the Office promptly, so as to enable them to be examined by the members of the Committee in advance of the annual session of the Committee. The Committee cannot feel entirely satisfied that the international mutual supervision of the engagements into which States have entered in view of their membership of the International Labour Organisation and their ratification of international labour Conventions has been properly performed so long as even a single report fails, through non-submission or late submission, to be subjected to the prescribed procedure. The Committee feel strongly that there is an element of unfairness in a situation which lays a State which submits full and prompt reports open to a minute examination of its legislation and possible criticism of the terms thereof, while no such detailed examination of the extent of compliance with international obligations can be applied to States which are dilatory or neglectful in regard to submission of reports. Confidence in the fulfilment of international obligations demands not any lessening of the strictness of examination of reports submitted in detail and in time, but a continuing pressure by all organs of the International Labour Organisation to ensure the strictest con-

formity by all States with the obligation to submit annual reports in respect of all Conventions which they have ratified.

2. SUPPLY OF ANNUAL REPORTS

For the period 1 October 1945 to 30 September 1946, the Director-General of the International Labour Office, by letter dated 28 November 1946, requested a total of 731 annual reports in respect of the application of the 52 Conventions then in force. Up to the time at which the Committee concluded its present session, the Office had received 452 reports. A list showing the reports received, classified according to the Conventions and countries concerned, is given in Appendix I.

While the Committee, as already stated, cannot regard the situation as entirely satisfactory so long as even a single report is missing, these figures represent a considerable improvement on the corresponding position at the time of the meeting of the Committee last year. The Committee appreciate the effort which the Governments have made, in the short time available, to bring about this result. They also appreciate the particular circumstances which in the case of some countries render impossible the state of complete conformity with the obligations under Article 22 of the Constitution which the Committee would like to see. Notwithstanding these circumstances, the Committee note and highly appreciate the fact that certain countries, including *Belgium, Burma, Czechoslovakia, Denmark, France, Greece, Hungary, Italy, Netherlands* and *Poland*, where the continuing effects of war have rendered compliance with the requirements of Article 22 of the Constitution particularly difficult, have supplied some and even in certain cases all the reports due. A number of countries, among them *France, Netherlands, Norway* and *Poland*, state that the after effects of the war, such as reconstruction of destroyed archives, shortage of competent staff, etc., still render difficult the preparation on time and in full of certain reports. The Committee desire to express their sympathy with countries which are still labouring under difficulties of this nature and their earnest desire for the success of the efforts which such countries are making towards the restoration of their normal administrative machinery.

The Committee noted with particular satisfaction that a number of Governments (*U.S.A., Bulgaria, Canada, Chile, Cuba, Czechoslovakia, Denmark, Dominican Republic, Finland, United Kingdom, Greece, Hungary, Iraq, Ireland, Mexico, Netherlands, New Zealand, Portugal, Sweden, Switzerland and Turkey*) had sent in reports on all the Conventions for which reports were requested.

On the other hand, the Committee regret that no such reports at all for the period 1945-1946 have so far been received from a certain number of countries, and they have felt it necessary to draw particular attention in their observations (Appendix II) to cases where this lapse in the submission of reports has persisted over a number of years. The Committee consider that such a situation is quite inadmissible and they ask that the urgent attention of the Governments concerned should be drawn to their obligations under Article 22 of the Constitution.

3. EXAMINATION OF REPORTS BY MEMBERS OF THE COMMITTEE

For the first time since 1939 it has been possible for a certain number of annual reports to be placed at the disposal of the members of the Committee some time in advance of the Committee's annual session. The reports in question were submitted to the members of the Committee in accordance with a scheme of distribution of responsibility for the various Conventions adopted by the Committee at their previous session.

The observations on individual reports resulting from this procedure were submitted to and approved by the Committee as a whole and the resultant observations, both of a general character and in relation to individual Conventions, will be found in Appendix II.

In relation to these observations, the Committee would emphasise that their remarks therein contained relate only to a minority of the reports requested from Governments, as although a majority of these reports were received by the time the Committee met, many of them were not received in time to be circulated to the members of the Committee in advance of the meeting, or to be examined by the members of the Committee in the course of the meeting.

Arising out of their examination of the reports, the Committee noted a practice of a number of countries in replying to the questions in the report forms which ask for court decisions, particulars of the authorities responsible for the application of the relevant legislation, statistics of application and observations of employers' and workers' organisations, of merely referring to the previous annual report. The answers to these questions by their very nature must change from year to year. The Committee therefore consider that a specific reply to the questions concerned should in all cases be given, and that particular efforts should be made by the Governments to collect and forward to the Office each year all relevant information in reply to these questions.

4. APPLICATION OF CONVENTIONS IN NON-METROPOLITAN TERRITORIES

At their last session, the Committee addressed a request to the Office to prepare for the present session a detailed analysis of changes in labour legislation affecting dependent territories which had taken place since 1939. In accordance with this request the Office prepared for the consideration of the Committee a statement giving particulars of new legislation issued in various non-metropolitan areas during the period in question. In the course of a brief examination of the matter, the Committee noted that the information was particularly full and impressive in respect of territories for which the Government of the *United Kingdom* is responsible and that it also included information on new legislation adopted in territories for which the Governments of *Belgium, France* and the *Netherlands* are responsible. In the course of the session, the Committee noted that the reports just received from the Government of the *U.S.A.*, which were too late for detailed examination by the Committee, contained information in regard to legislation in certain non-metropolitan territories for which that country is responsible.

The Committee noted with interest the material in regard to this matter which was submitted to them by the Office, but decided, in view of the absence of the member of the Committee (Professor VAN ASBECK) particularly qualified

to deal with this question, to postpone detailed consideration of the matter until their next session, and to ask the Office in the meantime to bring the information up to date and to deal particularly with the present position of such legislation.

5. EFFECT OF CONVENTIONS ON NATIONAL LEGISLATION

The principal function of the Committee of Experts up to the present has clearly been the examination of annual reports with a view to ascertaining whether national law and practice are in harmony with the requirements of ratified Conventions and to call attention to discrepancies. The concentration of attention on this aspect of the question may have tended to obscure consideration of the positive achievements of international Conventions in the advancement of national labour standards, and the Committee therefore noted with special interest certain information which was submitted to them by the Office and which is reproduced in Appendix III to this Report as to the effect of Conventions on national legislation in four particular spheres (women, children and young persons, seafarers, non-metropolitan territories). The Committee, while fully appreciating the part played in the advancement of social progress by countries whose legislation was at the time of adoption of Conventions equal to or in advance of the standards specified in the Conventions, feel that a useful purpose would be served by a true appreciation of the part which has been played by Conventions in raising standards existing at the time the Conventions were adopted. The Committee therefore consider that a fuller study of the impact of international labour Conventions on national legislation would be useful and feel that an objective presentation of the results of such a study might well assist towards a truer understanding of the reasons for the unique position which the International Labour Organisation holds among international institutions.

In the meantime it seems relevant to recall an observation made in the following terms by the 1939 Conference Committee, consisting of representatives of Governments, employers and workers, which dealt with the application of Conventions, and whose report was unanimously adopted by the Conference—

... The Committee feels that it should place on record its conviction that, thanks to the harmonious collaboration of the various elements constituting the International Labour Organisation and to the loyal and efficient work of the International Labour Office, substantial progress has been made in the sphere of international labour legislation since the foundation of the Organisation twenty years ago, thereby ensuring to large numbers of workers throughout the world the protection of the law against some at least of the abuses inherent in the modern industrial system.

Further, as already indicated, the Committee have taken note of the extended provisions as to reports to be furnished by Governments under the revised Articles 19 and 23 of the Constitution, on the submission of Conventions and Recommendations to the national "competent authority or authorities", and on the situation as regards unratified Conventions and as regards effect given to Recommendations. It therefore appears clear that the position relative to ratified Conventions can no longer be dealt with in isolation, but must be considered in closer relationship to the general effect of Conventions and Recommendations on national legislation.

* * *

The Committee desire to place on record their sense of indebtedness to those Members of the International Labour Organisation who this year, in the shorter time available, have supplied reports on the Conventions which they have ratified, and to the staff of the International Labour Office for the efforts which they have made to prepare the work for the Committee, and for the assistance which they rendered to the Committee in the course of the present session. The Committee would wish to make it clear that without the assistance which the staff of the Office have been able to render during a period which has involved the transfer of the appropriate Services of the International Labour Office from Montreal to Geneva it would have been quite impossible for the Committee to have resumed, even to the extent to which they have on the present occasion, the normal functioning of the Committee's work.

Geneva, 29 March 1947.

(Signed) P. TSCHOFFEN,
Chairman.

H. S. KIRKALDY,
Reporter.

APPENDIX I

ANNUAL REPORTS UNDER ARTICLE 22 (1945-1946)

Reports received and Reports still due, 29 March 1947

Total requested : 731 — Reports received : 452 — Reports still due : 279

Country	Reports received		Reports still due	
	Number received	Convention Nos.	Number due	Convention Nos.
Afghanistan	Nil	—	5	4, 13, 14, 41, 45
U.S.A.	3	53, 55, 58	Nil	—
Argentine Republic....	Nil	—	16	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16
Australia.....	8	7, 8, 9, 15, 21, 22, 27, 63	3	16, 26, 29
Belgium.....	27	1, 3, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 18, 21, 22, 23, 26, 27, 29, 33, 41, 43, 45, 53, 55, 58	3	12, 17, 19
Brazil.....	Nil	—	11	3, 5, 6, 7, 16, 41, 42, 45, 52, 53, 58
Bulgaria	29	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30	Nil	—
Canada	9	1, 7, 8, 14, 15, 16, 22, 26, 27	Nil	—
Chile	33	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 24, 25, 26, 27, 29, 30, 32, 34, 35, 36, 37, 38	Nil	—
China.....	Nil	—	13	7, 11, 14, 15, 16, 19, 22, 23, 26, 27, 32, 45, 59
Colombia.....	Nil	—	24	1, 2, 3, 4, 5, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26
Cuba	25	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 22, 23, 26, 30, 33, 42, 45	Nil	—
Czechoslovakia.....	15	1, 4, 5, 10, 11, 13, 14, 18, 19, 21, 24, 25, 27, 43, 49	Nil	—
Denmark	18	2, 5, 6, 7, 8, 9, 11, 12, 14, 15, 16, 18, 19, 29, 42, 52, 53, 63	Nil	—
Dominican Republic...	4	1, 5, 7, 10	Nil	—
Egypt	Nil	—	2	53, 63
Finland	17	2, 7, 9, 11, 13, 14, 15, 16, 18, 19, 20, 21, 27, 29, 30, 34, 45	Nil	—
France	10	2, 13, 14, 18, 19, 35, 37, 43, 49, 52	19	4, 5, 6, 8, 9, 11, 12, 15, 16, 22, 23, 26, 27, 29, 33, 36, 38, 41, 45
United Kingdom	26	2, 5, 6, 7, 8, 11, 12, 15, 16, 19, 22, 24, 25, 26, 29, 32, 35, 36, 37, 38, 41, 42, 43, 44, 45, 50	Nil	—
Greece	16	1, 2, 3, 5, 6, 7, 8, 9, 13, 14, 15, 16, 19, 27, 41, 45	Nil	—
Hungary	18	2, 3, 6, 7, 10, 15, 16, 17, 18, 19, 21, 24, 26, 27, 41, 42, 45, 48	Nil	—
India	Nil	—	14	1, 4, 6, 11, 14, 15, 16, 18, 19, 21, 22, 27, 41, 45
Iraq	5	18, 19, 41, 42, 58	Nil	—
Ireland	26	2, 5, 6, 7, 8, 10, 11, 12, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 41, 42, 43, 44, 45, 49	Nil	—

Country	Reports received		Reports still due	
	Number received	Convention Nos.	Number due	Convention Nos.
Italy	16	4, 6, 7, 8, 9, 10, 11, 14, 15, 16, 22, 23, 26, 27, 29, 32	4	2, 12, 18, 19
Liberia	Nil	—	1	29
Luxembourg	Nil	—	27	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28
Mexico	28	6, 8, 9, 11, 12, 13, 14, 16, 17, 19, 21, 22, 23, 26, 27, 29, 30, 32, 34, 42, 43, 45, 49, 52, 53, 55, 62, 63	Nil	—
Netherlands	23	2, 5, 6, 7, 8, 11, 12, 13, 15, 16, 17, 19, 21, 22, 26, 27, 29, 33, 41, 42, 45, 48, 63	Nil	—
New Zealand	20	1, 2, 9, 11, 12, 14, 17, 21, 22, 26, 29, 30, 32, 41, 42, 44, 45, 49, 53, 63	Nil	—
Nicaragua	Nil	—	30	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
Norway	Nil	—	23	2, 5, 7, 8, 9, 11, 13, 14, 15, 18, 19, 22, 26, 27, 29, 42, 43, 49, 50, 53, 58, 59, 63
Peru	Nil	—	6	1, 4, 11, 14, 19, 24
Poland	12	2, 5, 6, 10, 11, 12, 13, 14, 17, 18, 19, 48	8	7, 8, 9, 15, 16, 22, 23, 27
Portugal	9	1, 4, 6, 14, 17, 18, 19, 27, 45	Nil	—
Sweden	22	2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 27, 29, 32, 34, 42, 45, 58, 63	Nil	—
Switzerland	14	2, 5, 6, 11, 14, 18, 19, 27, 29, 41, 44, 45, 62, 63	Nil	—
Turkey	1	45	Nil	—
Union of South Africa .	5	2, 26, 41, 45, 63	1	19
Uruguay	Nil	—	30	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30, 32, 33
Venezuela	Nil	—	17	1, 2, 3, 5, 6, 7, 11, 13, 14, 19, 21, 22, 26, 27, 29, 41, 45
Yugoslavia	Nil	—	21	2, 3, 4, 5, 6, 7, 8, 9, 11, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24, 27, 29
* * *				
Burma	13	1, 2, 4, 6, 11, 14, 15, 16, 18, 19, 21, 22, 41	1	27

Ratifications registered between 1921 and 1938 in respect of which no reports were requested for the period 1945-1946¹

The ratifications in question are as follows :

	Number of ratifications		Number of ratifications
Albania	4	Latvia	17
Austria	19	Lithuania	7
Estonia	22	Rumania	17
Germany	17	Spain	34
Japan	14		

¹ The above table is given for statistical purposes only. Clearly a number of complicated legal and constitutional questions arise, varying from case to case, as to whether the reports are due in these cases.

APPENDIX II

A. GENERAL OBSERVATIONS ON THE REPORTS SUPPLIED BY OR DUE FROM CERTAIN GOVERNMENTS

Afghanistan. — Afghanistan has ratified 5 Conventions (Nos. 4, 13, 14, 41 and 45). Among these Conventions, No. 45 was ratified in 1937 and the remaining 4 in 1939.

In respect of the application of Convention No. 45, the Government informed the Office by a letter dated 7 March 1939 that, as the underground work of women did not exist in Afghanistan at the time, the Government had no report to furnish on the subject.

By a letter dated 9 March 1940, the Government informed the Office that, as the Legislative Assembly had not approved the law concerning labour, conditions of employment, hours of work of employees and other questions relative to labour, it was impossible for the Government to supply complete annual reports on the application of the Conventions Nos. 4, 13, 14 and 45, but that when the above-mentioned Act had been passed the Government would be in a position to respond to the request made by the International Labour Office.

The Committee take note of the above statement, as well as of the fact that no annual report for any period has so far been submitted by the Afghan Government. The Committee therefore suggest that the attention of the Government should without further delay be called to the importance of the obligation to submit annual reports in respect of ratified Conventions, at the same time expressing the hope that the Government will be in a position to supply annual reports in the form prescribed by the Governing Body in time for the next session of the Committee.

Brazil. — No reports have been received since 1943 in respect of the 11 Conventions (Nos. 3, 5, 6, 7, 16, 41, 42, 45, 52, 53 and 58) some of which were ratified as far back as 1934.

The Committee suggest that an urgent appeal should be addressed to the Government calling attention to the importance of strict compliance with the obligations contained in Article 22 of the Constitution and requesting them to be good enough to supply annual reports by the date specified by the Office so as to enable the Committee to examine them at their next session.

Colombia. — No reports have been received since 1941 in respect of the 24 Conventions (Nos. 1, 2, 3, 4, 5, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26) ratified as far back as 1933.

The Committee suggest that an urgent appeal should be addressed to the Government calling attention to the importance of strict compliance with the obligations contained in Article 22 of

the Constitution and requesting them to be good enough to supply annual reports by the date specified by the Office so as to enable the Committee to examine them at their next session.

Burma. — The Committee note with satisfaction the fact that the Government of Burma has supplied 13 out of the 14 reports requested, and greatly appreciate the evidence of the Government's desire to resume collaboration with the International Labour Organisation so soon after the termination of hostilities.

Canada. — The Committee take note of the statement made by the Government in its letter of 7 February 1947 to the effect that the situation with regard to Conventions Nos. 1, 14 and 26, which were ratified in 1935, has remained unchanged since 1938. It will be remembered that Acts of Parliament which had been passed to implement these Conventions were declared in 1937 to be *ultra vires* of the Dominion Parliament and that consideration of the resulting position was interrupted by the war.

The Committee venture to call special attention to the admittedly complicated situation indicated above and suggest that the Government should be requested to supply at an early date information on the measures taken or contemplated to implement the Conventions in question.

Norway. — The Government has informed the International Labour Office by telegram dated 14 February 1947 that, owing to serious shortage of staff, delay in forwarding annual reports is unfortunately inevitable, but that a preliminary survey will be despatched in the near future.

The Committee take note of this statement.

Uruguay. — No reports for the period 1945-1946 have been received in respect of the 30 Conventions (Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30, 32, 33) ratified by Uruguay. The International Labour Office has, however, received a telegram dated 19 March 1947 from the Government referring to the reports of the Government for the period 1944-1945 and to the temporary suspension of legislation implementing Convention No. 20. The Committee are unable to consider this telegraphic message as a report drafted in accordance with the form prescribed by the Governing Body in pursuance of Article 22 of the Constitution. It is accordingly suggested that the Government should be requested to be good enough to supply full reports on all the ratified Conventions by the date fixed by the Office in order to enable the Committee to examine them at their next session.

B. LIST OF POINTS ON WHICH THE COMMITTEE CONSIDER THAT THE REPORTS EXAMINED CALL FOR OBSERVATIONS OR UPON WHICH SUPPLEMENTARY INFORMATION SEEMS DESIRABLE

Convention No. 1: Hours of Work (Industry).

Number of reports requested : 19.

Number of reports received : 11.

Reports missing : *Argentine Republic, Colombia, India, Luxembourg, Nicaragua, Peru, Uruguay, Venezuela.*

Belgium (ratification : 6.9.1926). — The Committee note with satisfaction that an Order of 30 October 1942, issued by the occupying authority in Belgium, repealing the Act of 14 June 1921 respecting the 8-hour day and 48-hour week, did not prevent the Belgian administrative services from continuing to apply the Act.

Canada (ratification : 21.3.1935). — See under A. General observations on the reports supplied by or due from certain Governments.

Cuba (ratification : 30.9.1934). — The Committee take note with interest of the statement made by the Government in its report for 1943-1944 to the effect that the coming into force of the Constitution in 1940 creates a new situation for the Cuban Government in regard to the Convention insofar as the Constitution itself embodies the principle of an 8-hour day. Although, according to the report for 1945-1946, no authorisations for overtime work have been issued except in connection with the sugar-cane cutting season, the position with regard to occupations affected by such authorisations remains unclear. The Committee therefore venture to suggest that the Government might be good enough to supply additional information in future reports on the position of the regulations in relation to Article 6 of the Convention, in particular regarding the industrial processes in which overtime work is authorised, the maximum of additional hours permitted in each instance and the rate of pay for overtime.

According to the report for 1944-1945, the conditions in Cuba as far as hours of work are concerned are in general more favourable than those required under the Convention. Regulation No. 799 of 25 October 1944 authorising certain categories of longshoremen and salaried employees to exceed the daily limit of 8 hours does not contain the exceptions provided for in Articles 2 to 5 of the Convention. The preamble to Regulation No. 799 refers to the "actual state of the present war". The Committee would be glad to be informed if this Regulation continued to be enforced after the termination of the state of war.

The Committee also venture to suggest that in its next report the Government might be good enough to indicate whether the average daily output established in Decree No. 1626 of 5 June 1945 could be obtained during the working hours provided for in the Convention.

New Zealand (ratification : 29.3.1938). — The Committee wish again to thank the New Zealand Government for the ordered and complete character of its report for 1944-1945, and welcome the assurance, in answer to the request made in 1939, that in practice all the provisions of the Convention have been applied to all the industrial undertakings covered by the Convention throughout the territory of the Dominion.

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments).

The Committee therefore venture to express the hope that the Government might take steps at an early date to ensure complete harmony between the national legislation of the provisions of the

Convention as regards (1) the payment of overtime and (2) the period over which the average number of hours worked may exceed 8 per day and 48 per week, provided the average number of hours worked does not exceed these limits.

Venezuela (ratification : 20.11.1944). — The Committee take note of the first and detailed report (1944-1945) of the Government with much interest. As the report for 1945-1946 has not yet been received, the Committee venture to make observations on the following points, concerning which they consider further explanations might be requested :

(1) *Article 6 of the Convention.* The legislation would appear to authorise overtime simply by permission of the labour inspector and makes no mention of consultation with organisations of employers and workers.

(2) *Article 7 of the Convention.* The report does not contain the list of continuous processes required by the Convention.

The reports for the Governments of *Bulgaria, Greece, and New Zealand* were received too late for examination by the Committee.

Convention No. 2: Unemployment.

Number of reports requested : 26.

Number of reports received : 18.

Reports missing : *Argentine Republic, Colombia, Luxembourg, Nicaragua, Norway, Uruguay, Venezuela, Yugoslavia.*

Argentine Republic (ratification : 30.11.1933). — The Committee note with interest that a new National Employment Service was established by Decree No. 2928 of 21 July 1943. So far as the Committee can judge, the provisions of this Decree are in harmony with the Convention. As the report for 1945-1946 has not yet been received, there is one point to which the Committee suggest that the attention of the Government might be called. The Convention provides for the establishment of advisory committees including representatives of employers and workers. The above-mentioned Decree provides for the establishment of one single central committee including representatives of employers and workers, but neither the Decree nor the report makes any mention of other representative advisory committees. The Committee therefore venture to suggest that the Argentine Government might be requested to state whether it intends to set up additional committees.

Colombia (ratification : 20.6.1933). — See under A. General observations on the reports supplied by or due from certain Governments.

Netherlands (ratification : 6.2.1933). — According to information brought to the attention of the Committee by the International Labour Office, the public employment service was reorganised by Decree of 17 July 1944. Since no mention of this fact is made in the report for 1945-1946, the Committee venture to express the hope that in its next report the Government might be good enough to supply information regarding the organisation and functioning of the employment service.

New Zealand (ratification : 29.3.1938). — The Committee take note with interest of the information supplied by the Government in its report for 1945-1946 regarding the functioning of the National Employment Service under the Employment Act, 1945. They note that this Act provides that the Minister of Employment is authorised to set up

advisory councils and committees as he thinks fit. The Committee venture to suggest that the New Zealand Government might be asked whether any such councils and committees have in fact been set up and whether they include representatives of employers' and workers' organisations.

In 1939, the Committee suggested that the Government might be asked to supply certain information relating to the operation of free private employment agencies and their relationship to the public offices, in order that the Committee might be able to determine whether measures had been taken to co-ordinate operations of the private agencies and the public offices on a national scale. The Committee would like to be informed whether the position has been altered as a result of the implementation of the Employment Act 1945, and whether effective co-ordination, on a national scale, of the public offices and the free private agencies exists.

Union of South Africa (ratification : 20.2.1924). — In its reports covering the period 1939-1942, the Government stated that it had not yet been possible to set up the advisory committees contemplated in the Convention (Article 2). The Committee take note, from the report for 1945-1946, that employment advisory committees were set up during the war and also under the Soldiers and War Workers Employment Act, 1944. The Committee venture to suggest that the Government of the Union of South Africa might be asked to describe the present arrangements for advisory committees to the employment service, so that it might be able to judge whether this provision of the Convention is now being implemented.

The Government also stated in its reports for 1939-1942 that the national law of the Union could not be said to be in full harmony with the Convention, compliance therewith being obtained by means of administrative action on the part of the Government. This action, however, was said to be sufficient to ensure compliance with the Convention insofar as Europeans and Eur-Africans were concerned, but not insofar as Natives were concerned. Since the situation with respect to Natives is not entirely clear from the report for 1945-1946, the Committee suggest that the Government might be asked for further information on this point.

Uruguay (ratification : 6.6.1933). — As the report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments), the Committee take note of the following statement made by the Government in its report for 1944-1945: (1) the number of unemployed persons is unknown and it is impossible to supply statistical information as provided for in the Convention; (2) as the employment offices have not yet been established, it is impossible to extend to insured workers the benefits prescribed under § 69 of Act No. 9196. Pending the institution and operation of the employment offices, benefits are paid under special legislation enacted from year to year. Further, in 1935 the Executive Authority submitted to Parliament a message proposing the reorganisation of the National Employment Service.

The Committee therefore venture to refer to its observations made in 1939 and to request the Uruguayan Government to state whether it intends to take measures to ensure the effective application of the Convention.

The reports from the Governments of *Belgium, Bulgaria, Greece, United Kingdom, Ireland and Italy* were received too late for examination by the Committee.

Convention No. 3: Childbirth.

Number of reports requested : 13.

Number of reports received : 5.

Reports missing: *Argentine Republic, Brazil, Colombia, Luxembourg, Nicaragua, Uruguay, Venezuela, Yugoslavia.*

Brazil (ratification : 26.4.1934). — See under A. General observations on the reports supplied by or due from certain Governments.

Chile (ratification : 15.9.1925). — The Committee note with regret from the report for 1945-1946 that serious discrepancies still exist between the provisions of the Convention and the system in force in Chile as regards benefits for maternity leave. The Committee once more emphasise the importance of the provisions of Article 3 (c) of the Convention, according to which the benefits intended for the maintenance of the mother during the leave before childbirth, and for herself and her child after childbirth, as laid down in paragraphs (a) and (b) of this Article "shall be provided either out of public funds or by means of a system of insurance". According to this provision, the employer is not responsible for any benefits for maternity leave.

The Committee are of the opinion that, from the number of judicial cases in connection with the system in force in Chile, under which the employer is responsible for the greater part of the benefits for maternity leave, it is evident that this system, as it is contrary to the text and principles of the Convention, does not guarantee sufficiently the right of the woman to be retained in employment.

The Committee are further of the opinion, from the texts of decisions regarding the above-named cases which have been submitted this year and in previous years, that, if the courts compel an employer who has attempted to dismiss a pregnant woman worker in order to avoid paying maternity benefits to pay to the worker these benefits, the dispute has resulted ultimately in the loss of employment. Consequently, under the system in force in Chile, the right of the woman to be retained in employment at the end of the period of maternity leave is prejudiced.

The Committee therefore suggest that the Government should be requested to take steps to ensure the amendment of the national legislation so that the payment of full benefits during the period of six weeks before and after confinement shall be provided for by means of a system for sickness and maternity insurance, or shall be met out of public funds.

Colombia (ratification : 20.6.1933). — See under A. General observations on the reports supplied by or due from certain Governments.

Uruguay (ratification : 6.6.1933). — As the report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments), the Committee again venture to call the attention of the Government of Uruguay to the lack of precise information on the application of the Convention, and take note of the fact that, in its report for 1944-1945, the Government states that harmony between the provisions of the Convention and the national legislation is only established partially by § 37 of the Children's Code.

The Committee would be glad to be informed of the results of the action taken by the National Institute of Labour in submitting to the Ministry of Labour and Industry, in December 1937, the necessary amendments to the Children's Code which would ensure harmony with the provisions of the Convention on the following points :

(1) the maternity leave prescribed by the above Section of the Children's Code is two months only, instead of twelve weeks at least, as required by the Convention ;

(2) the indemnity prescribed for the maintenance of the woman and her child during this period consists, according to the Code, of a payment of 50 per cent. of her wages by the employer, instead of a benefit sufficient for the full and healthy maintenance of herself and her child paid through a system of social insurance or out of public funds, as prescribed by the Convention ;

(3) the Code does not provide for free attendance by a doctor or certified midwife for the woman concerned ;

(4) the Code does not provide for the woman a break of half-an-hour twice a day for nursing her child.

Venezuela (ratification : 1.4.1927). — The report for 1945-1946 has not yet been received. The Committee, in taking note with great satisfaction of the first report (1944-1945) of the Government of Venezuela, note that the application of the Convention is based on methods likely to lead to satisfactory results. However, an examination of related legislation would seem to indicate that the system of compulsory social insurance which provides for maternity benefits during the period of confinement is actually applied only in a relatively small part of the country. The Committee express the hope that this system will be extended throughout the country as soon as possible in order to put into effect the most important provision of the Convention.

Under § 70 of the General Regulations promulgated under the Compulsory Social Insurance Act, an insured woman who has availed herself of the pre-natal care provided for during pregnancy is exempt from responsibility in the event of any error in the estimation of the date of confinement on the part of the medical authorities. The Committee therefore would be glad to be informed if this implies that, when confinement takes place later than the date indicated by the above-named pre-natal services on the certificate which, according to § 105 of the Labour Code, the woman must submit in order to be entitled to six weeks' leave before childbirth, the daily maternity benefit is paid to her up to the date of confinement, even if this is after the six weeks' leave provided for in the Convention and in virtue of the provisions of the last sentence of paragraph (c) of Article 3.

In addition, the Government states that, when the social security system for maternity benefits has been established a woman shall be paid benefits to cover the maintenance of herself and her child. No reference is made in the report to the Compulsory Social Insurance Act of 14 June 1940 (promulgated on 24 July 1940) or to Decree No. 35 of 19 February 1944 promulgating General Regulations under the Act.

The Committee would be grateful if the Government would be good enough, in its next report, to furnish information regarding the provisions of the Compulsory Social Insurance Act which give effect to the various provisions of the Convention.

The reports from the Governments of *Bulgaria* and *Greece* were received too late for examination by the Committee.

Convention No. 4: Night Work (Women).

Number of reports requested : 17.

Number of reports received : 7.

Reports missing : *Afghanistan, Argentine Republic, Colombia, France, India, Luxembourg, Nicaragua, Peru, Uruguay, Yugoslavia.*

Chile (ratification : 8.10.1931). — The Committee note from the report for 1945-1946 that, as stated in its observations in 1939, the national legislation still does not seem to be in harmony with Article 3 of the Convention, since it applies only to wage-earning women and not to all employed women as required by the Convention.

In its report for 1938-1939, the Government stated, in response to the Committee's observations of the previous year, that it proposed to ratify Convention No. 41 and to denounce Convention No. 4. The Committee express the hope that, at an early date, the Government may be good enough to inform the International Labour Office of its decision in this connection.

Colombia (ratification : 20.6.1933). — See under A. General observations on the reports supplied by or due from certain Governments.

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments). The Committee therefore refer to the report for 1938-1939, in which the Government stated that the Bill for the application of the Convention had been ap-

proved by the Chamber of Deputies and, to the report for 1944-1945, in which the Government stated that this Bill had been forwarded to the Senate. The Committee would be glad therefore to be informed of the action taken in this connection.

The reports from the Governments of *Bulgaria* and *Italy* were received too late for examination by the Committee.

Convention No. 5: Minimum Age (Industry).

Number of reports requested : 23.

Number of reports received : 12.

Reports missing : *Argentine Republic, Brazil, Colombia, Denmark, France, Luxembourg, Nicaragua, Norway, Uruguay, Venezuela, Yugoslavia.*

Brazil (ratification : 26.4.1934). — See under A. General observations on the reports supplied by or due from certain Governments.

Colombia (ratification 20.6.1933). — See under A. General observations on the reports supplied by or due from certain Governments.

Dominican Republic (ratification : 4.2.1933). — The Committee note with regret that the new legislation (Acts Nos. 637 of 16 June 1944 respecting contracts of employment and 1075 of 4 January 1946 respecting hours of work) enacted in the Dominican Republic in the years 1944 and 1946 does not seem to be in harmony with the Convention.

The report for 1945-1946 indicates that the employment of children under 14 years of age is prohibited in any industrial establishment but that the Labour Department may, under certain conditions designed to safeguard their health, safety and education, authorise young persons under 14 years of age to work as apprentices or to enter into a contract of employment. If the work is necessary for his maintenance, a child under 14 years of age may even be authorised to work if the work is not detrimental to his elementary education.

No provisions exist as regards the obligations of the employer to keep a register of all persons under 16 years of age employed by him.

In view of these serious discrepancies between the legislation and the Convention, the Committee venture to hope that the Government of the Dominican Republic will take, as soon as possible, the necessary steps to ensure strict application of the Convention.

Uruguay (ratification : 6.6.1933). — As the report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments), the Committee refer to the Government's report for 1944-1945 and to the Committee's observations made in the years 1937-1939, pointing out that, though generally speaking the national legislation would appear to be in harmony with the terms of the Convention, it was possible for the competent authority appointed by the Child Protection Board under the Children's Code to authorise the employment of children over twelve and under fourteen years of age who held a certificate showing that they had passed through a course of elementary education, if their employment was necessary in order to provide for their living or that of their father and mother, or brothers and sisters.

In the report for 1944-1945, the Government stated that on 11 October 1937, the National Institute of Labour submitted to the Ministry of Industry and Labour a Bill proposing amendments to the Children's Code.

The Committee venture to express the hope that, in its next report, the Government may be good enough to state what measures have been taken to establish harmony between the national legislation and the provisions of the Convention.

Venezuela (ratification : 20.11.1944). — The report for 1945-1946 has not yet been received.

The Committee refer to the report for 1944-1945 and to the deletion (by the Act of 4 May 1945)

of the paragraph of § 2 of the Labour Act of 1936, which states that "public bodies shall be deemed to be employers with respect to the public works or services carried on by them, subject to the exceptions laid down in this Act or the Regulations issued thereunder". The Committee are of the opinion that the Government should state if the deletion of this paragraph results in exempting public services of an industrial nature from the provisions of the Act corresponding to the provisions of the Convention since the latter applies to all industrial work enumerated in Article 1 of the Convention, whether performed on behalf of a public undertaking or of a private enterprise.

The reports from the Governments of *Bulgaria* and *Greece* were received too late for examination by the Committee.

Convention No. 6: Night Work (Young Persons).

Number of reports requested : 25.

Number of reports received : 16.

Reports missing : *Argentine Republic, Brazil, France, India, Luxembourg, Nicaragua, Uruguay, Venezuela, Yugoslavia.*

Brazil (ratification : 26.4.1936). — See under A. General observations on the reports supplied by or due from certain Governments.

Chile (ratification : 15.9.1925). — During the period 1935-1939, the Committee made observations regarding regulations for the application of the Convention which were reported to be under consideration in order to determine the industries to which the exceptions provided for in paragraph 2 of Article 2 of the Convention should be applied.

The Committee note with satisfaction, from the report for 1945-1946, that Regulations regarding industrial hygiene and safety were approved by Decree No. 655 of 25 November 1940, § 228 of which deals with the application of the exceptions referred to above.

Mexico (ratification : 20.5.1937). — The report for 1945-1946 refers to previous reports. The Committee therefore note with regret that, as it already pointed out in 1938-1939, Mexican legislation (1917 Constitution, § 123, and Federal Labour Act, 1931, § 77) prohibits the employment of young persons at night *only* up to the age of 16 years. The Committee venture again to call attention to this serious discrepancy between the Convention and the national legislation and to hope that this will be remedied as soon as possible in such a way as may be judged suitable by the competent authorities, raising to 18 years the age-limit concerning night work. The Committee further note that, according to certain interpretations of the Federal Labour Act of 1931, the employment of children on "mixed days", as defined by § 71 of the Federal Labour Act, permits such employment up to 11.30 p.m. if necessary. On this point also, the Committee expresses the hope that measures will be taken so that the employment of young persons under 18 years of age covered by the Convention will be confined to the hours laid down in the Convention, which, except as regards certain kinds of work, prohibits their employment after 10 p.m.

The Committee refer to the report for 1937-1938 in which the Government stated that, "owing to the fact that there are divergencies between the provisions of § 123, paragraph II of the Constitution and those of the Convention, it cannot be expected that the Convention will be applied before the necessary amendments have been made to the national legislation in accordance with the conditions and procedure laid down in the Constitution. A Bill has been prepared for the relevant amendments and will be submitted to Congress at a suitable moment". In its report for 1944-1945, the Government again referred to divergencies between the provisions of § 123 of the Constitution and those of the Convention, adding that the latter could not be applied until the necessary amendments had been made to the Constitution and the Labour Act. The Committee venture to express the hope that the necessary constitutional and legislative amendments may be put into effect at an early date.

Poland (ratification : 21.6.1924). — In its report for 1945-1946, the Government states that, as the prohibition of the night work of young persons applies to "work places of all kinds" it is not necessary to define the line of division which separates industry from commerce and agriculture. However, in view of the fact that the Act of 2 July 1924 respecting the employment of women and young persons does not apply to agriculture, the Committee would be grateful if, in its next report, the Government might be good enough to state whether the line of division which separates industry and agriculture is defined in the Decree of 7 June 1927 concerning industrial law (mentioned in previous reports), or if the Decree has been replaced by later legislation.

Uruguay (ratification : 6.6.1933). — As the report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments), the Committee refer to the report for 1944-1945, in which the Government stated that "only partial harmony" with the provisions of the Convention is established by Chapter XVII of the Children's Code (providing only for the prohibition of night work during a period of 9 consecutive hours) and that, on 11 October 1937, the National Institute of Labour submitted a Bill to the Ministry of Industry and Labour proposing amendments to the above-mentioned Code.

The Committee would be glad if, in its next report, the Government would be good enough to supply information regarding the progress realised in connection with this Bill.

Venezuela (ratification : 7.3.1933). — The report for 1945-1946 has not yet been received.

As in the case of Convention No. 5, the Committee refers to the deletion (by the Act of 4 May 1945) of the paragraph of § 2 of the Labour Act of 1936, which states "public bodies shall be deemed to be employers with respect to the public works or services carried on by them, subject to the exceptions laid down in this Act or the Regulations issued thereunder". The Committee are of the opinion that the Government might state if the deletion of this paragraph results in exempting public services of an industrial nature from the provisions of the Act which correspond to the provisions of the Convention, which is applicable to all industrial work enumerated in Article 1 of the Convention, whether performed on behalf of a public undertaking or of a private enterprise.

The reports from the Governments of *Bulgaria, Greece* and *Italy* were received too late for examination by the Committee.

Convention No. 7: Minimum Age (Sea).

Number of reports requested : 27.

Number of reports received : 15.

Reports missing : *Argentine Republic, Brazil, China, Colombia, Ireland, Luxembourg, Nicaragua, Norway, Poland, Uruguay, Venezuela, Yugoslavia.*

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments). The Committee, therefore, refer to the report for 1944-1945 in which the Government stated that, under the national legislation, no regulations exist concerning the employment of young persons on board vessels or regarding the minimum age for the admission of young persons to this type of work.

The Committee also take note of the statement made by the Government in its report for 1944-1945 on Convention No. 5, to the effect that a Bill proposing the amendment of the Children's Code was submitted to the Ministry of Labour on 11 October 1937.

The Committee express the hope that at an early date the necessary measures will be adopted to ensure complete harmony between the national legislation and the provisions of the Convention.

The reports from the Governments of *Bulgaria*, *Greece* and *Italy* were received too late for examination by the Committee.

Convention No. 8: Unemployment Indemnity (Shipwreck).

Number of reports requested: 23.

Number of reports received: 14.

Reports missing: *Argentine Republic*, *Colombia*, *France*, *Luxembourg*, *Nicaragua*, *Norway*, *Poland*, *Uruguay*, *Yugoslavia*.

Cuba (ratification: 6.8.1928). — The report for 1945-1946 states that the Convention is applied by Legislative Decree No. 660 of 1934.

In its report for the period 1943-1944, the Government stated that the application of the Convention was supplemented by Decrees Nos. 3163 of 1942, 3646 of 1943 and 3037 of 1944. The Committee refer to their observations made in 1939 regarding the discrepancies which existed between the national legislation and the provisions of Articles 1 (paragraphs 1 and 2) and 3 of the Convention, and venture to express the hope that in its next report the Government may be good enough to state if the discrepancies have been removed by the supplementary legislation referred to above.

Mexico (ratification: 20.5.1937). — The report for 1945-1946 refers to previous reports. The Committee note, from the report for 1943-1944, that the Mexican Government is studying the best form in which to give effect to the provisions of the Convention, and also note the suggestion made by the Government that the solution would be to oblige the shipowners to take out insurance covering all cases of indemnity in favour of members of the crew, according to the provisions of the Convention and the labour legislation of the country. The Committee also take note of the statement made by the Government in its report for 1944-1945 to the effect that the application of the Convention cannot be made effective until the national legislation is brought into harmony with the Convention, and venture to express the hope that the necessary amendments to the Labour Act of 18 August 1931, which were contemplated in 1938, may be effected at an early date.

Uruguay (ratification: 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments). The Committee note with satisfaction that, according to the report for 1944-1945, under the Act of 17 May 1939 seamen are entitled to the indemnity provided for in the Convention.

The reports from the Governments of *Bulgaria*, *Greece* and *Italy* were received too late for examination by the Committee.

General Observations.

It may be recalled that in the report of its last prewar session (March 1939) the Committee of Experts had stated that "As . . . the Convention (No. 8) has now been in force for most countries for a considerable number of years, the Committee venture to suggest that an appeal should be made to Governments to make special efforts to collect and supply for next year . . . information . . . as to the number of vessels wrecked or otherwise lost and the number of cases (if possible including the number of seamen) in which indemnities were paid in accordance with the Convention".

Due no doubt to the conditions then prevailing, no practical effect was given to this suggestion, but the Committee wish to reiterate it, as action on it should help to accumulate valuable factual data on some at least of the concrete benefits which have accrued from this Convention.

Convention No. 9: Placing of Seamen.

Number of reports requested: 21.

Number of reports received: 12.

Reports missing: *Argentine Republic*, *Colombia*, *France*, *Luxembourg*, *Nicaragua*, *Norway*, *Poland*, *Uruguay*, *Yugoslavia*.

Cuba (ratification: 6.8.1928). — The Committee refer to their observations of 1939, in which they took note of the information contained in the Government's report to the effect that "no special seamen's employment agencies have yet been put into operation in the conditions provided for in Decree No. 660 of 1934"; that "public labour exchanges organised by the State exist for the general body of workers, including seamen, but do not appear to be organised or equipped in accordance with the Convention for the placing of seamen and did not in fact place any seamen during the year 1937-1938"; and that "the Secretariat of Labour is considering the appointment of committees of shipowners to operate in conjunction with the Maritime Questions Bureau of the Secretariat, which already deals with matters relating to the protection and welfare of maritime and port workers".

In view of the fact that the report for 1945-1946 does not contain any information on this point, the Committee again venture to suggest that the Government might consider the advisability of creating special sections for the placing of seamen (in charge of persons with maritime experience) in the general public labour exchanges which already exist in the principal ports and of setting up one committee of shipowners and seamen for the whole country for advising on matters concerning the carrying on of these special sections.

Mexico (ratification: 1.9.1939). — The report for 1945-1946 refers to previous reports. The Committee note that no specialised agencies exist for seamen and refer to the statement made in the report for 1943-1944, to the effect that the present regulations on employment agencies will be modified when this is considered possible and that the Division of Social Welfare had received instructions that when the regulations are modified the provisions of Article 5 of the Convention are taken into consideration.

The Committee would be glad to be informed if the Mexican Government has any progress to report in this connection.

Uruguay (ratification: 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments). The Committee therefore take note of the statement made by the Government in its report for 1944-1945 to the effect that, as the Executive Authority had submitted a Bill to Parliament on 20 March 1936 to establish a National Placing and Labour Exchange Register, and to modify Chapter IV of Act No. 9196 of 11 January 1936, the National Institute for Labour submitted amendments to this Bill as regards the placing of seamen in May 1940. According to the last report of the Government, no action has been taken by Parliament in this respect.

The Committee suggest that the Uruguayan Government might be requested to supply information regarding the progress which has been realised in this connection and to indicate precisely how the provisions of the Convention are being implemented.

The reports from the Governments of *Bulgaria*, *Greece* and *Italy* were received too late for examination by the Committee.

Convention No. 10: Minimum Age (Agriculture).

Number of reports requested: 15.

Number of reports received: 11.

Reports missing: *Argentine Republic*, *Luxembourg*, *Nicaragua*, *Uruguay*.

Argentine Republic (ratification: 26.5.1936). — The Committee note with appreciation, from the report for 1944-1945, that Act No. 11371 of 30 September 1944 strictly applies the provisions of the Convention.

Cuba (ratification: 22.8.1935). — The report for 1945-1946 has not yet been received. The Committee refer, therefore, to the statement made by the Government in its report for 1944-1945, to

the effect that Act No. 53 of 1935 establishing the maximum working day for young persons between 14 and 18 years of age at 7 hours, with a rest period of 2 hours at the end of each period of 3½ hours, can be considered as contributing indirectly to the observance of the Convention.

The Committee are of the opinion that the Cuban Government might be requested to supply information concerning the regulations relating to the employment of young persons, which were stated to be awaiting the signature of the President of the Republic in 1938, and which were intended to bring the national legislation into harmony with the provisions of the Convention.

Uruguay (ratification : 6.6.1933). — As the report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments), the Committee refer to the statement made by the Government in its report for 1944-1945, to the effect that the national legislation is only partially in harmony with the provisions of the Convention and that legislative measures are required to ensure complete harmony.

The Committee express the hope that, in its next report, the Government might be good enough to supply information regarding the progress realised in respect of the adoption of the Bill which, according to the report for 1944-1945 on Convention No. 5, was submitted to the Ministry of Industry and Labour on 11 October 1937 for the purpose of bringing the provisions of the Children's Code into full harmony with the Convention.

The reports from the Governments of *Bulgaria*, *Ireland* and *Italy* were received too late for examination by the Committee.

Convention No. 11: Right of Association (Agriculture).

Number of reports requested : 29.

Number of reports received : 17.

Reports missing : *Argentine Republic, China, Colombia, France, India, Luxembourg, Nicaragua, Norway, Peru, Uruguay, Venezuela, Yugoslavia.*

Argentine Republic (ratification : 26.5.1936). — The Committee note with interest, from the report for 1944-1945, that Decree No. 23852 of 20 October 1945, relating to professional association of workers, is to be extended to the whole country and covers all existing urban and rural organisations of whatever nature.

Chile (ratification : 10.9.1925). — The report for 1944-1945 states that the inspection services have not registered any significant progress in the membership of agricultural trade unions and attributes the situation mainly to the absence of special regulations taking account of the particular conditions of agriculture.

In its report for 1945-1946, the Government states that the National Congress has under consideration a Bill to regulate the organisation of trade unions in agriculture in those respects which are peculiar to it.

The Committee therefore venture to express the hope that the Chilean Government will keep the International Labour Office informed of the progress realised in this connection.

China (ratification : 27.4.1934). — The Committee note with appreciation that the Government has supplied, in its report for 1943-1944, the requested information on the interpretation given to the question raised concerning the right of agricultural workers to form trade unions under the same conditions as industrial workers, and that the provisions of section 18 of the Agricultural Workers' Act, promulgated and enforced by the national Government on 14 June 1943, are in full accord with the principles of the Convention.

Cuba (ratification : 22.8.1935). — The Committee note that the information given in the report for 1943-1944 regarding Legislative Decree

No. 1123 of 1943 answers the question raised by the Committee in 1939 with regard to the right of agricultural workers to combine.

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments). The Committee therefore take note of the statement contained in the report for 1944-1945, to the effect that, while no special legislation has been enacted under § 56 of the Constitution to ensure harmony between the provisions of the national legislation, right of association is fully guaranteed under § 38 of the Constitution.

The Committee, while appreciating this statement by the Government, would be grateful to have fuller particulars as to the progress realised in connection with the Bill concerning the organisation of trade unions which was submitted to the General Assembly on 25 June 1936.

The reports from the Governments of *Bulgaria* and *Italy* were received too late for examination by the Committee.

Convention No. 12: Workmen's Compensation (Agriculture).

Number of reports requested : 19.

Number of reports received : 12.

Reports missing : *Argentine Republic, Belgium, Colombia, France, Luxembourg, Nicaragua, Uruguay.*

Argentine Republic (ratification : 26.5.1936). — The report for 1945-1946 has not yet been received but the Committee note with satisfaction that, according to previous reports, Act No. 12631 of 4 July 1940 was enacted to amend various articles of Act No. 9688 regarding workmen's compensation for industrial accidents. This legislation was enacted as a result of the discussions which took place in Parliament regarding the report for 1938-1939, in which the Government stated that a Bill had been submitted to the Chamber to amend the Act respecting compensation for industrial accidents to cover workers engaged in the transport of machinery in agriculture and silviculture.

Colombia (ratification : 20.6.1933). — See under A. General observations on the reports supplied by or due from certain Governments.

The reports from the Governments of *Bulgaria* and *Italy* were received too late for examination by the Committee.

Convention No. 13: White Lead (Painting).

Number of reports requested : 21.

Number of reports received : 12.

Reports missing : *Afghanistan, Argentine Republic, Colombia, Luxembourg, Nicaragua, Norway, Uruguay, Venezuela, Yugoslavia.*

Argentine Republic (ratification : 26.5.1936). — In its report for 1937-1938, the Government stated that it had under consideration the adoption of the necessary regulations to give full effect to the Convention and, in its report for 1938-1939, that the competent technical departments were preparing a Bill to regulate painting work in which the method of spraying is employed.

As the report for 1945-1946 has not yet been received, and the report for 1944-1945 refers to previous reports, the Committee would be glad to know whether the measures in question have been adopted and express the hope that in its next report the Government will supply full information regarding the application of the Convention throughout the country.

Chile (ratification : 15.9.1925). — The Committee take note with satisfaction of the Regulations (No. 655) referred to in the report for 1944-1945 concerning industrial hygiene and safety, dated 25 November 1940, §§ 234 and 235 of which give effect to Articles 3 (1), 5 and 7 of the Conven-

tion, with regard to which the Committee made observations prior to 1939.

Mexico (ratification : 7.1.1938). — The report for 1945-1946 refers to previous reports.

The Committee are of the opinion that the Government of Mexico might be asked to state if the Industrial Hygiene Regulations of 18 October 1945 (reported under Convention No. 42 in the report for 1943-1944, as amending the Regulations of 9 October 1934) contain provisions relating to white lead.

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments). The Committee, therefore, refer to the report for 1944-1945, in which the Government stated that harmony between the provisions of the Convention and national legislation is almost completely ensured by the Resolution of 3 March 1937. Complete harmony could be ensured by incorporating in the legislation provisions regarding the vocational instruction of painters' apprentices, examination of cases of lead poisoning and the medical examination of workers concerned and the method of organising of statistics relating to lead poisoning among working painters.

The Committee would be glad to be informed if any action has been taken regarding the proposed Bill relating to the Resolution of 3 March 1937, which was submitted by the National Institute for Labour to the Ministry of Industry and Labour in 1938.

Venezuela (ratification : 28.4.1933). — The report for 1945-1946 has not yet been received. The Committee, therefore, refer to the statement made in the report for 1943-1944, to the effect that on 30 November 1938 Regulations were issued under the Labour Code. The Committee note that, whereas Article 5 (II) (c) of the Convention requires suitable arrangements to be made to prevent clothing put off during working hours being soiled by painting material, § 136 (f) of the Regulations, which appears to correspond to this provision of the Convention, requires *working* clothes to be put in a clean place, free from dust and steam.

The Committee would be glad if the Government in its report for next year would clarify the position in respect of the point mentioned above.

The reports from the Governments of *Bulgaria* and *Greece* were received too late for examination by the Committee.

Convention No. 14: Weekly Rest (Industry).

Number of reports requested : 30.

Number of reports received : 18.

Reports missing : *Afghanistan, Argentine Republic, China, Colombia, India, Luxembourg, Nicaragua, Norway, Peru, Uruguay, Venezuela, Yugoslavia.*

Canada (ratification : 21.3.1935). — See under A. General observations on the reports supplied by or due from certain Governments.

Mexico (ratification : 4.1.1938). — The report for 1945-1946 refers to previous reports. The Committee, therefore, take note of the information supplied in the report for 1943-1944, to the effect that no exceptions are permitted other than the general exception for family undertakings. At the same time, the Committee suggest that the attention of the Government should be called to the remaining points on which additional information was requested in 1939, namely : (1) the methods by which supervision of the application of the relevant legislation is ensured, in particular, the organisation and working of inspection, and (2) particulars with regard to the practical application of the Convention (Point VI of the Report Form).

The reports from the Governments of *Bulgaria, Greece, Italy* and *New Zealand* were received too late for examination by the Committee.

Convention No. 15: Minimum Age (Trimmers and Stokers).

Number of reports requested : 27.

Number of reports received : 16.

Reports missing : *Argentine Republic, China, Colombia, France, India, Luxembourg, Nicaragua, Norway, Poland, Uruguay, Yugoslavia.*

Argentine Republic (ratification : 26.5.1936). — The report for 1945-1946 has not yet been received.

The Committee note from the Government's report for 1944-1945 that the Convention is applied strictly to trimmers and stokers of 18 years of age (Article 2 of the Convention). At the same time, the Committee refer to their observations made in 1939 when they associated themselves with the observation made by the Conference Committee in 1938 and ventured to express the hope that in its next report the Government would be in a position to state that the proposed amendments would have been made to the regulations relating to the registration of the mercantile marine with a view to ensuring the full application of Article 6 of the Convention.

Cuba (ratification : 7.7.1928). — The Committee are pleased to note from the Government's report for 1943-1944 that the Ministry of Labour has ordered the inclusion of a brief summary of the Convention in all written articles of agreement (Article 6 of the Convention), which formed the subject of the Committee's observations in 1939.

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments).

The Committee, therefore, refer to the report for 1944-1945, in which the Government stated that legislative measures were required to bring the national legislation into harmony with the Convention. The Committee express the hope that the Bill which was submitted to the Ministry of Labour on 11 October 1937 in order to bring the provisions of the Children's Code into harmony with those of the Convention will be enacted at an early date.

The reports from the Governments of *Bulgaria, Greece*, and *Italy* were received too late for examination by the Committee.

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

Number of reports requested : 28.

Number of reports received : 16.

Reports missing : *Argentine Republic, Australia, Brazil, China, Colombia, France, India, Luxembourg, Nicaragua, Poland, Uruguay, Yugoslavia.*

Mexico (ratification : 9.3.1933). — The report for 1945-1946 refers to the report for 1943-1944, from which the Committee are pleased to note that the Navy Department has issued an Administrative Order for the annual medical examination of young persons at sea and that the provisions of this Order are in conformity with the Convention.

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments). The Committee therefore refer to the report for 1944-1945, in which the Government stated that legislative measures are required in order to bring the national legislation into complete harmony with the Convention.

The Committee would be glad to be informed of the progress realised with regard to the Bill (referred to by the Government in its report on Convention No. 5) which was submitted to the Ministry of Labour on 11 October 1937 with a view to amending the Children's Code.

The reports from the Governments of *Bulgaria, Greece* and *Italy* were received too late for examination by the Committee.

Convention No. 17: Workmen's Compensation (Accidents).

Number of reports requested : 16.

Number of reports received : 10.

Reports missing : *Belgium, Colombia, Luxembourg, Nicaragua, Uruguay, Yugoslavia.*

Chile (ratification : 8.10.1931). — The Committee take note from the Government's report for 1944-1945 that Act No. 8198 of 14 September 1945, which supplements existing legislation, provides for additional measures for the Guarantee Fund with the object of increasing present pensions by 100 per cent. As full information on this point is not contained in the report for 1945-1946, the Committee refer to their observations made in 1939 and venture to express the hope that, in its next report, the Government will be good enough to state whether, under the above-mentioned Act, provision is made for the compensation of permanent partial incapacity in the form of periodical payments (Article 5 of Convention).

Colombia (ratification : 20.6.1933). — See under A. General observations on the reports supplied by or due from certain Governments.

Mexico (ratification : 12.5.1934). — The report for 1945-1946 refers to previous reports. The Committee note with interest that, according to the report for 1943-1944, with the promulgation of the Social Insurance Act of 19 January 1943 Mexican legislation is in complete harmony with the Convention, especially with respect to Article 5. The Committee refer to their observations made in 1939, and would be grateful to be informed if steps are contemplated to remove the discrepancies between the national legislation and Articles 7 and 11 of the Convention.

Portugal (ratification : 26.3.1929). — According to the reports for 1940-1946, the national legislation contains no provision for the payment of additional compensation in cases where the incapacitated workman needs constant attendance, whereas provision to this effect is required by Article 6 of the Convention. The Committee are of the opinion that the attention of the Government should be called to this discrepancy.

Further, it is not clear from the report how the national legislation gives effect to the requirement of Article 11 of the Convention. To accord to a compensation claim a certain priority in the distribution of the assets of an insolvent employer cannot be considered to comply with the requirements of the Convention.

§ 11 of Act No. 1942 of 26 July 1936 would appear, at least as far as employers of more than five persons are concerned, to oblige the employer either to furnish security for the due discharge of his liability or to insure his employees. The Committee are of the opinion that the Portuguese Government should be asked to state how this Section of the above-mentioned Act is applied.

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments).

The Committee note with interest that, according to the report for 1944-1945, Act No. 10004 of 28 February 1941 establishes complete harmony between the national legislation and the provisions of the Convention, and would be grateful, if in its next report, the Government would give an analysis of the legislation implementing the different Articles of the Convention.

The reports from the Governments of *Bulgaria* and *New Zealand* were received too late for examination by the Committee.

Convention No. 18: Workmen's Compensation (Occupational Diseases).

Number of reports requested : 22.

Number of reports received : 15.

Reports missing : *Colombia, India, Luxembourg, Nicaragua, Norway, Uruguay, Yugoslavia.*

Colombia (ratification : 20.6.1933). — See under A. General observations on the reports supplied by or due from certain Governments.

Cuba (ratification : 6.8.1928). — The Committee would be grateful if the Government would be good enough to furnish more complete statistical information than that contained in the report for 1945-1946 concerning compensation paid and the nature of the occupational diseases in question.

Switzerland (ratification : 16.11.1927). — The Committee note, from the report for 1945-1946, that discussions between the Swiss National Accident Insurance Institute and the Federal Office for Industry, Arts, Crafts and Labour, with a view to adapting the Swiss list of harmful substances to the list contained in the Convention, have been discontinued. The Committee venture to express the hope that next year's report may contain information on the resumption and progress of these negotiations.

The reports from the Governments of *Bulgaria, Czechoslovakia* and *Italy* were received too late for examination by the Committee.

Convention No. 19: Equality of Treatment (Accident Compensation).

Number of reports requested : 32.

Number of reports received : 20.

Reports missing : *Belgium, China, Colombia, India, Luxembourg, Nicaragua, Norway, Peru, Union of South Africa, Uruguay, Venezuela, Yugoslavia.*

Greece (ratification : 30.5.1936). — The Committee note with interest that according to the report for 1944-1945, Act No. 6298 of 24 September 1924 is being applied gradually throughout the country.

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments). The Committee therefore refer to the report for 1944-1945, in which the Government stated that, by the enactment of Act No. 10004 of 28 February 1941, harmony has been established between the provisions of the national legislation and those of the Convention only in so far as this Act makes no discrimination of any kind between accidents occurring to national and foreign workers and accords to both the same benefits.

The Committee express the hope that the Government will be good enough to inform the International Labour Office if it contemplates taking any measures to ensure complete harmony.

The reports from the Governments of *Bulgaria, Czechoslovakia, Greece*, and *Italy* were received too late for examination by the Committee.

Convention No. 20: Night Work (Bakeries).

Number of reports requested : 10.

Number of reports received : 6.

Reports missing : *Colombia, Luxembourg, Nicaragua, Uruguay.*

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received, but a telegram dated 19 March 1947 from the Government states that Acts No. 5646 of 19 March 1918 and 6293 of 15 October 1920, which ensured harmony between the Convention and national legislation, have been temporarily suspended. The Committee take note of this statement and would be grateful if the Government would be good enough to supply information on the circumstances which necessitated the above suspension and when it is expected that full application of the Convention will be restored.

See also under A. General observations on the reports supplied by or due from certain Governments.

The report from the Government of *Bulgaria* was received too late for examination by the Committee.

Convention No. 21: Inspection of Emigrants.

Number of reports requested: 17.

Number of reports received: 11.

Reports missing: *Colombia, India, Luxembourg, Nicaragua, Uruguay, Venezuela.*

Finland (ratification: 5.4.1929). — In its reports prior to 1939, the Government of Finland stated that it had not been found necessary to draft special legislation for the application of the Convention as there are no ships in Finland of the kind referred to in the Convention. Nevertheless, the Convention had been put into force by an Order dated 1 March 1929.

The Committee are of the opinion that the Government might be asked if the position regarding special legislation still subsists.

The report from the Government of *Bulgaria* was received too late for examination by the Committee.

Convention No. 22: Seamen's Articles of Agreement.

Number of reports requested: 24.

Number of reports received: 13.

Reports missing: *China, Colombia, France, India, Luxembourg, Nicaragua, Norway, Poland, Uruguay, Venezuela, Yugoslavia.*

Canada (ratification: 30.6.1938). — The Committee had expressed the hope in 1929 that it would be possible for the Government, in its next report, to give a summarised analysis of the national law and regulations implementing the different Articles of the Convention. As the report for 1945-1946 does not contain any additional particulars, the Committee venture to repeat their request.

India (ratification: 31.10.1932). — The Committee note with appreciation that in response to their request made in 1939, the Government of India has supplied in its report for 1938-1939 information with regard to the legislation applying Articles 10, 11 and 12 of the Convention.

Mexico (ratification: 12.5.1934). — The report for 1945-1946 refers to the report for 1943-1944, from which it would appear that, by the enactment of the Act of 30 December 1939 on general means of communication, the national legislation is more fully in conformity with the provisions of Articles 5 and 8 of the Convention.

With regard to Articles 7, 13 and 14, the Committee refer to their observations made in 1939 and venture to express the hope that, in its next report, the Government might be good enough to supply information regarding the measures taken to adapt its legislation more fully to the requirements of these Articles of the Convention.

New Zealand (ratification: 29.3.1938). — The Committee take note of the statement made by the Government in its report for 1944-1945, to the effect that, in response to the Committee's observation in 1939, the question of incorporating the provisions of Article 13 of the Convention in the national laws will be taken into consideration when the Shipping and Seamen's Act is amended.

As the report for 1945-1946 does not refer to this point, the Committee venture to hope that it may be possible at an early date for the necessary legislative amendments to be made.

Uruguay (ratification: 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments). The Committee therefore take note of the statement made by the Government, in its report for 1944-1945, to the effect that there is considerable discrepancy between the national legislation (Commercial Code, Chapter VI, Book III) and the provisions of Conventions Nos. 22 and 23. In 1937, and again in 1939, the National Institute for Labour pointed out that, in view of the possibility of the expansion of the mercantile marine, it would be advisable for the competent authorities to take steps to adapt the national legislation

to the relevant Articles of the Convention. This should be done by means of a special Act or by amending the relevant parts of the Commercial Code. In 1944, a Draft Statute for Maritime Workers was submitted to the Senate with a view to enforcing complete harmony between the legislation and the provisions of Conventions Nos. 22 and 23.

The Committee would be grateful if, in its next report, the Uruguayan Government would be good enough to supply information regarding the progress realised in this connection.

Venezuela (ratification: 20.11.1944). — The report for 1945-1946 has not yet been received. The Committee, therefore, refer to the first report (1944-1945) of the Government, from which it would appear that there are no provisions in Venezuelan legislation to give effect to Articles 5 and 8 of the Convention. The report does not specify that all the particulars contained in Article 6 are required by national legislation, and mentions only items (5), (9) and (10), but it is to be presumed that several of the other items are also required by the legislation. The Committee are of the opinion that the Government might be asked to clarify these points in future reports.

The 1944-1945 report adds that certain observations have been made by employers and workers and by their organisations as to the practical application of the legislation applying the Convention, but "these in no way affect the principles laid down in legislation". The Committee would be grateful if, in its next report, the Government would be good enough to furnish details regarding the observations made by both employers and workers.

The reports from the Governments of *Bulgaria* and *Italy* were received too late for examination by the Committee.

Convention No. 23: Repatriation of Seamen.

Number of reports requested: 14.

Number of reports received: 6.

Reports missing: *China, Colombia, France, Luxembourg, Nicaragua, Poland, Uruguay, Yugoslavia.*

Mexico (ratification: 12.5.1934). — The Committee note with appreciation from the report for 1943-1944 that, by the Act of 30 December 1939 concerning general lines of communication, the national legislation is more fully in conformity with the provisions of the Convention.

Uruguay (ratification: 6.6.1933). — See under Convention No. 22.

The reports from the Governments of *Bulgaria* and *Italy* were received too late for examination by the Committee.

Convention No. 24: Sickness Insurance (Industry, etc.).

Number of reports requested: 11.

Number of reports received: 5.

Reports missing: *Colombia, Luxembourg, Nicaragua, Peru, Uruguay, Yugoslavia.*

Chile (ratification: 8.10.1931). — According to the report for 1939-1940, a committee of specialists was appointed by Decree No. 148 of 16 February 1940 to study the amendments made to Act No. 4054 of 8 September 1924. This Committee submitted to the Government and to Congress a Bill amending the existing legislation and bringing social insurance into complete harmony with the provisions of the Convention. The report for 1945-1946 does not refer to this point. The Committee therefore express the hope that the Bill in question will be adopted at an early date.

Colombia (ratification: 20.6.1933). — See under A. General observations on the reports supplied by or due from certain Governments.

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments).

The report for 1944-1945 states that no effect has been given to the provisions of the Conventions Nos. 24 and 25 and that there is no legislation whatever concerning compulsory sickness insurance, for which the State and the various mutual societies are exclusively responsible.

The Committee venture again to express the hope that the necessary measures to apply these Conventions which were ratified as far back as 1933 may be taken without further delay.

The reports from the Governments of *Bulgaria* and *Czechoslovakia* were received too late for examination by the Committee.

Convention No. 25: Sickness Insurance (Agriculture).

Number of reports requested : 8.

Number of reports received : 4.

Reports missing : *Colombia, Luxembourg, Nicaragua, Uruguay.*

Colombia (ratification : 20.6.1933). — See under A. General observations on the reports supplied by or due from certain Governments.

Uruguay (ratification : 6.6.1933). — See under Convention No. 24.

The reports from the Governments of *Bulgaria* and *Czechoslovakia* were received too late for examination by the Committee.

Convention No. 26: Minimum Wage-Fixing Machinery.

Number of reports requested : 21.

Number of reports received : 13.

Reports missing : *Australia, China, Colombia, France, Nicaragua, Norway, Uruguay, Venezuela.*

Canada (ratification : 25.4.1935). — See under A. General observations on the reports supplied by or due from certain Governments.

Chile (ratification : 31.5.1933). — The Committee would be grateful if, in its next report, the Government would be good enough to supply information with respect to the organisation and working of inspection (Question IV of the report form), for example, the number of inspections carried out, the number of prosecutions and convictions and the amount of arrears in the wages collected.

Colombia (ratification : 20.6.1933). — See under A. General observations on the reports supplied by or due from certain Governments.

Mexico (ratification : 12.5.1934). — The Committee venture to express the hope that, in its next report, the Government might be good enough to supply statistical information with respect to the organisation and working of inspection (Question IV of the report form), the number of workers covered by the minimum wage-fixing machinery, and the minimum rates of wages fixed for the different categories of workers (Question II of the report form).

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments).

The Committee note with satisfaction from the report for 1944-1945 that, by the enactment of the following legislation, complete harmony is established between the national legislation and the provisions of the Convention : Act No. 9910 of 5 February 1940 respecting homework ; Acts Nos. 9675 of 4 August 1937 and 10434 of 9 July 1943 respecting the building industry ; and Act No. 10449 of 12 November 1943, and the Regula-

tions issued thereunder, respecting the establishment of a wages board and family allowances.

Venezuela (ratification : 20.11.1944). — The report for 1945-1946 has not been received.

In its report for the period 1944-1945, the Government stated that the Ministry of Labour and Communications had instructed its branch officials to prepare statistical information on labour and inspection matters within their jurisdiction. Further, the Ministry of Labour and Communications was continuing the examination of the best method of co-ordinating the activities initiated by the former National Labour Office with those of the Statistical Labour Service and was preparing statistics relating to matters arising out of the Convention.

The Committee would be glad if, in its next report, the Government would supply information regarding the position of the Ministry of Labour and Communications in relation to the minimum wage-fixing machinery and of the extent to which this Ministry has taken over the duties of the former National Labour Office.

The reports from the Governments of *Bulgaria, Ireland, and Italy* were received too late for examination by the Committee.

Convention No. 27: Marking of Weight (Packages Transported by Vessels).

Number of reports requested : 27.

Number of reports received : 16.

Reports missing : *Burma, China, France, India, Luxembourg, Nicaragua, Norway, Poland, Uruguay, Venezuela, Yugoslavia.*

Australia (ratification : 9.3.1931). — The Committee would be grateful if, in its next report, the Government would be good enough to state whether the Navigation (Loading and Unloading) Regulations of 16 July 1941 are intended to apply to goods loaded by the crews.

Belgium (ratification : 6.6.1934). — In its report for 1945-1946, the Government refers to previous reports and states that there has been no change in the relevant legislation.

The Committee therefore refer to the Government's letter of 27 May 1936, in which it stated that "the Royal Order of 24 June 1932 had to be superseded by that of 31 December 1932, in which the word 'objects' is not included, as it proved impossible to enforce an Order which covered all merchandise over 1,000 kg. in weight transported by water" (Article 1 of the Convention).

The Committee had called attention on more than one occasion to the important discrepancy between the provisions of Article 1 of the Convention and Belgian legislation, but consideration of the matter was interrupted by the war.

The Committee would be grateful if the Belgian Government would be good enough to state as soon as possible what measures are contemplated to remove the discrepancy referred to above.

Hungary (ratification : 6.12.1937). — The report for 1945-1946 states that the Convention is applied as in the past.

The Committee would be glad if, in its next report, the Government would be good enough to communicate to the International Labour Office information respecting the legislation which applies the Convention.

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments).

The Committee therefore take note with interest of the statement made by the Government in its report for 1944-1945, to the effect that § 21 of the Decree of 10 August 1938, establishes complete harmony between the national legislation and the provisions of the Convention.

The Committee express the hope, however, that in its next report the Government might be good enough to supply information on the practical

application of the legislation implementing the provisions of the Convention.

The reports from the Governments of *Bulgaria*, *Greece*, and *Italy* were received too late for examination by the Committee.

Convention No. 28: Protection against Accidents (Dockers).

Number of reports requested : 3.

Number of reports received : 1.

Reports missing : *Luxembourg, Nicaragua.*

No observations.

Convention No. 29: Forced Labour.

Number of reports requested : 20.

Number of reports received : 13.

Reports missing : *Australia, France, Liberia, Nicaragua, Norway, Uruguay, Venezuela.*

Detailed reports for the whole period (1939-1946) have been received only from the Government of the *United Kingdom*, among the States with territories where the provisions of the Convention are of direct practical importance. Reports for parts of this period have been received also from the *Belgian* and *Netherlands* Governments.

In view of the special circumstances in which *Liberia* ratified the Forced Labour Convention, it is particularly regrettable that the Liberian Government has failed to supply any report at all during the period under review.

It will be remembered that the Committee in its report last year observed that while in view of the definition in the Convention (Article 2(d)) of "forced or compulsory labour" metropolitan countries may be legally justified in reporting no suspension of or derogation from the terms of the Convention, if such labour is exacted in time of national emergency, it would nevertheless be of interest that all cases where forced labour has been permitted in view of war conditions in territories in which the Convention is in force should be reported by the metropolitan countries in question.

However, as none of the reports on the Convention received so far by the Office supply any specific information on this point, the Committee reiterates the observations which they made last year.

The reports from the Governments of *Bulgaria* and *Italy* were received too late for examination by the Committee.

Convention No. 30: Hours of Work (Commerce and Offices).

Number of reports requested : 8.

Number of reports received : 6.

Reports missing : *Nicaragua, Uruguay.*

Cuba (ratification : 24.2.1936). — The report for 1945-1946 refers to previous reports.

The Committee therefore refer to the report for 1943-1944, from which it appears that, under Article 9 of the Convention, the Government has authorised the operation of the provisions of this Article in respect of certain undertakings, and would be grateful if the Government would be good enough to communicate to the International Labour Office supplementary information regarding the regulations under which exceptions are authorised and regarding the manner in which they are applied.

Finland (ratification : 13.1.1936). — In its report for 1944-1945, the Government stated that a Bill had been drafted for the partial amendment of the legislation, in particular with respect to compensation for overtime. As the report for 1945-1946 does not refer to this point, the Committee would be grateful if the Government would keep the International Labour Office informed of the progress made in connection with this Bill.

New Zealand (ratification : 29.2.1938). — The Committee wish to express their appreciation of the ordered and complete character of the first

report (1944-1945) of the *New Zealand* Government.

The Committee note with satisfaction that the weekly hours of work which are applied are within or below the limits authorised by the Convention. They would point out, however, that one discrepancy seems to exist between Article 5 of the Convention and the provisions of the Shops and Offices Amendment Act, 1936, which permit three hours of overtime work per day, or a maximum working day of 11 hours. Article 5 of the Convention provides that the increase in hours of work in the day shall not exceed one hour, and that the working day shall not exceed ten hours. In view of this apparent discrepancy, the Committee venture to suggest that the Government might be good enough to furnish supplementary information regarding the application, in practice, of the overtime provisions of the Shops and Offices Amendment Act.

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments). The Committee therefore refer to the report for 1944-1945, in which the Government stated that under the Decree of 15 May 1935 almost complete harmony is established between the national legislation and the provisions of the Convention. The Government refers to previous observations by the Committee of Experts, and adds that there is a discrepancy between the national legislation and the provisions of Articles 5 and 7 of the Convention. The National Institute of Labour and its related services had brought the observations of the Committee to the attention of the Executive Authority and had proposed the measures necessary to remedy the discrepancies.

The Committees would be glad if the Government would be good enough to communicate to the International Labour Office information regarding the measures taken to bring the legislation into harmony with the provisions of the Convention and to supply in its next report information on the practical application of the Convention. (Point VI of the report form).

The reports from the Governments of *Bulgaria* and *New Zealand* were received too late for examination by the Committee.

Convention No. 32: Protection against Accidents (Dockers) (Revised).

Number of reports requested : 8.

Number of reports received : 6.

Reports missing : *China, Uruguay.*

Chile (ratification : 18.10.1935). — The Committee note, from the reports for 1941-1946, that the General Hygiene and Safety Regulations of 25 November 1940 cover much the same ground as the Convention, but observe that some of the technical provisions of the Convention have no exact counterpart in these Regulations.

The Committee therefore venture to express the hope that the Government might be good enough to take the necessary measures to bring the national legislation fully into conformity with the provisions of the Convention.

Mexico (ratification : 12.5.1934). — The Convention was promulgated by Decree of 2 July 1935. The report for 1945-1946 refers to the report for 1943-1944 in which the Government stated that, in the absence of specific legislation, port authorities have been recommended to comply with the protective provisions of the Convention. In addition, the Government stated that, when the Regulations under the Act concerning general means of communication were adopted and the Regulations concerning measures for the prevention of industrial accidents were drawn up, they would both include the provisions of the Convention.

The Committee would be glad to be informed if regulations relevant to the Convention have been issued under the Act on General Means of Com-

munication which, as reported under Convention No. 22, was adopted on 30 December 1939.

The Committee take note that their observations, made in 1937, have been communicated by the Department of Social Information to the social welfare authorities. The Committee further note that the competent section of the Department of Social Information has recommended steps to expedite the co-ordination of the national legislation with the provisions of the Convention, and express the hope that this co-ordination may be effected at an early date.

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments).

The Committee note, from the Government's report for 1944-1945, that Legislative Decree of 10 August 1938 ensures complete harmony between the national legislation and the provisions of the Convention, but would be glad if, in its next report, the Government would be good enough to supply information regarding the practical application of the Convention.

The report from the Government of *Italy* was received too late for examination by the Committee.

Convention No. 33: Minimum Age (Non-Industrial Employment).

Number of reports requested : 5.

Number of reports received : 3.

Reports missing : *France, Uruguay.*

Cuba (ratification : 24.2.1946). — The report for 1945-1946 refers to the report for 1944-1945, in which the Government stated that Articles 1-8 of the Political Constitution (5 July 1940) prohibit, without any exception, the employment of children under 14 years of age in any work or as apprentices.

The Committee take note of the statement, but venture to point out, however, that Article 5 of the Convention provides for the fixing of higher ages for the admission of young persons and adolescents to any employment which, by its nature, or the circumstances in which it is carried on, is dangerous to the life, health or morals of the persons employed in it. The Committee, therefore, request the Government to be good enough to supply in its next report, in conformity with Article 8 (b) of the Convention, a list of the forms of non-industrial employment for which the national legislation has fixed the age or ages of admission higher than those laid down in Article 2 of the Convention.

With regard to the effective application of the Convention, on the other hand, the Committee take note of the statement of the Government, to the effect that the employment of children under 14 years of age is inexistent in Cuba. At the same time, the Committee note that the control of the application of the minimum age for admission to employment referred to in the report for 1944-1945 relates only to non-industrial work covered by Decree No. 647.

The Committee would be grateful, therefore, if the Cuban Government would be good enough to supply supplementary information on the measures taken to give practical effect to the provisions of the Convention (Article 7).

Denmark (ratification : 4.1.1923). — In its report for 1945-1946 the Government refers to former reports. The report for 1944-1945 stated that, as from 11 May 1942, the Ministry of Social Affairs had given provisional permission to employ young persons between 16 and 18 years of age at irregular hours on account of the prevailing restrictions concerning electricity. Similar exemptions were also granted as regards young persons between 14 and 16 years of age, provided that a suitable compensatory rest period be granted in such cases.

The Committee would be grateful for additional information as to whether these exemptions were granted during the period of 1945-1946 and, if so, whether they constituted an exception from the prohibition of night work as defined by the Convention.

Uruguay (ratification : 6.6.1933). — The report for 1945-1946 has not yet been received (see under A. General observations on the reports supplied by or due from certain Governments).

The report for 1944-1945 states that the provisions of the Convention are applied partially by the national legislation.

The Committee refer to their observations made in 1939 and express the hope that the Government might be good enough, in its next report, to supply information regarding the Bill which was being drafted with a view to bringing the provisions of the Children's Code (in particular, § 225 which permitted derogations for the employment of children of 12 years of age without subjecting this employment to the restrictive conditions prescribed by the Convention) into complete harmony with the Convention.

Convention No. 34: Fee-Charging Employment Agencies.

Number of reports requested : 4.

Number of reports received : 4.

No observations.

Convention No. 35: Old-Age Insurance (Industry, etc.)

Number of reports requested : 3.

Number of reports received : 3.

No observations.

Convention No. 36: Old-Age Insurance (Agriculture).

Number of reports requested : 3.

Number of reports received : 2.

Report missing : *France.*

No observations.

Convention No. 37: Invalidity Insurance (Industry, etc.)

Number of reports requested : 3.

Number of reports received : 3.

No observations.

Convention No. 38: Invalidity Insurance (Agriculture).

Number of reports requested : 3.

Number of reports received : 2.

Report missing : *France.*

No observations.

Convention No. 41: Night Work (Women) (Revised)

Number of reports requested : 16.

Number of reports received : 11.

Reports missing : *Afghanistan, Brazil, France, India, Venezuela.*

Iraq (ratification : 28.3.1938). — The Committee take note with interest of the first report (1944-1945) by the Government in which it is stated that legislation is being contemplated which will define the line of division which separates industry from commerce and agriculture. As the report for 1945-1946 contains no reference to the point, the Committee would be glad to be informed of the progress realised with the contemplated legislation.

New Zealand (ratification : 29.3.1938). — In its report for 1945-1946, the Government states that in order to keep up the production of certain woollen goods in short supply, the prohibitions as regards night work for women have been relaxed temporarily in respect of the woollen mills operated by two named firms under the terms of the Woollen Mills Labour Legislation Suspension and Modification Order, 1946. This step was taken with the full approval of the industrial union of workers concerned.

The Committee would be grateful to be informed whether this relaxation of the prohibition of night work resulted in the employment of women during the night as defined by the Convention (or only during hours not included in this definition but prohibited by national law) and, if so, under which Article of the Convention the exemption was granted.

Union of South Africa (ratification : 20.5.1933). — In its report for 1942-1943, the Government of South Africa stated that former legislation applying the Convention, i.e., the Factories Act 1918 and the Factories Amendment Act, 1931, had been repealed by the Factories, Machinery and Building Work Act, No. 22 of 1941. In its report for 1945-1946 the Government declares that this situation remains unaltered.

The Factories, Machinery and Building Work Act, 1941, (§ 54 (4)) provides that the Minister may not grant exemption from the prohibition to work between 6 p.m. and 6 a.m. in respect of any female employee engaged in manual work, except (*inter alia*) for the purpose of performing work necessitated by an emergency.

This raises the question whether the lack of definition of the word "emergency" in the legislation makes its provisions strictly in accordance with Article 4 (a) of the Convention, which allows for an exemption in cases of *force majeure*, "when in any undertaking there occurs an interruption of work which it was impossible to foresee, and which is not of a recurring character".

Switzerland (ratification : 4.6.1936). — The Committee take note with appreciation of the statement contained in the report for 1945-1946, to the effect that the Order of the Federal Council of 4 September 1941, concerning the adaptation of hours of work to the needs of the war economy and of the labour market, which authorised certain exceptions because of war conditions, was repealed by an Order of the Federal Council of 26 April 1946.

The report from the Government of *Greece* was received too late for examination by the Committee.

Convention No. 42: Workmen's Compensation (Occupational Diseases) (Revised).

Number of reports requested : 12.

Number of reports received : 10.

Reports missing : *Brazil, Norway*.

Iraq (ratification : 25.7.1941). — The Committee, in welcoming the first reports (1944-1946) on the Convention from the Government of Iraq, venture to express the hope that, in its next report, it will be possible for the Government to supply a list of occupational diseases and toxic substances as required under Article 2 of the Convention.

Ireland (ratification : 15.3.1937). — The Committee note with interest that, under Statutory Rules and Orders No. 26 of 7 February 1945, cellulitis when incurred in the process of mining is now regarded as an industrial disease irrespective of the part of the body affected.

The Committee note, however, that no statistical information has been supplied by the Government since 1938. The Committee would therefore be glad if, in its report for next year, the Government would endeavour to furnish such information.

The report from the *New Zealand* Government was received too late for examination by the Committee.

Convention No. 43: Sheet-Glass Works.

Number of reports requested : 7.

Number of reports received : 6.

Report missing : *Norway*.

Belgium (ratification : 4.8.1937). — The Committee take note with deep appreciation of the statement made by the Belgian Government that, during the period of enemy occupation, an Order

of 23 July 1941 repealed the Act of 22 December 1936 establishing the four-shift system in sheet-glass works, but that this Order was annulled by the Legislative Decree of 5 May 1944 respecting Orders and other administrative decisions issued during the occupation.

Ireland (ratification : 15.5.1939). — The report for 1945-1946 refers to the report for 1939-1940, from which the Committee take note of the provisions of the legislation to which the Irish Government refers as giving effect to Article 4 of the Convention. These provisions would appear to give effect only to Article 4 (a). In order to enable the Committee more fully to appreciate the way in which the Convention is applied, the Committee would be glad if the Irish Government would be good enough in its next report to furnish information respecting the application of paragraphs (b) and (c) of Article 4 of the Convention. Further, the Committee invite the Irish Government to supply details regarding the practical application of the Convention (Point VI of the Report Form).

Mexico (ratification : 9.3.1938). — The Committee note that, according to the report for 1945-1946, inasmuch as the glass industry is local and not federal in character, application of the provisions of the Convention must be secured through the insertion of appropriate clauses in local collective agreements rather than by federal legislation. The Committee would welcome an assurance by the Government that this method suffices in practice to secure full application of the Convention throughout the country.

Convention No. 44: Unemployment Provision.

Number of reports requested : 4.

Number of reports received : 4.

Ireland (ratification : 10.6.1937). — The Committee note with interest, from the report for 1944-1945, that Unemployment Insurance Orders were promulgated in 1944 with a view to bringing up to date the definition of subsidiary employments and to increase the number of these employments.

Switzerland (ratification : 14.6.1939). — The detailed reports furnished by the Government on the very complex legislation on unemployment provision schemes are greatly appreciated by the Committee. Certain categories of workers not specifically enumerated in Article 2 (2) of the Convention are excluded from unemployment insurance, notably persons previously engaged in agriculture until they have been employed in industry or in a craft for two to five years. However, it may be considered that subparagraph (j) of Article 2 (2) justifies these exclusions. The Committee would like to draw attention to the requirement of subparagraph (a) of Article 10 (1), to the effect that employment shall not be deemed suitable "if acceptance of it would involve residence in a district in which suitable accommodation is not available". From the reports supplied, it is not clear whether Swiss legislation, as applied in practice, takes account of the availability of suitable accommodation where employment involving a change of residence is in question.

The reports from the Governments of the *United Kingdom* and of *Ireland* were received too late for examination by the Committee.

Convention No. 45: Underground Work (Women).

Number of reports requested : 21.

Number of reports received : 15.

Reports missing : *Afghanistan, Brazil, China, France, India, Venezuela*.

Belgium (ratification : 4.8.1937). — The Committee note with appreciation that, according to the report for 1944-1945, during the period of enemy occupation the prohibition of the employment of women on underground work in mines was fully enforced.

India (ratification : 25.3.1938). — The Committee note with satisfaction the statement made by the Government in its report for 1944-1945 to the effect that on 1 November 1945 a notification was issued reimposing the ban on the employment of women underground in coal mines as from 1 February 1946.

Portugal (ratification : 18.10.1937). — In its report for 1945-1946, the Government refers to its previous report in which it stated that under the Resolution of the Under-Secretary of State for Corporations, dated 21 January 1937, the employment of women in mines was prohibited "except for women already so employed on the date of the Resolution". Such women continue to be employed in categories other than those enumerated in Article 3 of the Convention.

As the Convention does not provide for exceptions of the type referred to above, the Committee venture to express the hope that the Government might be good enough to take the necessary steps to remove this discrepancy.

The report from the Government of Greece was received too late for examination by the Committee.

Convention No. 48: Maintenance of Migrants' Pension Rights.

Number of reports requested : 3.

Number of reports received : 3.

No observations.

Convention No. 49: Reduction of Hours of Work (Glass-Bottle Works).

Number of reports requested : 3.

Number of reports received : 5.

Report missing : Norway.

Mexico (ratification : 21.2.1938). — See under Convention No. 43.

Convention No. 50: Recruiting of Indigenous Workers.

Number of reports requested : 2.

Number of reports received : 1.

Report missing : Norway.

The report from the Government of the United Kingdom was received too late for examination by the Committee.

Convention No. 52: Holidays with Pay.

Number of reports requested : 4.

Number of reports received : 3.

Report missing : Brazil.

Denmark (ratification : 22.6.1939). — The Committee express their appreciation of the details supplied by the Government in its first report (1944-1945) on the Convention.

France (ratification : 23.8.1939). — The Committee express their appreciation of the details supplied by the Government in its first report (1944-1945) on the Convention.

Mexico (ratification : 9.3.1938). — The report for 1945-1946 refers to the report for 1943-1944, in which the Government stated that the Federal Labour Act provides for holiday periods of shorter duration after one year's service than prescribed by the Convention, but that the majority, if not all, collective agreements provide for longer holiday periods.

The Committee would be grateful if the Government would be good enough to keep the International Labour Office informed of the progress realised in connection with the measures mentioned in the report which aim at removing the discrepancies between the national legislation and the provisions of the Convention.

Convention No. 53: Officers' Competency Certificates.

Number of reports requested : 8.

Number of reports received : 5.

Reports missing : Brazil, Egypt, Norway.

Belgium (ratification : 11.4.1938). — The Committee note, from the report for 1945-1946, that the revision of the conditions regarding the co-ordination of competency certificates, which has been under consideration since 1945, will probably be completed in 1947, and hope that the Government will keep the International Labour Office informed of the progress made in this connection.

The report from the Government of the U.S.A. was received too late for examination by the Committee.

Convention No. 55: Shipowners' Liability (Sick and Injured Seamen).

Number of reports requested : 3.

Number of reports received : 3.

Belgium (ratification : 11.4.1938). — The Committee note, from the report for 1945-1946, that during the war seamen obtained more favourable treatment than that provided for by the Convention and by the Acts of 5 June 1928 (concerning seamen's articles of agreement) and 30 December 1929 (concerning seamen's compensation for accidents). This system, which was in force until 31 December 1946, will be revised as from 1 January 1947. The Committee hope that the Government will supply, in its next report, information regarding the revision in question.

Mexico (ratification : 1.9.1939). — As the report for 1945-1946 refers to previous reports, the Committee refer to the legislation cited in the report for 1943-1944, which is not, as admitted by the Government, in conformity with Articles 3, 6 and 8 of the Convention and does not appear to be in conformity with Article 2. The legislation referred to by the Government is essentially that which provides for the payment of compensation in case of industrial accident or occupational disease accorded to employees generally. The special situation of a seaman who is injured or falls sick during the voyage is not expressly provided for, though it is precisely a situation of this kind which is the object of the Convention. In consequence, it seems that :

(1) as regards Article 2, the shipowner is not liable in respect of sickness other than an occupational disease ;

(2) as regards Article 3, the shipowner is not liable for the maintenance of a seaman who is left ashore sick or injured, though the compensation at 75 per cent. of wages might be considered to include the cost of maintenance provided, of course, that the compensation was actually paid by the shipowner as soon as the seaman is left ashore ;

(3) as regards Article 6, there is no express provision in the legislation for the repatriation of seamen. The report of the Government refers to §§ 29, 41, 144, 147 and 148 of the Federal Labour Act as being relevant to repatriation, but they can hardly be regarded as sufficient. In particular, the basic provision (§ 29) is evidently not designed to cover the case of seamen serving on Mexican ships ;

(4) as regards Article 8, there is no provision for safeguarding the property left on board by sick, injured or deceased seamen.

The report adds that the shipowners' liability in case of industrial accident and occupational disease is now transferred to the Mexican Social Insurance Institution, but it does not state whether the shipowner acts on behalf of the Institution in its relations with seamen while they are outside Mexican territory.

The Committee venture to express the hope that, in its next report, the Government might be good enough to state what measures it proposes taking in order to ensure complete harmony between the national legislation and the provisions of the Convention.

The report from the Government of the U.S.A. was received too late for examination by the Committee.

Convention No. 58: Minimum Age (Sea) (Revised).

Number of reports requested : 6.

Number of reports received : 4.

Reports missing : *Brazil, Norway.*

The report from the Government of the U.S.A. was received too late for examination by the Committee.

Convention No. 59: Minimum Age (Industry) (Revised).

Number of reports requested : 2.

Number of reports received : 0.

Reports missing : *China, Norway.*

China (ratification : 21.2.1940). — The report for 1945-1946 has not yet been received.

The Committee are pleased to note from the reports for the period 1940-1945 that, according to the Factory Act as amended on 30 December 1932, the employment of children is prohibited up to the age of 14 years, that is, two years higher than the limit prescribed by Article 8 of the Convention, which provides for a special regime for China.

The Committee understand that Regulation No. 308 of 1923 concerning the safety of workers in mines, establishes the age limit at 17 years for the employment of young persons in mines, instead of the minimum age of 15 years prescribed by Article 8 of the Convention.

The Committee note with interest that the Government is determined that the Convention shall be applied to the fullest possible extent and trust that next year the report will contain full information about the methods at the disposal of the Chinese Government to ensure the application of the relevant provisions of the Convention.

Convention No. 62: Safety Provisions (Building).

Number of reports requested : 2.

Number of reports received : 2.

Mexico (ratification : 4.7.1941). — The report for 1945-1946 refers to the report for 1943-1944, in which the Government stated that the provisions of §§ 522 and 523 of the Regulations for the

application of Article 8 are not as wide in scope as those of the Convention but that, at an opportune moment, the necessary co-ordination will be effected.

With regard to Articles 9 and 10, the Government stated that there are no provisions in Mexican legislation which correspond exactly to the provisions of the Convention, but that this fact will be taken into account when the relevant regulations for the application of the two Articles are revised.

The Committee venture to express the hope that the Government will take measures at an early date to effect the necessary co-ordination between the national legislation and the provisions of the Convention.

Switzerland (ratification : 23.5.1940). — The report for 1945-1946 refers to previous reports in which the Government stated that it contemplated developing the national legislation so as to bring it into full harmony with the Convention. The Committee express the hope that this will be accomplished in the near future.

Convention No. 63: Statistics of Wages and Hours of Work.

Number of reports requested : 10.

Number of reports received : 8.

Reports missing : *Egypt, Norway.*

Mexico (ratification : 16.7.1942). — The report for 1945-1946 refers to the report for 1943-1944, in which the Government stated that it had not been able to undertake statistics on average earnings and hours of work in the mining and manufacturing industries, but that it hoped to provide statistics of this kind in the future.

The Committee further note that no progress is reported by the Government regarding the collection of data on agricultural wages. In its report for the period 1942-1943, the Government pointed out that the lack of data was due to the "form of agricultural organisation".

The Committee would be glad if in its next report the Government would be good enough to supply information on these two points.

The report from the Government of *Australia* was received too late for examination by the Committee.

APPENDIX III

EFFECT OF CONVENTIONS ON NATIONAL LEGISLATION

(Statement submitted to the Committee of Experts by the International Labour Office)

The principal function of the Committee of Experts is the examination of annual reports with a view to ascertaining whether national law and practice are in harmony with the requirements of ratified Conventions. There is a danger that in performing this essential task of critical examination, involving concentration upon discrepancies and defects in application of Conventions which still exist in certain countries, some of the positive results brought about by the acceptance and enforcement of international labour standards in the development of national social legislation may sometimes be overlooked.

At a time when the International Labour Organisation is entering upon a new period of growth and of intensified activity, it may therefore be useful to take stock, briefly, of some of the concrete achievements of the International Labour Code during more than a quarter of a century, achievements which are all the more remarkable in view of the difficult economic and political conditions which have prevailed over the greater part of the period under review. A true appreciation of the impact which international labour Conventions have had upon national legislation would necessitate, of course, a very detailed study, country by country, Convention by Convention, and often year by year, of the social, parliamentary and legislative factors which led to the ratification of international labour Conventions or which, in the absence of formal ratification, resulted nevertheless in a raising of labour standards up to or beyond the level established by the International Labour Code. It must however suffice for the present purpose to consider the extent to which the ratification of certain Conventions was immediately preceded or closely followed by the adoption of legislation on the subjects dealt with in those Conventions. Even on this basis care must of course be taken not to fall into the fallacy of *post hoc, ergo propter hoc*.

It is not surprising perhaps that the provisions of the International Labour Code have been particularly effective in the development of protective legislation covering workers who in the past had been in special need of protection against abuses. Attention is called in the following pages to a few noteworthy examples of the beneficial effect of the International Labour Code on the evolution of national legislation relating to women, to children and young workers, to seafarers and to workers in non-self-governing territories.

1. Legislation concerning the Work of Women

Only where important differences in physiological characteristics or social conditions have made separate protective action seem essential, have Conventions or Recommendations embodying special measures for the protection of women been adopted by the Conference.

Conventions No. 3 (Childbirth) adopted in 1919, Nos. 4 and 41 (Night Work—Women) adopted in 1919 and 1934, and No. 45 (Underground Work—Women) adopted in 1935, may be cited as examples. Without in any way overlooking the value of the other three Conventions, some detailed attention may be paid to *Convention No. 3 concerning the employment of women before and after childbirth*.

The object of this Convention is the protection of the woman worker at the time of childbirth. Briefly, it provides for: (1) compulsory abstention from employment for six weeks following confinement; (2) the right to abstention from employment for a period up to six weeks prior to confinement, upon production of a medical certificate; (3) maternity benefits during the period of absence from work; (4) an opportunity to nurse the child during working hours after the return to work; and (5) protection from dismissal during the period of such absence.

Even after taking full account of the remarkable change in the political and economic status of women which has taken place during the period 1919 to 1946, it can be said that the influence of the Convention has been very marked. The standards set by the International Labour Code have contributed to, and in some cases inspired, the substantial progress made in maternity protection of women workers which has occurred in a large number of countries since 1919. The Convention had been ratified by the end of 1946 by 17 countries; at the time of its adoption none of these States could either have ratified immediately or have applied all the provisions of the Convention without important amendments to the then existing legislation, and without increasing budgets for social insurance and public assistance, or without reorganising these institutions.

As regards scope of application, most of the maternity protection legislation then in effect applied only to women workers in industry, while the provisions of the Convention which extend also to commerce, transport and mines, are generally applied now by all the countries which have ratified it. The period of maternity leave provided for has had some particularly striking effects. Although most legislation at the time had called for only eight weeks of total leave before and after confinement, the Conference decided to extend this to twelve weeks, divided into two equal parts, the first six weeks before confinement being optional on production of a medical certificate stating that the confinement will probably take place within that period, and the six weeks following confinement being compulsory. In 1919 only one Member State had fixed the minimum period of maternity leave at twelve weeks. At the present time some 25 States have established this right for more or less extensive categories of women wage-earners and salaried employees.

A similar trend is noticeable as regards guarantee against dismissal during the legal period of absence. In 1919, this guarantee was provided for by only six States. In 1938, 39 sovereign States, as well as a number of non-self-governing territories, legally guaranteed reinstatement after maternity leave. This protective measure is applied in all the countries which have ratified the Convention, and in all but three of them national legislation was substantially amended or newly enacted for purposes of ratification to grant women workers the right which is provided in the international text.

The basis of the measures for maternity protection laid down in the Convention is that a woman, while absent from her work on maternity leave, shall be paid sufficient benefits for the maintenance of herself and of her child either out of public funds or by means of a system of insurance, and shall be entitled to free attendance by a doctor or certified midwife. Of 28 States surveyed in 1919, only 12 had a system of benefits or grants to cover the legal period of exclusion from work at the time of child-birth, and only seven of these provided maternity benefits under a general system of sickness insurance. Of the countries which have ratified the Convention not one was in a position, at the time of its adoption, to apply its terms, and only three had provisions fairly comparable in respect of maternity benefits to the standards of the Convention. In others, substantial amendments to legislation were made or a new social system of benefits was organised, either at the time of ratification or later. In three of the ratifying countries no insurance schemes have as yet been established, an omission which by throwing the full responsibility for benefit payments on the employer has had an effect quite contrary to the objective of the Convention. The Committee of Experts and the Conference Committee on the Application of Conventions have repeatedly noted this discrepancy.

From this brief survey of the effect of the main provisions of the childbirth Convention it appears evident that, although it has only been ratified by a limited number of countries, it has exerted a considerable influence in those countries. Furthermore, the general trend in maternity protection in non-ratifying countries is towards recognition of the principles and standards which were written into the International Labour Code early in the history of maternity labour legislation.

2. Legislation concerning the Work of Children and Young Workers

One of the basic principles laid down in the original Constitution of the International Labour Organisation called for "the abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development". Starting with the First Session of the International Labour Conference, in 1919, thirteen Conventions have been adopted dealing specifically with problems of youth employment; they establish standards for minimum age of admission to employment, the restriction of night work, and medical examination attesting fitness for employment.

Eight of these instruments deal with the first-named objective. Of these, *Convention No. 5 (Minimum Age—Industry)*, adopted in 1919, may serve as an example. After defining broadly but clearly the meaning of "industrial undertakings" and stating that the competent authority in each country shall draw the line separating industry from agriculture and commerce, the Convention fixes at fourteen the age of admission to employment to any public or private industrial undertaking other than one in which only members of the same family are employed.

The Convention has been ratified by 30 countries; with certain exceptions the countries already industrialised were the first to ratify it, while other States followed suit as industrialisation advanced. Most of the European countries which have subscribed to the Convention did so before 1930; those in the Western hemisphere have done

so largely since that date. The influence of the Convention upon legislation in the great majority of countries has been clearly beneficial. The impact was immediate and it has continued over the years between 1919 and the present time.

Among the countries possessing legislation on the subject at the time of the adoption of the Convention, only one did not need to make changes in its laws in order to ratify. The majority of the countries had to widen the provisions of their legislation to bring it into harmony with the terms of the Convention. At least three of the ratifying States seem to have had no legislation at all, in 1919, fixing the minimum age of admission to industrial employment. The most important legislative changes have been those made to raise the age of admission and to widen the scope of national laws with regard to undertakings covered.

The countries whose minimum age-limits, in 1919, were below fourteen years have raised them to the standards prescribed by the Convention. Four other countries who had already fixed a limit of fourteen years at that time, have since raised it to fifteen years. All the other countries under consideration have now adopted the standards of the Convention. In this process eight countries had to eliminate from their legislation exceptions allowing lower ages of admission under specified circumstances which were not provided for in the Convention. Two countries in which legislation still permits such exemptions have issued new regulations or are contemplating additional legislation to correct the situation, following observations made by the Committee of Experts of the Conference Committee on the Application of Conventions.

Other changes which have been made to bring legislation into conformity with the Convention have been concerned with the scope of coverage. Four countries in which the relevant laws applied only to undertakings employing a certain number of persons and/or using mechanical power extended the scope by eliminating these criteria. Four other countries had to take similar action, since their pre-Convention legislation applied only to dangerous and unhealthy occupations or only to factories, or excluded transport undertakings.

In assessing the effects of Convention No. 5, account must not only be taken of the influence which it has had in the ratifying countries, but also of the fact that this Convention has been the starting point for minimum age legislation in such other fields as employment at sea, in non-industrial occupations and in agricultural work. In addition, the adoption in 1937 of Convention No. 59, which revised Convention No. 5 by raising the minimum age of admission for employment in industry to 15 years, indicates clearly that this pioneering piece of international labour legislation formed but the starting point of a trend towards ensuring increasingly higher standards for the protection of young workers.

3. Legislation for Seafarers

Because of the world-wide nature of the maritime shipping industry, no group of workers has probably been more directly and more widely affected by international labour legislation than seafarers. In spite of the fact that a number of Member States possess no merchant navies and are therefore not directly interested in maritime Conventions, these Conventions have been proportionally more generally ratified than those affecting any other category of workers. The instruments in question touch every aspect of a seaman's working life and relate, broadly speaking, to his conditions of entry and of employment, to his welfare and to his social security. For purposes of illustration a brief indication may be given of the effect which *Convention No. 8 (Unemployment Indemnity—Shipwreck)* has had since its adoption by the first maritime session of the International Labour Conference in 1920.

This Convention protects a seaman against the risk of unemployment resulting from the loss or foundering of his vessel. In the case of such enforced idleness it provides for payment of an indemnity equal in amount to his regular wages

for a period up to two months; the recovery of this indemnity is to be possible in the same manner as the recovery of back wages.

At the time when these provisions were incorporated in the International Labour Code, a seaman in most if not all countries lost all further claim to wages in case of shipwreck. Among the 28 States which have since ratified Convention No. 8 are found such important maritime countries as *Canada, France, United Kingdom, Netherlands, Norway and Sweden*. In every one of these cases fresh legislation had to be enacted to apply the terms of the Convention.

4. Labour Legislation in Non-Self-Governing Territories

A further instance of the practical effect which the International Labour Code has had on a particular group of workers is the progress achieved in various non-self-governing territories.

Up to the present the International Labour Conference has adopted four Conventions of a general character but of particular relevance to conditions in non-metropolitan territories and to the status of indigenous workers in countries where conditions of employment are analogous to those of non-metropolitan territories. These Conventions are the Forced Labour Convention of 1930 (No. 29), the Recruiting of Indigenous Workers' Convention of 1936 (No. 50), the Contracts of Employment (Indigenous Workers) Convention of 1939 (No. 64) and the Penal Sanctions (Indigenous Workers) Convention of 1939 (No. 65).

Among these *Convention No. 29 (Forced Labour)* seems worthy of special mention as an illustration of the effect which international labour standards have had upon the conditions of indigenous workers.

The Convention defines the forced or compulsory labour with which it is concerned as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily". This broad definition is subject to exceptions in the case of compulsory military service, normal civic obligations, convict labour, labour to meet special emergencies and minor communal services. The main objects of the Convention are the progressive and rapid suppression of forced labour in all its forms, the immediate prohibition and the effective prevention of forced labour for private employers, the limitation of forced labour for public service to men between 18 and 45 years of age, the limitation of the period of forced labour which may be required of such men to 60 days in the year, provision as a general rule for payment for work performed, and the enforcement of a number of welfare measures for such workers as remain subject to compulsion.

Convention No. 29 has been ratified by 22 countries, including all the important colonial powers except *Portugal*. However, the latter's Native Labour Code prohibits forced labour for private employers and provides that for public purposes it may be allowed only by way of exception and in certain urgent and special cases.

It is noteworthy that a decision of the International Labour Conference which came under heavy attack at the time of its adoption has proved to be the policy which on economic as well as on social grounds was best suited to the circumstances of many non-self-governing territories, particularly those in Africa. During the period of the war emergency necessity led to a revival of policies of compulsion to labour. However necessary these policies may have been, exceptions to the application of the Forced Labour Convention which had to be admitted then have since been withdrawn, and the principal African administrations, in particular the *Belgian, British and French* administrations, have recognised again the advantages of a policy of freedom of labour as embodied in the International Labour Code.

In addition to the four Conventions which have been mentioned above, provision is made in the Constitution of the International Labour Organisation for careful consideration of the possibility of application to non-metropolitan territories of

the general Conventions adopted by the International Labour Conference (Article 35). In the past, the Committee of Experts have had occasion to comment upon the importance of this aspect of the work of the International Labour Organisation.

In connection with the present study attention may be drawn in particular to the progress made even during the war in the application of the International Labour Code to territories under the administration of the *United Kingdom*. The British Government has provided reports indicating the application of 17 out of the 29 Conventions on which reports are due to a large number of its dependent territories. In particular, the Conventions concerning the various minimum ages for the admission of children to employment may be said to have received general application to the territories under United Kingdom administration. Workmen's compensation has also been widely extended, and although it has not yet proved possible to cover all forms of employment the pattern which has been laid down is one which follows the lines of international labour Conventions for the principal employments in the separate non-self-governing territories.

In the case of non-self-governing territories under the administration of other Member States, the circumstances of the war prevented progress on the same scale as that made by the United Kingdom Government. Nevertheless, there are indications that rapid advances may be possible in the near future; in particular, the legislation adopted for her territories in Africa by *France* follows closely the main lines of the standards laid down by the international labour Conventions.

It is noteworthy that, whereas in 1919 on the whole labour legislation in territories of the colonial type was limited to the measures for the control of labour supply, at the present time there is a large volume of legislation relating to such matters as the protection of children, workmen's compensation, industrial relations, the establishment of minimum wages and other matters common to advanced labour legislation. To a large extent this may be due to the increase in modern forms of production in non-metropolitan territories. Nevertheless, it is not unreasonable to claim that in the attention paid to non-self-governing territories the International Labour Conference has made a contribution of substantial value.

It may be anticipated that in the future a number of the so-called non-self-governing territories will obtain such measures of self-government as will place responsibility for labour policy in the hands of local administrations democratically chosen. The amended Articles of the Constitution of the International Labour Organisation (Articles 23 and 35) adopted by the Conference at its Montreal Session in 1946 should provide a means by which the administrations in the territories with their new local responsibilities, as well as the employers' and workers' organisations in such territories, may be associated in the formulation and effective enforcement of progressive labour legislation.

It may also be noted that under the Charter of the United Nations special attention is paid to the responsibilities of States administering non-self-governing territories. This responsibility takes the form of international supervision in respect of trust territories and international accountability in respect of other non-metropolitan territories. The General Assembly of the United Nations has the responsibility for considering the information supplied on economic and social conditions in non-self-governing territories. In this respect the information which is being received by the International Labour Organisation in regard to the application of international labour Conventions in such territories should be of particular value to the United Nations.

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The examples cited in this brief survey relate to Conventions covering four specific categories of workers. Similar illustrations can be given for

other parts of the International Labour Code, e.g., social insurance. At the same time the Office is of course aware of the fact that in a certain number of cases important divergencies still exist between the national legislation concerned and the provisions of the relevant Conventions, and that in some cases these divergencies have subsisted for a number of years in spite of repeated observations by the Committee of Experts and by the Conference Committee on the Application of Conventions. Account must also be taken of the fact that, especially in countries which have

reached a comparatively high standard of industrial development, ratification has often meant little more than transforming national standards already achieved into international obligations. Even if full allowance is made for considerations of this kind it is undeniable that the impact of the Conventions and Recommendations of the International Labour Organisation upon national legislation has resulted in the realisation of a substantial degree of social progress in a large number of countries.