

INTERNATIONAL LABOUR CONFERENCE

THIRTY-FIRST SESSION

SAN FRANCISCO, 1948

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

Third Item on the Agenda



**INTERNATIONAL LABOUR OFFICE
GENEVA, 1948**

TABLE OF CONTENTS

	Page		Page
Introduction	III	17th Session (Geneva, 1933).....	139
1st Session (Washington, 1919)	1	34. Fee-Charging Employment Agencies	139
1. Hours of Work (Industry)	1	35. Old-Age Insurance (Industry, etc.) ..	140
2. Unemployment	6	36. Old-Age Insurance (Agriculture)	142
3. Maternity Protection.....	20	37. Invalidity Insurance (Industry, etc.) ..	144
4. Night Work (Women)	22	38. Invalidity Insurance (Agriculture)...	146
5. Minimum Age (Industry).....	26	39. Survivors' Insurance (Industry, etc.)..	147
6. Night Work of Young Persons(Industry)	32	18th Session (Geneva, 1934).....	149
2nd Session (Genoa, 1920)	41	41. Night Work (Women) (Revised)	149
7. Minimum Age (Sea)	41	42. Workmen's Compensation (Occupational Diseases) (Revised)	153
8. Unemployment Indemnity (Shipwreck)	44	43. Sheet-Glass Works.....	156
9. Placing of Seamen.....	47	44. Unemployment Provision.....	157
3rd Session (Geneva, 1921)	51	19th Session (Geneva, 1935).....	161
10. Minimum Age (Agriculture)	51	45. Underground Work (Women).....	161
11. Rights of Association (Agriculture) ..	53	46. Hours of Work (Coal Mines) (Revised)	165
12. Workmen's Compensation(Agriculture)	57	48. Maintenance of Migrants' Pension Rights.....	167
13. White Lead (Painting).....	62	49. Reduction of Hours of Work (Glass-Bottle Works).....	167
14. Weekly Rest (Industry).....	66	20th Session (Geneva, 1936).....	169
15. Minimum Age (Trimmers and Stokers)	71	50. Recruiting of Indigenous Workers...	169
16. Medical Examination of Young Persons (Sea)	74	52. Holidays with Pay	171
7th Session (Geneva, 1925)	78	21st Session (Geneva, 1936).....	172
17. Workmen's Compensation (Accidents)	78	53. Officers' Competency Certificates....	172
18. Workmen's Compensation (Occupational Diseases)	81	54. Holidays with Pay (Sea).....	174
19. Equality of Treatment (Accident Compensation)	86	55. Shipowners' Liability (Sick and Injured Seamen).....	174
20. Night Work (Bakeries).....	94	57. Hours of Work and Manning (Sea)..	176
8th Session (Geneva, 1926)	96	22nd Session (Geneva, 1936)	177
21. Inspection of Emigrants	96	58. Minimum Age (Sea) (Revised)	177
9th Session (Geneva, 1926)	99	23rd Session (Geneva, 1937).....	179
22. Seamen's Articles of Agreement.....	99	59. Minimum Age (Industry) (Revised)..	179
23. Repatriation of Seamen	103	62. Safety Provisions (Building)	180
10th Session (Geneva, 1927).....	105	24th Session (Geneva, 1938).....	181
24. Sickness Insurance (Industry)	105	63. Statistics of Wages and Hours of Work	181
25. Sickness Insurance (Agriculture)	109	25th Session (Geneva, 1939).....	186
11th Session (Geneva, 1928).....	111	64. Contracts of Employment (Indigenous Workers)	186
26. Minimum Wage-Fixing Machinery...	111	Addendum	187
12th Session (Geneva, 1929).....	122	List of Countries from which reports were received in respect of certain Conventions after.	
27. Marking of Weight (Packages Transported by Vessels).....	122	6 March 1948.....	187
28. Protection against Accidents (Dockers)	126	Appendix	
14th Session (Geneva, 1930).....	127	Report of the Committee of Experts appointed to examine the annual reports made under Article 22 of the Constitution of the International Labour Organisation.	
29. Forced Labour	127	(This Appendix has been bound separately but accompanies the present volume.)	
30. Hours of Work (Commerce and Offices)	131		
16th Session (Geneva, 1932).....	133		
32. Protection against Accidents (Dockers) (Revised)	133		
33. Minimum Age (Non-Industrial Employment)	135		

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 53 Conventions in force for which annual reports have become due. The period covered by the summary is 1 October 1946 - 30 September 1947.

A total of 763 annual reports in respect of the above-mentioned Conventions was 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 1946-1947, 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.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 *Mexico* for Conventions No. 46 (Hours of Work (Coal Mines) (Revised)) and No. 54 (Holidays with Pay (Sea)); and by the Government of the *United Kingdom* for Convention No. 64 (Contracts of employment (Indigenous Workers)).

The Government of *France* has supplied a report on the application of Convention No. 1 (Hours of Work (Industry)), the ratification of which was made conditional upon ratification by certain specified countries. The Government of *Ireland* has supplied a report on the application of Convention No. 63 (Statistics of Wages and Hours of Work), which was ratified by the Government on 9 October 1946 and in

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 parentheses after each heading of the summary for each Convention refer to the relevant sections of the forms prescribed by the Governing Body for annual reports under Article 22 of the Constitution.

respect of which a report was not due until 10 October 1947 (*i.e.* after the period covered by the present volume). These reports have been summarised in the present volume.

As the 31st Session of the Conference is to be held in San Francisco, the present volume has had to be printed at an earlier date than in preceding years. Consequently, only reports received up to 6 March 1948 have been taken into account. Reports received after this date are listed at the end of the volume.

* * *

The report of the 18th Session (Geneva, 1-10 April 1948) 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.¹

Geneva, April 1948.

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

Countries	Date of registration of ratification	Reports received
Argentina	30.11.1933	
Austria ¹	12. 6.1924	
Belgium	6. 9.1926	29.11.1947
Bulgaria	14. 2.1922	2. 2.1948
Canada	21. 3.1935	24.11.1947
Chile	15. 9.1925	25. 2.1948
Colombia	20. 6.1933	
Cuba	20. 9.1934	19. 2.1948
Czechoslovakia	24. 8.1921	6. 3.1948
Dominican Republic	4. 2.1933	
France ¹	2. 6.1927	16. 1.1948
Greece	19.11.1920	
India	14. 7.1921	11.12.1947
Italy ¹	6.10.1924	
Latvia ¹	15. 8.1925	
Lithuania	19. 6.1931	
Luxembourg	16. 4.1928	8.12.1947
New Zealand	29. 3.1938	4. 3.1948
Nicaragua	12. 4.1934	
Pakistan ²	14. 7.1921	
Peru	8.11.1945	
Portugal	3. 7.1928	30.12.1947
Rumania	13. 6.1921	
Spain	22. 2.1929	
Uruguay	6. 6.1933	
Venezuela	20.11.1944	2. 2.1948
***	***	***
Burma ³	14. 7.1921	13.12.1947

¹ Conditional ratification (for France, voluntary report).

² Pakistan, which ceased to be part of India as from 15 August 1947 and became a Member of the International Labour Organisation on 31 October 1947, informed the Office, by letter dated 26 January 1948, that it "had undertaken to implement the Conventions ratified by the Government of India and that the position regarding the application of these Conventions to Pakistan could be taken to be the same as that for the Government of India for the reports covering the period 1 October 1945 to 30 September 1946, except for a few changes, mainly in respect of the inspection services. The reports which may be submitted by the Government of India up to 14 August 1947 can be considered as applying equally to Pakistan". The date given is that on which the ratification by India was registered.

³ Under the legislation of 1935 (Government of India Act), Burma ceased to be part of India as from 1 April 1937. It was agreed that Burma remained bound by the 14 Conventions which India had ratified up to 31 March 1937. The date given is that on which the ratification by India was registered.

INTRODUCTORY NOTE

The Government of *Canada* states that under the present division of the legislative powers, the Convention can be implemented only by the Legislatures of the Provinces. Since January 1937, when the Judicial Committee of the Privy Council declared *ultra vires* the Hours of Work Act enacted

by the Parliament of Canada in 1935, the Provinces of Alberta and Ontario have enacted Hours of Work Acts fixing an eight-hour day and a 48-hour week for most industries. British Columbia already had such legislation, but the weekly maximum has recently been reduced to 44 hours. A 1947 Statute in Saskatchewan limits hours generally to eight in the day and 44 in the week unless time-and-a-half is paid for overtime. In New Brunswick, Quebec and Manitoba, the maximum legal limits are higher than eight and 48 hours, and in Nova Scotia and Prince Edward Island the law does not restrict hours of work.

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), as supplemented by the Royal Order of 26 August 1939.

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 industrial and commercial undertakings.

Act of 16 May 1938 to regulate working hours in the diamond industry (L.S. 1938, Bel. 3), as amended by the Legislative Decree of 7 November 1946.

Royal Order of 3 February 1940, fixing working hours underground in coal mines, maintained in force by Order of the Regent of 10 September 1947.

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, section 27) to amend § 30 of the Labour Code, establishing paid rest periods in the working day.

Cuba.

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

Decree No. 3185 of 1940, respecting the application of § 66 of the Constitution.

Various Decrees and Regulations issued in 1944, 1945, 1946 and 1947 respecting hours of work and wages 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 (L.S. 1919, Cz. 1).

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

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. 3).

Decree No. 104 of 24 October 1945, respecting works councils and undertaking councils (L.S. 1945, Cz. 1).

Act No. 177 of 1946, to regulate hours of work in bakeries.

Regulation No. 1882 of 1946, respecting hours of work in sugar-works during the sugar season of 1946-1947.

Regulation No. 24 of 1947 concerning the temporary transfer of regular working hours due to the necessity of economy in the use of electric power.

Act No. 45 of 7 March 1947, to fix hours of work for mining (L.S. 1947, Cz. 1).

Act No. 87 of 1947, relating to certain measures concerning the national mobilisation of workers.

France.

Act of 21 June 1936 respecting the forty-hour week in industrial and commercial undertakings 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.

India.

Indian Factories Act, 1934 (L.S. 1934, Ind. 2), as amended up to 1 August 1946 (L.S. 1946, Ind. 1).

Indian Mines Act, 1923 (L.S. 1923, Ind. 3), as subsequently amended (L.S. 1923, Ind. 3; 1928, Ind. 1; and 1935, Ind. 3).

Indian Railways (Amendment) Act, 1930 (L.S. 1930, Ind. 1).

Railways Servants Hours of Employment Rules, 1931.

Luxembourg.

Act of 7 June 1937, amending the Act of 31 October 1919 on service agreements for private salaried employees (L.S. 1937, Lux. 1).

Order of 21 October 1938 issued in application of § 6 of the above Act (L.S. 1938, Lux. 3).

Orders of 14 May 1921 and 26 May 1930 approving §§ 52 and following of the Railway Staff Regulations.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).

Order of 30 March 1932 concerning the application of certain Conventions adopted by the International Labour Conference during its first ten sessions (L.S. 1932, Lux. 1).

Order of 6 January 1933 to amend the Order of 30 March 1932 (L.S. 1933, Lux. 1).

Order of 17 October 1938 concerning the reduction of hours of work (L.S. 1938, Lux. 2).

Order of 16 October 1939, to limit hours of work (L.S. 1939, Lux. 3).

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.

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, 1946 (L.S. 1946, N.Z. 4).

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.

Portugal.

Legislative Decree No. 24402 of 26 August 1934 to regulate hours of work in commercial and industrial undertakings (L.S. 1934, Port. 5).
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, night work, overtime and payment for overtime issued by the Under-Secretary for Corporations and Social Welfare between 31 March 1942 and 15 July 1946.

Legislative Decree No. 36173 of 6 March 1947, providing that the terms of a collective agreement may not be contrary to the principles established by legislation concerning working hours.

Decisions concerning hours of work issued by the Under-Secretary for Corporations and Social Welfare, dated 7 January and 18 August 1947.

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 of 16 July 1936.

Regulations of 4 May 1945 governing work in agriculture and stockbreeding (L.S. 1945, Ven. 1).

National Constitution of the United States of Venezuela of 5 July 1947, to amend the Constitution of 16 July 1936 as amended on 23 April 1945.

* * *

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* states that the Royal Order of 26 August 1939, which authorises exceptions to the provisions of the Act of 14 June 1921 in the event of the strengthening or mobilisation of the army, is still in force; however, this provision was used in five cases only during the period under review. Two hundred and ninety-three cases of infringement of the Eight-Hour Day Act were reported. In certain cases of decisions of first instance, which appeared likely to hamper the work of the supervisory services, the Administration appealed against the decisions in order to have them rectified.

During the period under review, the labour inspection service visited 33,547 undertakings, having a total personnel of 348,625. This figure does not include the industrial undertakings under the supervision of the Directorate-General of Mines. Appended to the report is a table giving statistical information on the authorisations for overtime granted under § 7 of the Act of 14 June 1921. A considerable number of exceptions was authorised in the building and metal industries in connection with the needs of the country for reconstruction and re-equipment.

No observations were made by employers' organisations. Breaches of the legislation reported by the workers' organisations were followed up by enquiries, in order to institute proceedings.

The Government of *Bulgaria* repeats the information supplied in the previous report and adds that no decisions were given by courts of law. No observations were received from employers' or workers' organisations.

Canada. See introductory note.

The Government of *Chile* refers to the information supplied in its previous report and adds that, during the war, no decisions concerning the application of the Convention were given by courts of law. The reports of the labour inspectors show that the legislation concerning the eight-hour day and the 48-hour week has been satisfactorily applied throughout the country. A total of 423,205 persons employed in industrial

undertakings, the building trade, transport and various other undertakings is protected by the legislation; 371,155 of these are workers and 52,050 employees. The number of persons subject to the provisions governing hours of work in railways is 30,769 (24,728 workers and 6,041 employees).

The labour inspectors constantly superintend the application of the Convention, and reported 68 cases of infringement during 1946. No observations were received from the employers' or workers' organisations.

The Government of *Cuba* states that the provision of the Constitution establishing hours of work at eight per day and 44 per week presents no difficulty, as it applies to industry, commerce, agriculture and other activities; an exception is made in the case of the sugar industry and domestic employment. The legislation in force prohibits the authorisation of the exceptions permitted under the Convention. No regulations or agreement between the parties may modify the rigid constitutional limits mentioned above, and no process has been classified as being necessarily continuous.

The posting-up of bills, to facilitate the application of the relevant provisions, is not in general use, but Decree No. 798 of 1938 requires labour contracts to state the hours of work and their distribution, as well as the weekly rest and remuneration. The Government adds that no use has been made of the exception authorised in the event of war or in the case of an emergency threatening the security of the country. No decisions were given by courts of law and no observations were received from the employers' or workers' organisations.

The Government of *Czechoslovakia* refers to information supplied in its previous report and adds details concerning supplementary legislative measures taken during the period under review.

Under Act No. 45 of 7 March 1947, working hours of employees engaged in mining undertakings directly engaged in the extraction of coal, graphite or mineral ore are generally limited to 46 per week, or to eight hours a day for five days and six hours on Saturdays. In the event of abnormal economic conditions, it may be decided that, in certain defined mining districts, eight hours shall be worked on Saturdays for three weeks, the fourth Saturday being considered as a day of rest. If the work is done in exceptionally difficult conditions, working hours may be reduced to a maximum of seven per day.

During the period under review, the Minister of Social Welfare issued regulations concerning the transfer of regular working hours to another time of the day, to the night or to Sundays in order to economise electric power.

With regard to Article 5 of the Convention, the Government states that under Act No. 87 of 1947 the Ministry of Social Welfare, in agreement with the sole trade union organisation and with the central economic

organisations, and according to economic conditions, or in the public interest, may modify working hours in general, or for certain branches of industry or commerce, or for certain regions.

The Government points out, with regard to Article 6 of the Convention, that the prohibition of night work in bakeries prescribed under Act No. 177 of 1946, does not apply to preparatory work which may, according to individual cases, begin at 3 a.m. or at midnight at the earliest. The Minister of Social Welfare may prescribe the maximum number of workers who may be employed in preparatory work between midnight or 3 a.m., as the case may be, and 6 a.m. Moreover, in agreement with the Minister of Supplies and after consulting the employers' and workers' organisations concerned, the Minister may authorise temporary exceptions from the prohibition of night work for groups of bakeries or for specific bakeries employing over 50 workers.

The supervision of the application of the legislative measures is entrusted to the labour inspection service working under the regional offices for the protection of labour, and to the mines inspectorate. In the second resort, supervision is entrusted to the Ministry of Social Welfare or the Ministry of Industry. The personnel of the labour inspection service has changed little compared with the previous year. The Government adds that the provisions of the Convention are satisfactorily observed and that the work of the control service is facilitated by the fact that both trade unions and works councils also control the application of the provisions of the Convention. No decisions were given by courts of law.

The statistical information annexed to the report shows that comparatively little overtime was worked. During the first six months of 1947, authorisation was given for 2,250,983 hours of overtime, covering 92,220 workers. The Government adds that overtime in industry was authorised particularly in connection with post-war reconstruction work and is now prevalent only in the branches where, owing to exceptional circumstances, there are difficulties of production.

The Government of *France* supplements the data provided for 1945-1946 with the information that heads of undertakings have taken full advantage of the provisions of the Act of 25 February 1946 which permits overtime in order to increase production, provided the hours so worked do not exceed twenty per week; thus the average working week in France is longer than forty hours. The Government adds that the General Labour Inspectorate is now in a position to resume the drawing-up of comprehensive documents concerning the application of labour legislation and will be able to provide information for the period 1947-1948 on this subject. No observations have been received from employers' or workers' organisations.

The Government of *India* draws attention to Act No. X of 1946, amending the Factories Act of 1934, which reduces working hours to nine per day and 48 per week in non-seasonal industries, and ten per day and 50 per week in seasonal industries; an exception is made in the case of workers engaged in work which, for technical reasons, must be continuous. Such persons may work 56 hours in any one week. Wages for overtime are proportionately calculated.

In November 1945, the Railway Board issued orders to the Indian Government railways to the effect that the Board had no objection to immediate consideration being given by the railway administrations to the application of the principles of the Hours of Employment Regulations to the running staff, if by so doing temporary staff could be retained in service. The adoption of any such proposals was, however, conditional on the Railway Board being advised in advance of the approximate extra cost involved.

The Government of India has recently set up a new organisation under the Chief Adviser, Factories, to advise the central and provincial Governments in the administration of the Factories Act and other matters connected with factory legislation and conditions. The Factories Act is administered by provincial Governments through their factory inspectors. The Mines Act is administered by the Government of India through a Chief Inspector and inspectors of mines.

Up to July 1945, the application of the provisions introduced by the Indian Railways (Amendment) Act, 1930, was entrusted to two supervisors of railway labour assisted by twenty-three labour inspectors. This organisation has since become part of a new system, and the law is now administered through a Chief Labour Commissioner at headquarters and by regional labour commissioners, assisted, as before, by labour inspectors.

No legal decisions have come to the notice of the Government. No Note concerning the working of the Factories Act during 1945 has yet been published in the *Indian Labour Gazette*. No observations were made by employers' or workers' organisations.

The Government of *Luxembourg* states that, in order to hasten the reconstruction of the country and to allow for working hours lost because of bad weather, it has approved the hours of work established for the building industry in a collective agreement concluded on 1 August 1946. According to this agreement, the average working week throughout the year is to be 48 hours, and may be as much as 55 hours during the months of April to September inclusive, and 49 hours during the months of March and October. It may be reduced to 44 hours in February and November and to 39 hours during December and January. This agreement covers 450 employers and 5,000 building workers. The Government refers to the annual report of the Inspectorate of Labour

for 1946, and adds that the application of the legislation is entrusted to the Inspectorate of Labour and of Mines, which was reorganised and strengthened by the Order of 26 March 1945. No decisions were given by the courts.

The Government of *New Zealand* repeats the information given in its report for 1945-1946 concerning the application of the various Articles of the Convention and supplies further details concerning the application of the provisions on this subject under the Factory Act of 1946, which extends and amends the Factory Act of 1921-1922, as already amended in 1936 and 1945.

No decisions were given by courts of law and no contraventions were reported by the labour inspectors. The number of workers covered by the legislation during the period under review was 248,805. No observations were 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. The report contains particulars of the occupations which have been added to the list of processes classified as being necessarily continuous. The courts gave various decisions relating to the administration of legislation on working hours. The report also contains statistical information for the Lisbon district. The number of cases of infringements of legislative measures reported was 3,641, and a total of two million supplementary hours was authorised. No important observations were received from the employers' or workers' organisations.

The Government of *Venezuela* repeats the information contained in its previous reports and states that, according to the provisions of the new Constitution, labour legislation provides for a normal maximum of eight hours in the day or seven in the night as well as a weekly paid rest; this covers manual and intellectual workers and technicians, though exception is made in the case of certain occupations. The Government therefore envisages the creation of a special technical committee, composed of representatives of the Government and of employers' and workers' organisations, whose principal object will be to draw up the Bills and regulations dealing with the social guarantees authorised under the new Constitution. The above-mentioned committee will also examine the possibility of including in these texts numerous Conventions and Recommendations adopted by the International Labour Conference.

In its detailed report on the application of the Convention, the Government states that the Decree of 30 November 1945 increases the number of labour inspectors to 23. Moreover, the federal executive autho-

rity has appointed women labour inspectors, who are entrusted with all questions concerning the supervision of the work of women and young persons, and subsequently established a service for the work of women and young persons. Under the Decree of 1945, the number of special permanent officials appointed by the labour inspectors to carry out their instructions was increased to 55, and later to 87. The Act concerning the budget for the fiscal year beginning 1 July 1947 contains provisions to increase this figure to 118.

During the period under review no decisions relative to the application of the Convention were given by the labour courts. The Government adds that the statistical service is now being reorganised and gives the following information: during 1946-1947, the various labour inspectors of the Republic received requests from 552 employers for authorisation for overtime work; a total of 755,626 hours of overtime, affecting 77,742 workers, were authorised.

The Government refers to the observation concerning Article 6 of the Convention made by the Committee of Experts in 1947 to the effect that the legislation appeared to admit the practice of overtime simply by permission of the labour inspector and made no mention of consultation with employers' and workers' organisations. In its report for 1946-1947, the Government states that no regulations providing for temporary or permanent exceptions are laid down for the industries or professions (authorised under Article 6 of the Convention), other than those mentioned in §§ 62 and 64 of the Regulations issued under the Labour Act. It has therefore been the practice for the labour inspectors to authorise on their own responsibility the increase of hours of work as provided for under § 59 of the Act.

* * *

The Government of *Burma* states that working hours in factories are limited to 60 a week and eleven a day in seasonal factories, to 54 a week and ten a day in perennial factories, and to 56 a week for workers engaged on a shift system. In mines, hours of work are fixed at 54 a week and ten a day above ground and nine in any one day below ground.

Temporary exceptions are permissible under pressure of work or to carry out urgent repairs. Overtime premium rates of 25 per cent. must be paid for hours worked in excess of the normal daily or weekly hours. No overtime work is permitted in mines.

The report supplies the following list of continuous processes: electrical generating stations, ice factories, mineral oil mills, timber seasoning plants, water and oil pumping stations, air and gas compressing stations, chemical works, vegetable oil mills and sugar factories.

The Chief Inspector of Factories and

the Chief Inspector of Mines are entrusted with the application of the legislation and its enforcement is carried out by inspectors who make frequent visits to factories and mines.

The report adds that the provisions of the Convention have been in force for a number of years and most workers in factories are now aware of the fact that they should not work longer hours than those allowed by the legislation. Moreover, certain large establishments have adopted the 48-hour week in practice.

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

The Government of *France* supplements the information supplied in its report for 1945-1946 with the statement that Martinique, Guadeloupe, French Guiana and New Caledonia, now governed by the provisions of the Act of 21 June 1936 concerning the forty-hour week, are no longer non-metropolitan territories, but French Departments.

The Government of *New Zealand* repeats the information supplied in its previous report.

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

2. Convention concerning unemployment

This Convention came into force on 14 July 1921

Countries	Date of registration of ratification	Reports received
Argentina	30.11.1933	
Austria	12. 6.1924	16.12.1947
Belgium	25. 8.1930	29.11.1947
Bulgaria	14. 2.1922	2. 2.1948
Chile	31. 5.1933	25. 2.1948
Colombia	26. 6.1933	
Denmark	13.10.1921	15.11.1947
Estonia	20.12.1922	
Finland	19.10.1921	10.11.1947
France	25. 8.1925	4. 3.1948
Germany	6. 6.1925	
Greece	19.11.1920	
Hungary	1. 3.1928	4.12.1947
India ¹	14. 7.1921	
Ireland	4. 9.1925	10.12.1947
Italy	10. 4.1923	22.12.1947
Japan	23.11.1922	
Luxembourg	16. 4.1928	5. 1.1948
Netherlands	6. 2.1932	8.12.1947
New Zealand	29. 3.1938	
Nicaragua	12. 4.1934	
Norway	23.11.1921	7. 1.1948
Pakistan ²	14. 7.1921	
Poland	21. 6.1924	15.12.1947
Rumania	13. 6.1921	
Spain	4. 7.1923	
Sweden	27. 9.1921	28.11.1947
Switzerland	9.10.1922	17.11.1947
Union of South Africa	20. 2.1924	26.11.1947
United Kingdom	14. 7.1921	23.12.1947
Uruguay	6. 6.1933	
Venezuela	20.11.1944	2. 2.1948
Yugoslavia	1. 4.1927	
* * *	* * *	* * *
Burma ³	14. 7.1921	13.12.1947

¹ Ratification denounced 16.4.1938.

² See footnote 2 to Convention No. 1.

³ See footnote 3 to Convention No. 1.

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

Austria.

Federal Act of 15 May 1946 respecting temporary measures in connection with unemployment assistance (Unemployment Assistance Act) (B.G.Bl. No. 97 of 1946), as amended by the Federal Acts of 12 December 1946 (B.G.Bl. No. 14 of 1947) and 15 May 1947 (B.G.Bl. No. 153 of 1947).

Act of 16 July 1927 respecting employment exchanges and unemployment insurance (L.S. 1927, Ger. 5).

Act of 5 November 1935 respecting employment exchanges, vocational guidance and the placing of apprentices (L.S. 1935, Ger. 11 A). Order of 11 April 1947, to reissue the Federal Constitutional Act to ensure the necessary manpower for reconstruction (Compulsory Labour Service Act) (B.G.Bl. No. 103/1947).

Federal Act of 11 June 1947, to repeal the Order of 1 September 1939 (Deutsches R.G.Bl. I, p. 1685), restricting change of employment (B.G.Bl. No. 134/1947).

Federal Act of 25 July 1946 respecting the employment of disabled persons (B.G.Bl. No. 163/1946).

Federal Act of 17 July 1945 respecting assistance to victims of the struggle for a free, democratic Austria (B.G.Bl. No. 90/1945).

Federal Act of 4 July 1947 respecting the reinstatement of disabled workers (B.G.Bl. No. 160/1947).

Belgium.

Legislative Order of 28 December 1944, respecting social security for employees (L.S. 1944, Bel. 2).

Order of the Regent of 26 May 1945, to set up the Provisional Fund for the maintenance of involuntarily unemployed persons (L.S. 1945, Bel. 1).

Order of the Regent of 25 October 1945, to set up, under the Provisional Fund for the maintenance of unemployed persons, specialised sections for the placing and vocational supervising of young workers.

Ministerial Order of 26 November 1945, amending § 81 of the Order of 26 May 1945 setting up the Provisional Fund for the maintenance of unemployed persons.

INTRODUCTORY NOTE

The Government of *Burma* states that there is no legislation to apply the provisions of the Convention, and adds that an Employment Exchanges Bill is under consideration.

Ministerial Order of 20 December 1945, respecting the granting of certain benefits in cash or in kind to unemployed persons undergoing vocational rehabilitation.

Order of the Regent of 29 December 1945, increasing the rates of unemployment allowances.

Ministerial Order of 31 December 1945, establishing wages of reference as required for the application of § 79 of the Order setting up the Fund for the maintenance of unemployed persons.

Ministerial Order No. 1 of 7 January 1946 and No. 2 of 18 July 1946, setting up specialised sections for the placing of young persons.

Order of the Regent of 22 January 1946, concerning the granting of unemployment allowances to seasonal workers.

Order of the Regent of 12 March 1946, establishing the conditions and procedure required for obtaining unemployment allowances in the event of a strike or lock-out.

Ministerial Order of 7 May 1946, appointing the officials for the inspection of fee-charging employment exchanges.

Ministerial Order of 10 August 1946, relating to the re-engagement of unemployed persons by public undertakings.

Ministerial Order of 20 September 1946, respecting the granting of subsidies for administrative expenses to workers' organisations approved as agencies for the payment of unemployment allowances.

Ministerial Order of 28 October 1946, respecting the granting of certain benefits in cash or in kind to unemployed persons undergoing vocational rehabilitation, amending the Ministerial Order of 20 December 1945.

Order of the Regent of 18 November 1946, to amend the provisions of §§ 81 and 84 of the Order setting up the Fund for the maintenance of unemployed persons.

Order of the Regent of 24 March 1947, to increase the number of technical members of the National Board for the placing in employment and for vocational supervision of young workers.

Order of the Regent of 5 May 1947, providing for an increase in the rates of unemployment allowances.

Ministerial Order of 6 May 1947 to modify the wage of reference for the purposes of application of § 79 of the Order setting up the Fund for the maintenance of unemployed persons.

Order of the Regent of 3 June 1947, to amend the provisions of § 84 of the Order setting up the Fund for the maintenance of unemployed persons.

Order of the Regent of 4 June 1947, to authorise allowances, by way of exception, to certain categories of workers over 65 years of age or over the statutory pensionable age.

Ministerial Order of 20 June 1947, to apply the Order of the Regent of 4 June 1947 and to declare that a shortage of manpower exists in all occupational categories throughout the country.

Bulgaria.

Act concerning employment exchanges and unemployment insurance of 12 April 1925, amended by Act of 30 April 1941.

Decree No. 722 of 1938 concerning seasonal unemployment.

Decree No. 17 of 1944 concerning the placement of workers in the construction industry.

Decree No. 2 of 1945 concerning compulsory placement in employment through the employment service.

Decree No. 3 of 1946 concerning the placement of professional musicians.

Decree No. 1 of 1946 concerning the placement of workers in tobacco processing.

Decree No. 4 of 1946 amending Decree No. 2 of 1945.

Ministerial Decree No. 7 of 1946 concerning the economic organisations of workers.

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 1 B).

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. 153 of 25 March 1947 respecting the public employment service and unemployment insurance, to replace Notification No. 339 of 29 July 1942.

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.

France.

Decree of 6 May 1939 to consolidate existing enactments relating to unemployment and to amend certain of their provisions (L.S. 1939, Fr. 8, A and B) as amended by the Decrees of 10 May and 27 November 1946.

Act of 11 October 1940 respecting the placing of workers and assistance to unemployed workers.

Decree of 11 October 1940 issued in application of the above-named Act, to fix the rate of

employment allowances to workers who are involuntarily unemployed, supplemented by the Decree of 9 November 1946 and by the Act of 23 August 1946.

Decree of 27 November 1941, issued in application of the Act of 11 October 1940, to lay down the methods of procedure and the organisation and functioning of the service entrusted with assistance to unemployed workers.

Acts of 8 October 1940 and 15 November 1943 respecting the priority for the placing in employment or the re-engagement of fathers of large families.

Act of 13 September 1940 respecting the priority for the placing in employment of ex-servicemen.

Ordinance of 1 May 1945, respecting priority for the placing in employment of former prisoners, deportees and refugees.

Ordinance No. 45-1030 of 24 May 1945 respecting the placing of employees and the supervision of employment (L.S. 1945, Fr. 7).

Decrees of 10 February and 22 March 1946 to set up a Guidance and Re-employment Centre.

Decree No. 46-1003 of 27 April 1946 to issue public administrative regulations for the reorganisation of local labour and manpower services (L.S. 1946, Fr. 9), to replace, *inter alia*, the Ordinance of 3 July 1944.

Decrees of 8 January 1941, 14 December 1945, 1 April 1946 and 19 September 1946, and of 22 September 1946, respecting unemployment benefits for certain categories of workers when partially unemployed.

Act of 21 October 1946 respecting benefits to workers employed in the building industry and by public works undertakings when exposed to the inclemencies of the weather, supplemented by the Decree of 11 December 1946.

Decree of 27 November 1946 to organise a Manpower Section under the National Labour Council.

Decree of 5 November 1936 respecting the putting into effect of the Convention concerning an international statute for refugees, signed at Geneva on 28 October 1933.

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.

Decree No. 30.585/1947, respecting the functions of joint committees established to assist the trade union employment offices.

Ireland.

The Labour Exchanges Act, 1909.

Unemployment Insurance Acts, 1920-1933 (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, 1938 and 1940.

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

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

Unemployment Insurance Act, 1946.

Social Welfare Schemes (Cash Supplements) Order, 1947.

Italy.

Legislative Decree No. 124 of 17 March 1941 increasing, from 120 to 180, the maximum number of days for which unemployment benefit may be paid.

Legislative Decree No. 579 of 31 August 1945, establishing higher unemployment benefits.

Legislative Decree No. 373 of 20 May 1946, to increase the rate of the supplementary unemployment benefit and to provide special allowances for unemployed persons not entitled to the above-named benefit.

Legislative Decree No. 201 of 23 August 1946, granting special unemployment benefit for the families of emigrants.

Legislative Decrees No. 50 of 8 February 1946, No. 552 of 30 May 1946 and No. 152 of 23 August 1946, containing certain provisions for industrial workers in Northern Italy (protection from dismissal).

Legislative Decree No. 27 of 14 February 1946, setting up further provisions concerning the compulsory reinstatement in employment of former members of the armed forces, of deportees, internees and prisoners (*reduci*).

Legislative Decree No. 81 of 5 March 1946, issuing new provisions concerning the compulsory engagement of former members of the armed forces, of deportees, internees and prisoners (*reduci*) in private enterprises.

Legislative Decree No. 138 of 26 March 1946, relating to compulsory engagement of former members of the armed forces, of deportees, internees and prisoners (*reduci*) in public services.

Legislative Decree No. 31 of 1 July 1946, providing for the absorption of unemployed persons in agricultural occupations.

Legislative Decree No. 61 of 24 February 1947, to increase the minimum period of retention in employment of workers engaged or re-engaged as prescribed in Legislative Decree No. 27 of 14 February 1946.

Legislative Decree No. 115 of 15 March 1947, issuing new regulations regarding the granting of supplementary benefits to industrial workers.

Ministerial Decree of 1 April 1947, to increase, up to forty in the week, the number of hours not worked by workers belonging to undertakings in the "Italian paste" industry in the Province of Caserta.

Ministerial Decree of 1 May 1947, providing for grants in respect of hours not worked, up to forty in the week, to workers belonging to undertakings in the "Italian paste" industry in the Provinces of Napoli, Roma, Reggio Calabria, Bari, Firenze, Apuania, Pistoia, Arezzo, Cagliari, Catania, Enna, Livorno, Messina, Palermo, Pisa, Ragusa, Sassari, Salerno, Siracusa, Terni.

Legislative Decree No. 566 of 24 May 1947, providing for a temporary exception to the provisions of § 56 of Royal Decree No. 2440 of 18 November 1923, regarding the granting of subsidies to combat unemployment and to encourage production in agricultural undertakings.

Legislative Decree No. 636 of 13 June 1947 to prolong to 30 June 1947 the application of the provisions regarding the granting of supplementary benefits to industrial workers.

Legislative Decree No. 752 of 16 July 1947, to extend the period laid down in paragraph 1 of § 1 of Legislative Decree No. 115 of 15 March 1947, issuing new regulations regarding

the granting of supplementary benefits to industrial workers.

Ministerial Decree of 19 July 1947, to extend the granting of supplementary benefits and of family allowances to workers belonging to undertakings in the "Italian paste" industry in the provinces of Napoli, Roma, Reggio Calabria, Bari, Firenze, Apuania, Pistoia, Arezzo, Cagliari, Catania, Enna, Livorno, Messina, Palermo, Pisa, Ragusa, Sassari, Salerno, Siracusa, Terni and Caserta.

Ministerial Decree of 20 July 1947, to provide for the granting of supplementary benefits and family allowances, to workers belonging to the "AVIS" Company of Castellamare di Stabia.

Legislative Decree No. 841 of 29 July 1947, to prolong the term of one year specified in § 1 of Legislative Decree No. 124 of 17 March 1947 regarding entitlement to unemployment benefit.

Legislative Decree No. 869 of 12 August 1947, to issue new provisions regarding supplementary benefits.

Legislative Decree No. 927 of 1 September 1947, issuing provisional rules for the application of the new provisions regarding supplementary benefits to employees.

Legislative Decree No. 929 of 16 September 1947, issuing rules regarding the maximum employment of agricultural workers.

Luxembourg.

Act of 5 March 1928 to approve the Conventions adopted by the International Labour Conference during its first ten years (1919-1927).

Legislative Order of 30 June 1945 to provide for the setting up of a National Labour Office and to issue regulations covering all problems connected with the organisation of the employment service, including unemployment.

Netherlands.

Decree of 17 July 1944, to issue rules respecting employment exchange work and vocational training and retraining and industrial rehabilitation (L.S. 1944, Neth. 1).

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 and the granting of subsidies for suspension allowances to the staff employed by private undertakings (liberated regions).

Norway.

Unemployment Insurance Act of 24 June 1938 (L.S. 1938, Nor. 3), amended by Royal Decree of 14 July 1939 concerning exemption from compulsory unemployment insurance, amended and supplemented by the Act of 13 December 1946, as well as by the Regulations concerning unemployment insurance for seafarers in overseas trade, issued under Royal Decrees of 28 March and 18 April 1947.

Employment Service Act of 27 June 1947.

Provisional Act of 11 July 1947, and Royal Decree of the same date, concerning the supply of labour for the building and construction industries.

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.

Order of the Minister of Labour and Social Welfare, dated 28 November 1946, concerning the methods of carrying out the registration called for by the Decree of 8 January 1946 regarding registration for employment and compulsory labour service.

Order of the Minister of Labour and Social Welfare, dated 14 March 1947, made in agreement between the Ministers of Public Administration and Recovered Territories, concerning the documents justifying exemption from registration under the Decree of 8 January 1946 concerning registration for employment and compulsory labour service.

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.

Amendment of 1947 to the Royal Ordinance of 15 June 1934 concerning unemployment benefit.

Decision of the Riksdag of June 1947, approving the Government Bill to establish the State Employment Board and to centralise the employment service on a national basis.

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 of 1945 relating to assistance to the unemployed and to employment.
- Various Federal Orders and Resolutions of 1946 and 1947 to encourage the supply of voluntary helpers in agriculture.
- Order of the Federal Council of 4 April 1946 (§ 34 *ter* (e) (f)) to revise those Articles of the Federal Constitution which relate to employment exchanges, unemployment insurance and assistance to the unemployed.

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, 36 of 1944 and 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).
- Registration for Employment Act, No. 34 of 1945.
- Regulations (provision and control of labour) under § 2 of the Housing (Emergency Powers) Act, No. 45 of 1945.
- Unemployment Insurance Act, No. 53 of 1946.

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.
- Ministry of National Insurance Act, 1944.
- 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 employment organisation and 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.

Venezuela.

- Labour Act of 16 July 1936 (L.S. 1936, Ven. 2), as amended by the Act of 4 May 1945 (L.S. 1945, Ven. 1).
- Regulations of 30 November 1938 issued under the Labour Act.
- Decree No. 240 of 6 April 1946 to set up a national employment exchange.

* * *

Burma.

See introductory note.

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*

Austria : The Government, in its first report since that for 1936-1937, states that the information called for under Article 1 is now being sent regularly every three months to the International Labour Office.

Belgium : Statistical data on unemployment are sent regularly to the International Labour Office by the Fund for the maintenance of the unemployed. The Fund is responsible for the application of the relevant statutory provisions. The Ministry of Labour and Social Welfare is responsible for the supervision of the application of these measures. It examines, from the legal point of view, all decisions given by the Unemployment Complaints Commission and lodges an appeal before the National Appeals Commission in cases where there has been a breach of an Act, Order or regulation. Moreover, the Ministry is authorised to interpret any question arising out of the regulations and may make or propose any new rules in the form of an Act, Order or regulation.

Bulgaria : The Government states that the provisions relating to the supply of information on unemployment were applied systematically before the war.

Chile : The report contains statistical information regarding unemployment and the national employment service for the year 1946. The Government forwards information in this connection to the International Labour Office at monthly intervals.

Denmark : The Government refers to its report for the period 1945-1946, in which

it stated that 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.

France : The Government states, in a detailed report, that its unemployment legislation has been considerably modified in the course of the past few years. The amending and consolidating Decree of 6 May 1939 continues to form the basis of current regulation, especially as regards the right to and continued payment of unemployment benefit. By the Act of 11 October 1940, the existing unemployment institutions were taken over by the State and brought directly under the public employment services. The Decree of 27 November 1941, issued in pursuance of the above Act, provides for variation of unemployment allowance rates in accordance with the number of inhabitants of the commune concerned ; on 9 November 1946 the rates varied from 56 francs per day in communes with under 5,000 inhabitants to 75 francs per day in the Paris region, with allowances for certain categories of dependants similarly varying from 33 to 44 francs per day. The Act of 22 August 1946 stipulates that no such allowances shall be paid by the public employment services for children in respect of whom family allowances proper are payable, and provides that as from 1 January 1947 both the family allowances and (where appropriate) the single wage allowance shall continue to be paid to unemployed workers by the family allowances equalisation funds.

By the Act of 11 October 1940 it is possible to call upon unemployed workers to give their services without pay up to a maximum of two hours a day on public works. Various connected measures were also introduced, from 1941 onwards, to make provision for partial unemployment.

The normal unemployment legislation based on the Act of 11 October 1940 is unaffected by the emergency measures adopted to deal with unemployment before and after the liberation of France and retains full force and effect.

There is as yet no general system of unemployment insurance, as distinct from assistance, in France. Two special insurance schemes have, however, been instituted, the one to cover wage-earners in building and

public works against unemployment caused by inclement weather, the other to cover dockers. In each case benefit is paid out of a fund financed by employers' contributions. These two measures constitute a distinct innovation in French unemployment legislation. There are also a limited number of trade union and mutual benefit unemployment funds, financed by members' contributions and subject to the conditions laid down in §§ 102-108 of the consolidating Decree of 6 May 1939.

Hungary : Statistical information relating to the labour market in industry is now being examined in accordance with the provisions of Ordinance No. 48,400 of 11 July 1946. During the period under review, the number of unemployed agricultural workers increased from 39,500 in October 1946 to 96,316 in September 1947.

Ireland : In September 1947 there were 37,462 persons on the live registers of the employment exchanges and branch offices. Of this number, 13,721 had current unemployment benefit claims and 20,283 current unemployment assistance applications.

Italy : The report contains statistical data on unemployment during the period under review. In October 1946, 1,946,026 unemployed persons were registered with the employment exchanges, and in September 1947 the number was 1,870,331.

Luxembourg : The National Labour Office includes a statistical and an unemployment section. The weekly reports of these sections are communicated regularly to the International Labour Office.

Netherlands : The Central Statistical Bureau sends the International Labour Office each month figures for the number of unemployed persons registered and for the number of vacancies notified to the regional labour exchanges.

Norway : The publications of the Employment Directorate are sent regularly to the International Labour Office.

The Government refers to its report for 1945-1946 in which it stated that practical measures to combat unemployment include the adoption by the Ministry of Social Affairs on 21 March 1946 of regulations concerning government aid to activities undertaken by municipal authorities in this connection. The budget will be increased in order to provide against the deterioration of the economic position likely to lead to unemployment.

Under the Act of 13 December 1946, the Unemployment Insurance Act was supplemented by a new section (39). According to the provisions of this section, a proportion of the amounts of the local unemployment funds (estimated provisionally at about 80 million kroner) will be transferred to the respective county funds. A certain proportion of the reserve funds will be used for measures to combat unemployment. To its report for 1946-1947 the Government

appends a brief survey of the employment policy pursued during the preceding year.

Poland : There has been no general problem of unemployment during the period under review. However, towards the end of this period plans were made and applied for the purpose of eliminating certain local pockets of unemployment. This involved measures for the transfer of workers, especially those dismissed as a result of the suppression of redundant posts, the setting up of co-operatives and labour groups to provide work for the unemployed, especially women, and subsidies for vocational training and vocational guidance.

Sweden : The Government sends the International Labour Office information published each month in *Sociale 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 schemes supported by the Government to provide employment for unemployed workers, most of whom are semi-fit for employment. The numbers of ex-servicemen still to be placed in employment have decreased considerably; military demobilisation has been almost entirely completed. In so far as Natives are concerned, there has been no mass unemployment as a result of the change-over from war to peace. The demand for labour remains substantially as indicated in the Government's reports since 1943. Demand for labour on farms and in rural industries and mines continues at a high level.

United Kingdom : The Government supplies detailed information concerning a number of changes which have been made in the system of unemployment insurance and assistance.

Venezuela : The National Employment Exchange, which was set up in the capital under Decree No. 240 of 6 April 1946, is responsible for various measures to combat unemployment, including in particular the co-ordination of the demand for and the supply of labour, the investigation of the causes of unemployment and the living conditions of the unemployed, and the recommendation of measures for the solution of problems arising from unemployment.

* * *

Burma : Although the Director of Labour is collecting all possible labour statistics, reliable statistics on unemployment are not yet available. As soon as such statistics are collected, they will be communicated regularly and promptly to the International Labour Office.

As a result of enquiries by the Labour Directorate into the situation in the oil fields, a committee of enquiry was set up

in May 1947 and recommended that a number of public works should be begun in order to give employment to some 8,000 persons who had become unemployed owing to the ruin of the oil fields during the war. These proposals have been approved by the Government. It is hoped in future to furnish reports on measures of this kind to combat unemployment, together with statistics relating to unemployment.

(b) *Public Employment Service*

Austria : The Government states that Austria has a system of provincial employment offices under the direction and supervision of the Federal Ministry of Social Administration. This system is based on § 55 of the Public Authorities (Transitional) Act, 1945, by which the provincial and local labour offices established under German law were maintained in operation as Austrian offices. There are nine provincial labour offices (one for each federal province) and 108 local labour offices. Joint committees of employers and wage-earners have been set up to advise the offices and have been closely associated with their administration; a law is now in preparation to extend still further the administration of the labour offices by employers and wage-earners and to give this system legal status.

Supervisory services of the Ministry and of the provincial labour offices examine the working of the offices in detail when necessary. In general, the application by the labour offices of the legislation respecting placing in employment, vocational guidance and unemployment assistance has proved highly satisfactory; the collaboration of employers' and workers' representatives with the authorities has also given excellent results.

Outside this network of labour offices there are only a limited number of employment agencies serving the interests of certain occupational organisations by placing their members, and a few private agencies operating for profit by the placing of musicians, theatrical artists, etc. Such agencies come under the supervision of the provincial labour offices.

During 1946 the number of applications for employment registered with the employment offices averaged 128,689 per month, the number of vacancies 139,777, and the number of vacancies filled through the offices 119,515.

Belgium : The Government states that the employment service, as now organised under the provisions of the Order of 26 May 1945, meets the essential obligations of the Convention. The Fund for the maintenance of the unemployed, under the Ministry of Labour and Social Security, is responsible for the following important functions : the establishment of a system of free public employment exchanges, under the control of a central authority (the Fund for the maintenance of the unemployed); the setting up of advisory committees to

be attached to each regional centre of the Fund, the members of which are appointed by the Minister of Labour and Social Insurance (four members are nominated by the most representative employers' organisations in the district and four by the most representative workers' organisations; the chairman is an independent person and is elected by the members); and the co-ordination of the activities of public and private free employment exchanges.

There are now twenty-five regional offices of the Fund and twenty-one approved private free employment agencies. The work carried out by the latter is relatively unimportant compared to that done by the official exchanges. The activities of both the regional offices of the Fund and of the private offices are regularly reported in the statistical reports of the Fund.

The Government has not yet studied the question of the international co-ordination of national placing operations. This problem is difficult to solve because of the policy — adopted at present in most countries as a result of the manpower shortage — of protecting the national labour force.

Bulgaria : The report states that the first paragraph of Article 2 of the Convention (relating to the maintenance of a system of free public employment agencies under the control of a central authority and of advisory committees including representatives of employers and workers) is applied, but that the second paragraph (relating to the co-ordination of public and private free employment agencies) is not being applied.

Chile : During the year 1946, a total of 11,703 persons (4,017 wage-earners, 7,292 salaried employees and 394 domestic servants) were placed in employment by the national employment service. The monthly average of registered unemployed workers was 3,425, the highest month being May, with 4,230 registrations, and the lowest October, with 3,049.

Denmark : The Government refers to its report for 1945-1946 and adds that Notification No. 339 of 29 July 1942, providing for the establishment of public employment offices, has now been replaced by Notification No. 153 of 25 March 1947. There are at present 30 public employment offices and seven branch offices. A total number of 1,713,154 persons reported to the offices as unemployed in 1945-1946, and of these 332,374 were placed in employment by the public employment offices.

Finland : The Government repeats the detailed information given in its previous reports which shows that no fundamental change has been made in the public employment service.

France : The effect of recent legislation has been to dispense with the regional level and to fuse the manpower services with the labour inspection services; the Decree of 27 April 1946 (which abrogated various

legislative measures governing the administrative structure of the public employment services) instituted the "external" (i.e., local, comprising all services other than the central services) labour and manpower services.

In addition to the above measures of a general administrative nature, special provisions have been issued to give priority in employment or re-employment to certain categories of workers, *inter alia*, fathers of large families, ex-servicemen and displaced persons. By the Order of 24 May 1945 all appointments or discharges of certain specified categories of workers became subject to official authorisation; the same Order prescribed a time limit of one year for the liquidation of all private and fee-charging employment agencies.

For convenience, the labour and manpower services may be divided into administrative authorities and advisory bodies. On the administrative side, the superior authority was, until its recent dissolution, the General Directorate of Labour and Manpower; it is now the National Manpower Directorate. The duties of this authority are the centralisation of investigations, reports, statistics and documentation in general. The Decree of 27 April 1946 instituted "resident divisional inspectors", each responsible for a quarterly review of the situation in his area, and for co-ordination of methods within that area. Other divisional inspectors are assigned permanently to the General Inspectorate of Labour in Paris for the examination of certain broad questions such as foreign labour, movements of manpower, etc.; they are empowered, however, to make visits of investigation to local manpower offices.

The Decree of 27 April 1946 brought all local services within a given department under a departmental director representing the Ministry. There are also local sections, 250 of which were in the principal localities in 1946. In Paris itself, inter-occupational sections each operating within a certain part of the urban area have taken the place, with certain exceptions, of the former occupational sections which each embraced the whole area.

On 1 January 1946, the agricultural manpower offices were transferred from the authority of the Ministry of Agriculture to that of the Ministry of Labour. These offices are, in effect, occupational sections of the departmental manpower services, enjoying a certain degree of functional autonomy; they deal with the placing of workers in agriculture, and with the whole series of problems raised by the employment of agricultural workers. Lastly, in certain centres not large enough to possess technical sections, part-time local correspondents have been appointed, who report vacancies for employment and communicate them to the manpower service to which they are responsible.

On the advisory side, the higher employment authority is the manpower section of

the National Labour Council, set up by the Decree of 27 December 1946 to replace, *inter alia*, the former National Manpower Commission. This manpower section is competent to deal with all questions relating to the placing, engagement and domicile of workers, priority categories, conditions of employment of foreign manpower, vocational training and apprenticeship.

At the local level departmental manpower boards were set up by a Circular of 1 November 1944, each of which is presided over by the Departmental Director of Labour and Manpower, and consists of officials concerned with the manpower problems of the particular department and of representatives of employers' and workers' organisations and of craft guilds. The local sections of the manpower services are assisted by advisory committees specially appointed by the Ministry of Labour, each composed of seven officials, four representatives of the employers' organisations and four of the workers' organisations. The occupational manpower sections in turn are advised by joint committees, each with at least four employers' and four workers' representatives, and each under the chairmanship of the Departmental Director of Labour and Manpower. The joint committees advising the agricultural manpower offices are presided over alternately by an agricultural employer and an agricultural worker; their membership includes the Departmental Director of Labour and Manpower and the local Director of Agricultural Services, each with the right to advise but not to vote.

The organisation outlined above has succeeded, to a very large extent, in satisfying the applications and filling the vacancies registered. In view of the difficulties caused by the war, the documentation existing with respect to the last few years is, however, unfortunately too fragmentary to permit the compilation of really significant statistics. For information, it is indicated that in 1946 the number of persons placed in employment attained an average of 109,400 per month.

Hungary : On 30 September 1947 the number of employment offices operated by trade unions, excluding agricultural offices, was sixty-four. During the period under review, these offices registered 1,181,580 applications for work and 376,801 vacancies, and made 359,629 placings. There are 1,112 local offices and twenty-six departmental employment offices for agricultural workers. During 1946, these offices found employment for 181,964 men, 41,762 women and 18,249 young workers.

By Decree No. 30585 of 1947, the Minister for Industry stipulated that the competence of the joint committees set up to assist the trade union employment offices extended only to questions relating to the placing of workers and not to questions concerning the validity or the breaking of labour contracts, a legal problem which lies within the competence of the labour courts.

Ireland : The administration of the system of national employment exchanges was transferred on 22 January 1947 to the Department of Social Welfare, which was established on that date.

The issue of food vouchers to certain recipients of unemployment assistance has ceased since the food voucher scheme, in so far as it related to such persons, was discontinued as from and including 26 March 1947.

Italy : The Government states that the employment service, which is free and the maintenance of which is compulsory, as provided in Royal Legislative Decree No. 1924 of 21 December 1938 (converted into Act No. 739 of 2 June 1939) is now administered through labour offices established in the principal provincial towns, with offices in the main centres and agents in the other communes. The labour offices are under the direct control of the Ministry of Labour and Social Welfare. There are no legislative provisions of a general character concerning the establishment of joint advisory committees and the appointment of their members, but committees of the sort envisaged under Article 2 of the Convention have nevertheless been set up at the majority of the provincial labour offices. Their composition is generally established by Orders of the Prefect.

The number of employment offices is roughly equal to that of the communes of the Republic. There are three classes of these offices : (a) those staffed by personnel of the regional and provincial labour offices, which exist in all provincial capitals and in the larger towns and number about 650 in all ; (b) offices in smaller communes, staffed by local employment officers chosen from among the employees of the local authorities and paid a fixed amount for their employment service work ; (c) employment offices which have been established in some areas (Emilia, Apulia) by the free trade unions and which are not subject to government supervision.

There are no private employment agencies other than those conducted by the free trade unions, since such agencies are not permitted by the Royal Legislative Decree of 21 December 1938.

Luxembourg : The general organisation of the public employment service is set forth in the Legislative Order of 30 June 1945. Information relating to the composition and method of election of the advisory committees representing employers and workers is contained in §§ 18-22 of this Order.

There are only two free private employment agencies. Their operations are regulated under § 29 of the above-mentioned Order.

During the period under review, the employment service registered 21,050 applicants for employment ; 22,260 vacancies were notified, and 18,610 placings effected.

The co-ordination of the different national

systems can best be achieved through international co-operation among the employment services. An exchange of documentation and meetings (at present within the general framework of social co-operation) has been taking place on a limited scale since December 1945 between France, Belgium, Poland and Luxembourg. A bilateral agreement with Italy is in preparation and an exchange of views has been taking place with Switzerland.

Netherlands : The National Labour Office under the Ministry of Social Affairs is entrusted with employment service functions. The National Labour Office is composed of a central office and twenty-five regional offices, the regional offices being assisted by 132 local agencies. The regional offices are organised on a uniform basis according to branches of industry; each of these branches is incorporated in the section concerned with the organisation of employment, which deals with all questions relating to employment and placing. The number and the character of the industrial branches within the regional offices vary according to the economic structure of the particular regions. There are also sections for special placing, for example, for the placing of young workers, women and the disabled. From 1 September 1947, special vocational guidance sections have been set up in the regional offices. The Central Labour Office and the regional offices are assisted by advisory committees, on which employers and workers are represented in equal numbers.

Private employment agencies, whether operating for profit or not, must be approved by the Ministry of Social Affairs. At present there are still ten employment offices operating for profit (five for artists, musical and other, and five for household workers) and an equal number of non-profit-making agencies (for example, operated by certain retraining agencies, women's associations and the Foundation for the merchant marine).

In September 1947, 48,000 men and 8,000 women were registered for employment, 50,000 vacancies for men and 8,500 vacancies for women were notified, and 36,000 placings for men and 4,800 for women were made.

The Government has taken all the necessary measures to co-ordinate the operations of the different national employment services and will continue its work in this direction.

Norway : The Government refers to its report for 1945-1946 in which it stated that private employment agencies must obtain a licence from the Ministry of Social Affairs. Under the Employment Service Act of 1947, private employment agencies are prohibited, and those holding existing licences must wind up their activities within five years. Subject to certain conditions, educational and vocational institutions may apply to the competent Ministry for licences

to carry on free placing work on behalf of their students.

Under the new Employment Service Act, 1947, the basic structure of the employment service remains the same as provided for under the Provisional Decree of 4 May 1945, which provided for the organisation, throughout the country, of a system of free public employment offices. The activities of these offices were co-ordinated by county employment boards, under the control of a central authority. At present the Employment Directorate has nineteen county employment offices and 701 local employment offices under its administration. During the period 1946-1947, 186,640 applications for work were registered, 231,730 vacancies were notified, and 159,588 placings were effected.

The maintenance, composition, and election of advisory committees is provided for under §§ 2, 3 and 4 of the Employment Service Act. The workers' and employers' organisations name their own representatives on the Employment Directorate as well as on the local committees.

The application of the provisions relating to employment exchanges and unemployment insurance is entrusted to the Employment Directorate. The county labour committees and officers of the Employment Directorate make frequent visits of inspection. The control of books, reports and accounts is carried out by the inspectors of the State insurance institution.

Poland : An Ordinance has been issued providing for the setting up of social advisory committees to assist employment offices. These committees are composed of a representative of the provincial authority, who acts as chairman, and of representatives of the trade unions, the labour inspection and social insurance services, the Chamber of Industry and Commerce, the Provincial Chamber of Crafts, the local authorities, the Union of War-Disabled Persons and the employment offices.

During the period under review, there were fourteen employment offices in operation, including three specialised sections for dock workers, and 226 substitute bodies replacing the former local employment offices and provisionally carrying on employment service work under the competent local authorities. A total of 979,092 persons seeking work was registered, 960,123 vacancies were notified and 726,166 persons were placed in employment. During the same period, there was a shortage of manpower in many branches. The Government co-operates closely with the workers' organisations and the trade unions in employment market policy and takes full account of their views in the employment service organisation.

Sweden : By a Decision of the Riksdag in 1947, a General Directorate of Labour will be set up as from 1 January 1948 and the public employment service will be placed

under central State control. The public employment service is at present made up of twenty-five provincial labour boards which supervise the work of twenty-five principal employment offices and 235 branch offices. In addition, there are some 1,025 local employment agents, 465 of which have, in principle, the same duties as the branch offices, while the others work under the direction either of a branch office or of a local agent. Special employment offices for seamen are attached to four of the principal employment offices (Stockholm, Göteborg, Malmö, and Hälsingborg). During the period under review, 1,632,708 applications were registered and 1,495,633 vacancies were notified, 1,166,029 of which were filled.

The service for the placing of young workers was still further developed during 1947. Since 1941, efforts have been made to strengthen the youth guidance and placing activities of the principal employment offices and to extend this specialised work to the branch offices, twenty-five of which were equipped to provide youth placing services at the beginning of October 1947. There are 140 special "contact men" (*kontaktman*), generally teachers, attached to employment offices to co-operate in youth guidance work. The work of the special service for the placing of salaried workers has been extended to include the personnel of shops. The "social curators" appointed to assist in placing persons with reduced working capacity continue their activities.

Switzerland: The Federal Order of 4 April 1946, which was adopted by a referendum on 6 July 1946, revised those Articles of the Federal Constitution which relate to economic subjects. One of these Articles (No. 34 *ter*, (e), (f)) reserves henceforth to the Confederation the sole right of legislator in questions relating to employment exchanges, unemployment insurance and assistance to the unemployed. Formerly, the appropriate cantonal authorities were competent to legislate in these matters. Pending the enactment of enforcing legislation based on these new constitutional provisions, the legislation given in previous reports remains in force.

There have been no changes as regards placing. The work of the public employment service has been greatly facilitated by the exceptionally favourable development of the labour market. This was due mainly to increased activity in the majority of industries and to satisfactory tourist trade. The number of totally unemployed registered with the labour offices at the end of each month has, on the whole, been considerably lower than that registered in corresponding months of the previous period, though this decrease was already very marked before this period.

In order to meet the demand for labour, Switzerland has been obliged to admit a number of foreign workers, in most cases of Italian origin. During the first quarter

of 1947, 63,642 foreign workers were granted permits to enter and reside in Switzerland. The greatest proportion of foreign workers is employed in household work, building, agriculture, the hotel industry, the metal trades, the textile industry and the ready-made clothing branches. More than 80 per cent. of the total number of permits granted to foreign workers was in respect of these occupational groups.

The number of vacancies still remains fairly high as compared with the number of applications, in spite of the fact that it fell as a result of the increased number of foreign workers and of the demand for seasonal labour. During the period under review, the public employment offices have registered 121,492 vacancies and 95,672 applications. The number of placings effected was 52,852. During the same period, the joint placing offices subsidised by the Confederation registered 14,023 vacancies and 9,636 applications. The number of placings effected was 4,025, relating to 1,702 musicians employed by 339 orchestras.

The compulsory labour service, which was used to a great extent by agriculture during the period of mobilisation, was suppressed in 1946. However, in order to encourage persons who are willing to help in agriculture, and in this way to make a contribution to the nation's food supplies, the Federal Council has adopted various measures with regard to regulations for voluntary helpers in agriculture.

Union of South Africa: There has been no change in the system of free public employment agencies which function under the Ministry of Labour, except that their functions have been considerably extended as a result of the application of the Registration for Employment Act (No. 34 of 1945) which came into operation on 1 January 1947. Under this Act, it is compulsory for those classes of work-seekers to which the Act has been applied (namely, European, coloured and Asiatic work-seekers in the larger urban areas) to register at the appropriate departmental employment exchange. It has not yet been possible to apply the provisions of the Act to Natives because there is not yet in existence an employment office system catering for Natives and operating outside the larger centres of population, and because staff and accommodation difficulties have made it impossible to cover these workers effectively up to the present. However, as soon as the present initial difficulties have been overcome, the organisation established under the Unemployment Insurance Act (No. 53 of 1946) to deal with registration for and payment of benefits to unemployed Natives eligible for benefit will form the basis for establishing a complete employment service for Natives.

The Registration for Employment Act (No. 34 of 1945) includes provisions for the establishment of Juvenile Affairs Boards composed of equal numbers of employer

and worker representatives, as well as a certain number of persons representing educational and social interests. In addition to the Boards set up in the larger urban areas, a number of Boards have been established in rural areas where the number of juveniles requiring vocational guidance and assistance in employment matters justifies this step.

The system of placing ex-service personnel in employment, through the dispersal dépôts at which employment officers of the Department of Labour are stationed, continues to operate effectively. During the year under review, a total of 14,344 European ex-servicemen were referred to the employment offices and, of these, 2,152 were returned to their pre-enlistment employment and 10,303 were placed in other employment. The balance consisted of cases provided for under special measures. During the same period 5,874 "Cape Colonists" were referred to employment offices.

During the months of October 1946 and September 1947, the number of applicants for employment and placings effected (including returned soldiers) by the employment exchanges of the Department of Labour were as follows :

	Applicants for work		Placings effected	
	Adults	Juveniles	Adults	Juveniles
October 1946 . .	8,159	875	4,351	458
September 1947	18,961	1,709	4,586	658

The substantial increase in the number of applicants for employment is a result partly of the operation of the Registration for Employment Act (No. 34 of 1945) and the Unemployment Insurance Act (No. 53 of 1946) and partly of the increase in unemployment resulting from post-war industrial adjustments.

United Kingdom : There are now in *Great Britain* eleven regional offices, 1,044 employment exchanges, 131 branch employment offices, 174 local agencies, 196 juvenile bureaux, sixty district offices, and thirteen appointment offices. In *Northern Ireland*, there are sixty-eight employment agencies, made up of twenty-eight employment agencies, thirty-seven paying offices, and three local agencies.

In *Great Britain*, the average number of applicants registered for employment was 327,243 (including an average of 21,000 persons classified as unsuitable for ordinary employment).

Figures are not available to show the number of vacancies notified to the employment service in *Great Britain*. In *Northern Ireland* 35,157 vacancies were notified. During the period under review, 2,720,023 vacancies were filled in *Great Britain* and 32,907 in *Northern Ireland*.

Venezuela : § 3 of Decree No. 240 of 6 April 1946 defines various measures to be taken by the National Employment Exchange in order to co-ordinate offers of and applications for employment.

§ 9 of Decree No. 240 of 6 April 1946 stipulates that the Minister of Labour shall regulate by special decision the operations of the National Employment Exchange and any regional exchanges which may be established. Action regarding placing shall be taken by the labour administrative authorities in areas in the interior of the Republic in so far as no regional employment exchanges have been established for such areas. The said authorities shall inform the National Employment Exchange of any action to be taken to this effect.

No fee-charging employment agencies may be set up and, pending the abolition of those which already exist, such agencies shall be subject to supervision by the National Employment Exchange and shall submit to it, within fifteen days of the publication of the above-mentioned Decree, a detailed statement regarding their constitution, operation, current charges, and any other data which the Exchange may indicate.

The national, State and municipal authorities, public institutions, and other official establishments must provide the National Labour Exchange with any information and reports which it may request.

Whenever circumstances permit, the Director of the National Employment Exchange, with the permission of the Minister of Labour, may appoint advisory committees consisting of equal numbers of employers and workers to assist him in finding a solution for the problems arising out of the operation of the employment exchanges.

Whenever there is a considerable volume of women's employment, a special section under a woman is to be established.

During the period under review, 3,890 applications for work and 4,876 vacancies were registered ; 1,358 placings were effected.

The National Employment Exchange is competent to train workers, with the object of providing undertakings with skilled personnel, and to protect small-scale family industrial undertakings by means of appropriate credits ; 336 applications for such credits were received.

* * *

Burma : One free public employment office has been set up in Rangoon. It has not yet been possible to extend the system to the districts, owing to the disturbed state of the country and the lack of opportunities for employment. Recent marked improvements in both these respects have encouraged the Government to proceed with the establishment of labour offices at Yenangyaung, Mandalay, Toungoo and Taboy, and it is hoped to expand these into employment exchanges and to establish additional offices in other districts as opportunity offers. See also introductory note.

One or two representations have been received from workers' organisations in favour of the establishment of a system of Government employment exchanges.

The Government has no information

concerning the existence of any private employment agencies in Burma since the war other than a certain number of supervisors ("maistries") and contractors who recruit workers as required. Provision for the regulation of private agencies and co-ordination of their activities with operations under the Government scheme is contemplated by means of an Employment Exchanges Act.

The principle of appointing committees including representatives of employers and workpeople to supervise the working of the employment exchange system is recognised by the Government, and a Joint Labour Advisory Board has been appointed in Rangoon.

The Rangoon employment exchange began work on 10 September 1946. Between that date and 30 September 1947 it received 12,429 applications for work (all from skilled or semi-skilled workers), submitted 4,338 workpeople for vacancies, and recorded 1,694 placings.

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

Austria : No reciprocal agreements in regard to unemployment insurance have been concluded.

Belgium : Foreign workers who are authorised to work in Belgium and who contribute to the social security system are admitted to unemployment assistance in case of involuntary unemployment under the same conditions as nationals. Foreign workers belonging to categories not covered by social security (in particular frontier workers living in Belgium and employed in France or the Netherlands), and those who, as a result of unemployment, have not had an opportunity of contributing to social security since 1 January 1945, are only admitted to unemployment assistance if a convention providing for reciprocal treatment has been concluded for this purpose between Belgium and their country of origin. The only agreements of this nature which now exist are those concluded with France, the Netherlands and Luxembourg.

Bulgaria : Equality of treatment is granted to foreign workers on condition of reciprocity.

Denmark : As a result of the replacement of Notification No. 339 of 29 July 1942 by Notification No. 153 of 25 March 1947, the provisions of § 15 of Notification No. 339 of 1942 concerning the right of the unemployment benefit clubs to conclude agreements with foreign associations providing for the reciprocal payment of benefits to members are now found in the 1947 Notification (§ 15 A, subsection 6).

Finland : The Government repeats the information given in its last report,

France : Foreign workers whose country of origin has concluded with France a reciprocity treatment duly ratified by France are admitted to unemployment benefit under exactly the same conditions as Frenchmen. Between 1919 and 1935 such treaties have been concluded with Italy, Poland, Belgium, Spain, Switzerland, Rumania, Czechoslovakia and Luxembourg, and the first five were ratified in due course. In 1946 and 1947 new treaties were signed with Switzerland and Italy to provide, *inter alia*, for reciprocity in treatment of unemployed nationals. Since 1936, moreover, France has been a party to the Convention concerning an international statute for refugees (Geneva, 1933), thereby extending "most favoured nation" treatment to Russian and Armenian refugees and others placed on the same footing. This treatment coincides with that accorded under reciprocity treaties.

In practice, however, every foreign unemployed worker holding a valid identity card receives, at the present time, irrespective of his nationality, the benefit of the allowances payable by the public unemployment assistance services and of the compensation payable under the regulations governing partial unemployment.

Hungary : There has been no change in the position as set out in the previous reports.

Ireland : The Government refers to previous reports.

Italy : Agreements ensuring equality of treatment for foreign workers in respect of unemployment insurance have been concluded with Switzerland, Belgium and France. Negotiations are now proceeding with Belgium and France with a view to renewing former agreements regarding social insurance. The provisions governing unemployment insurance in Italy expressly provide for equality of treatment for national and foreign workers in respect of allowances. In virtue of special agreements, Italian nationals enjoy equality of treatment with regard to social insurance in general in the following countries : Argentina, Sweden, the United Kingdom, France, Belgium and Czechoslovakia.

Luxembourg : There is no system of unemployment insurance, but there are regulations governing the granting of unemployment assistance. Up to the present no arrangements have been made with other Members of the International Labour Organisation, but reciprocity exists in many cases. Moreover, since the liberation of the country, conversations have taken place with the Belgian, French and Dutch Governments.

Netherlands : A system of unemployment insurance is in preparation. A treaty containing provisions relating to unemployment indemnities and concerning equality of treatment for foreign and national workers in respect of social insurance benefits has been concluded with Belgium and will come into force shortly.

Norway : The Government refers to its report for 1945-1946 in which it stated that the Unemployment Insurance Act of 24 June 1938 extends to foreign workers the same rights in respect of unemployment insurance as those extended to Norwegian citizens. No special agreements have been entered into with other Members. However, negotiations are being conducted with Swedish insurance companies.

Sweden : The Government made a number of agreements with other countries ensuring equality of treatment for foreign workers in respect of unemployment insurance. After the conclusion of each arrangement, a Decree was issued stipulating that the workers from the other contracting side would have the same rights as Swedish citizens in so far as the application of unemployment insurance legislation was concerned. These agreements remain in force, but reciprocity in regard to admission to an unemployment fund has been abolished by an amendment to the Act adopted on 13 June 1947 according to which, from 1 July 1947, a foreign worker may become a member of an approved Swedish unemployment fund even in cases where no agreement for reciprocity has been concluded with his country. However, where this is necessary, the supervising authority may prescribe certain restrictions (in addition to those contained in the Act concerning unemployment insurance) regarding the right of a foreign worker to become a member of a recognised unemployment fund and to draw benefits from it. This amendment entails the deletion of § 13 of the Royal Decree of 15 June 1934 concerning approved unemployment funds.

The arrangement made with Denmark has been supplemented by a general agreement concluded in 1946 between the two Governments, which provides for the right of free transfer between the unemployment funds of the two countries. Nearly all the unemployment funds, that is, sixty Danish and thirty-three Swedish funds, have adhered to this agreement, which replaces the special arrangements formerly existing between the different funds. Negotiations have been opened with the unemployment insurance authorities of Finland and Norway to extend this type of co-operation to the application of unemployment insurance; an amendment has been made to the Swedish Act in order to make possible Swedish co-operation with the Norwegian system of compulsory insurance.

Switzerland : Under existing 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 : From 1 October to 31 December 1946 the Unemployment Benefit Act of 1937, as amended, continued in operation. During this period the Government did not make any arrangements with

other Members who have ratified the Convention to secure for Union nationals employed in other territories treatment similar to that accorded by the Government of the Union of South Africa to national and foreign workers. Negotiations have not been entered into with other Members under the Unemployment Insurance Act of 1946 which replaced the Unemployment Benefit Act from 1 January 1947. The provisions of the Unemployment Insurance Act, 1946, differ from the corresponding provisions in other countries to such an extent that it is not possible to obtain any reciprocal arrangement between the Union and other countries. A reciprocal agreement is not necessary as regards persons resident in the Union, since Union nationals and foreign workers enjoy equality of treatment under the Unemployment Insurance Act, with the exception of persons required by law, or by contract of service apprenticeship or learnership, as the case may be, or by any other agreement or undertaking, to be repatriated to the country from whence they come.

United Kingdom : The position remains as stated in previous reports. Neither in relation to unemployment insurance nor unemployment assistance is there any discrimination in the United Kingdom against persons on grounds of nationality.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* states that the social security scheme is not applied to the Native population in the Belgian Congo or to Belgian workers in the colony. The last-named workers are eligible for unemployment allowances if they are unable to find work on their return to Belgium.

The Government of *France* states that the question of extension of the metropolitan social legislation to the overseas Departments is at present under examination. (The overseas Departments are *Martinique*, *Guadeloupe*, *French Guiana* and *Reunion*.)

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

Nigeria.

Labour Code Ordinance, No. 549/1945 (Chapter XIV).

Industrial Workers (Registration) Rules, 1945 (Public Notice No. 3629 of 1945).

(There is no general provision for the operation of employment exchanges throughout the country, as the majority of the population are peasants engaged in agricultural pursuits on their own or tribal lands and where wage-earning employment is largely supplemented by such occupations. Provision for exchanges has been made where neces-

sary in urban areas, such as *Lagos*, and in those rural areas where a large wage-earning population is congregated.)

Palestine. See under Convention No. 24.

Free public employment exchanges have been established by administrative action

in *Ceylon, Cyprus, Gibraltar, Jamaica, Kenya, Malayan Union, Northern Rhodesia and Singapore*.

(The Government adds that in many territories there is no unemployment as the term is understood in developed industrial countries and the Convention is not applicable in the prevailing conditions.)

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

This Convention came into force on 13 June 1921

Countries	Date of registration of ratification	Reports received
Argentina	30.11.1933	
Brazil	26. 4.1934	
Bulgaria	14. 2.1922	2. 2.1948
Chile	15. 9.1925	25. 2.1948
Colombia	20. 6.1933	
Cuba	6. 8.1928	19. 2.1948
Germany	31.10.1927	
Greece	19.11.1920	
Hungary	19. 4.1928	4.12.1947
Latvia	3. 6.1926	
Luxembourg	16. 4.1928	8.12.1947
Nicaragua	12. 4.1934	
Rumania	13. 6.1921	
Spain	4. 7.1923	
Uruguay	6. 6.1933	
Venezuela	20.11.1944	2. 2.1948
Yugoslavia	1. 4.1927	

INTRODUCTORY NOTE

The Government of *Chile*, replying to the observation made by the Committee of Experts in 1947 with respect to the maternity benefit system in force in Chile, states that under Communication No. 7367, of 10 July 1946, a draft of a Bill to amend Part III of Book II of the Labour Code (which deals with the protection of mothers in employment) was submitted to the Ministry of Labour for further action in accordance with the prescribed constitutional procedure. This draft provided for an increase in the existing benefit rates and corrected certain defects in the drafting of the Code; as, however, it did not completely satisfy the stipulations of Article 3 (c) of the Convention, the General Directorate proposes shortly to examine the question and to recommend such modifications as are necessary in order to bring the text into line with the above-mentioned stipulations of the Convention.

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

Bulgaria.

Social Insurance Act of 6 March 1924 (L.S. 1924, 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] (L.S. 1935, Cuba 1).

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.

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. 4 E) 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.

Luxembourg.

Act of 17 December 1925 (§§ 12 and 13) respecting the Social Insurance Code (L.S. 1925, Lux. 2), amended by the Act of 6 September 1933 (L.S. 1933, Lux. 1).

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).

Order of 30 March 1932 respecting the application of certain Conventions adopted by the International Labour Conference during its first ten sessions (L.S. 1932, Lux. 1).

Order of 6 January 1933 to amend the Order of 30 March 1932 (L.S. 1933, Lux. 1).

Order of 26 March 1945 respecting the reorganisation of labour inspection and the administration of mines.

Venezuela.

National Constitution of the United States of Venezuela, 5 July 1947 (Extracts, L.S. 1947, Ven. 1).

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.

Decree No. 119 of 4 May 1945 to issue regulations governing employment in agriculture and stockbreeding (L.S. 1945, Ven. 2).

Act of 24 July 1940 respecting compulsory sickness insurance (L.S. 1940, Ven. 1), amended by Decree No. 239 of 6 April 1946.

Decree No. 35 of February 1944 to issue general regulations for the Compulsory Social Insurance Act (L.S. 1944, Ven. 1).

Decree No. 364 of 29 July 1946 to set up the Directorate of Social Welfare.

Decree No. 603 of 17 October 1947 to extend compulsory insurance to the Municipality of Maracay (State of Aragua).

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

The Government of *Bulgaria* states that joint statistics are being prepared for sickness and maternity insurance. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Chile* states that judicial decisions are given fairly frequently with regard to the application of the relevant legislation. Copies of two such decisions accompany the report. The labour inspection services state that in general the grant of maternity leave and the payment of maternity benefits in industrial and commercial undertakings were carried out in a satisfactory manner. In the period under review, five breaches of the provisions of the Convention came to light. In 1946, the compulsory insurance fund paid, to supplement the benefits paid by employers, maternity benefits to the value of 3,046,837 dollars in respect of 15,886 workers. No other statistical information is available with regard to the cost of the benefits prescribed under Article 3 (c) of the Convention.

The Government reproduces the statistics given in its report for 1945-1946 in respect of women gainfully employed in various occupations.

See also introductory note.

The Government of *Cuba* states that the legislation in force is in complete harmony with the provisions of the Convention, which are considered as minimum standards of protection. According to statistics which are appended to the report, fifteen visits were effected by the inspection service of the National Labour Office for Women and Children. No breaches of the Act of 15 December 1937 were noted. No decisions were given by courts of law, and no observations were received from employers' or workers' organisations.

The Government of *Hungary* states that, during the period under review, no further measures have been taken with regard to the Convention. The application of the Convention does not call for any remarks.

The Government of *Luxembourg* states that under the provisions of § 1 of the Order of 30 March 1932, amended by the Order of 6 January 1933, commercial undertakings are defined as, in general, all undertakings not considered as agricultural undertakings which are carried on exclusively in direct connection with the customer or client, provided nevertheless that they do not use industrial equipment with mechanical power of more than 1 h.p. In this connection the Government states that the sole aim of the Legislator was to ensure complete harmony with the provisions of the Convention. At the same time, by establishing as a criterion of industrial equipment mechanised power of more than 1 h.p., the Order in question would appear to exclude from the application of the provisions of the Convention certain handicraft undertakings in direct connection with the customer in which articles are not manufactured, adapted, altered or prepared for sale as, for example, hairdressing establishments. The application of the Acts and Regulations in question is entrusted to the labour and mines inspection service, the methods, organisation and functioning of which are regulated by the Order of 26 March 1945.

The Convention has been strictly applied, and no breaches of its provisions have been reported during the period under review. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Venezuela* states that § 63, paragraph 11, of the National Constitution of the United States of Venezuela provides for the special protection of women and their right to a paid rest period before and after childbirth. § 8 of the Labour Act lays down that "every undertaking, business or establishment, whatever its nature, whether public or private, at present existing or hereafter established within the territory of the Republic, shall be subject to the provisions of this Act". This defi-

dition therefore covers the industrial or commercial establishments referred to in Article 1 of the Convention. The line of division between such establishments and agriculture and stockbreeding is laid down in §§ 4-6, which define agricultural and stockbreeding activities.

The maternity benefits referred to in § 105 of the Labour Act are provided for in the territory of the Federal District and in the municipalities of Chaco and Petare, in the district of Sucre and in the State of Miranda by the Social Insurance Institution, in accordance with § 9 of the Social Security Act of 1940. This article, as well as § 69 of the Regulations issued in application of the Act, stipulates that in the event of maternity an insured woman shall be entitled to the requisite obstetrical attendance and to a daily cash benefit equal to daily sickness benefit. This benefit is payable for the six weeks immediately preceding and the six weeks immediately following confinement provided that the woman concerned does not perform any work for remuneration during this period. Moreover, § 69, paragraph 1 (a), of the Regulations issued in application of the Act respecting compulsory insurance lays down that, in the event of maternity, the insured woman is entitled to pre-natal medical care, and § 70 of the same Regulations lays down that pre-natal medical care shall be compulsory for all pregnant women covered by insurance. By taking full advantage of such medical care, insured women are not responsible for any mistake made by the health services in estimating the date of confinement.

In its report submitted to the International Labour Conference at its 1947 Session, the Committee of Experts asked if the application of § 70 of the above-named

Regulations implies that maternity benefits are paid to the woman up to the day of confinement, even if this is after the period of six weeks' leave provided for in the Convention.

In its reply to this question, the Government states that in spite of the absence of legislative provisions on this subject the Social Insurance Institution of Venezuela interprets § 69, paragraph 1 (c), of the above-mentioned Regulations issued under the Social Insurance Act (which provides for the payment of maternity benefit during six weeks before and six weeks after confinement) by taking into account the letter and spirit of Article 3 of the Convention, and consequently pays daily maternity benefit to the insured woman during the period referred to by the Committee of Experts.

Under Decree No. 603 of 17 October 1947, compulsory insurance has been extended to the municipality of Maracay in the District of Girardot in the State of Aragua. The Social Insurance Institution will begin its work within six months of the date of the enactment of the Decree. The Government adds that it will continue to extend this policy to the social insurance services throughout the country.

No observations were made by the employers' or workers' organisations or by individual employers or workers.

See also under Convention No. 1 for information referring to the authorities entrusted with the application of the legislation.

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

Countries	Date of registration of ratification	Reports received
Afghanistan	12. 6.1939	
Albania	17. 3.1932	
Argentina	30.11.1933	
Austria	12. 6.1924	16.12.1947
Belgium ¹	12. 7.1924	
Brazil ¹	26. 4.1934	
Bulgaria	14. 2.1922	2. 2.1948
Chile	8.10.1931	25. 2.1948
Colombia	20. 6.1933	
Cuba	6. 8.1928	19. 2.1948
Czechoslovakia	24. 8.1921	6. 3.1948
Estonia ¹	20.12.1922	
France ²	14. 5.1925	
Greece ¹	19.11.1920	
Hungary ¹	19. 4.1928	
India ²	14. 7.1921	11.12.1947
Ireland ¹	4. 9.1925	
Italy	10. 4.1923	22.12.1947

Countries	Date of registration of ratification	Reports received
Lithuania	19. 6.1931	
Luxembourg	16. 4.1928	8.12.1947
Netherlands ¹	4. 9.1922	
Nicaragua	12. 4.1934	
Pakistan ²	14. 7.1921	
Peru	8.11.1945	
Portugal	10. 5.1932	30.12.1947
Rumania	13. 6.1921	
Spain	29. 9.1932	
Switzerland ¹	9.10.1922	
Union of South Africa ¹	1.11.1921	
United Kingdom ¹	14. 7.1921	
Uruguay	6. 6.1933	
Venezuela	7. 3.1933	
Yugoslavia	1. 4.1927	
* * *	* * *	* * *
Burma ³	14. 7.1921	13.12.1947

¹ Has ratified Convention No. 41 and has denounced this Convention.
² Has ratified Convention No. 41 but has not denounced this Convention.

¹ Has ratified Convention No. 41 and has denounced this Convention.
² See footnote 2 to Convention No. 1.
³ See footnote 3 to Convention No. 1.

INTRODUCTORY NOTE

The Government of *Austria* states that the prohibition of the night work of women is laid down in the German provisions introduced in 1938 after the occupation of the country and still in force under the Act of 1945, which provides measures for the period of transition until new federal legislation is enacted (*Rechts-Ueberleitungsgesetz*).

Wherever these provisions are not in conformity with the standards of protection guaranteed by the Convention, the federal Government has endeavoured, since the liberation of the country, to ensure conformity with the provisions of the Convention by means of administrative regulations and, in particular, by provisions relating to the labour inspection service. Moreover, the new Regulations relating to hours of work which will be issued shortly will give full effect to the provisions of the Convention.

The Government of *Chile*, in reply to the observations made by the Committee of Experts in 1947, states that, as indicated in its report for 1938-1939, steps have been taken to obtain ratification of the revised Convention No. 41, with the provisions of which the national legislation is in complete harmony, and that Convention No. 4 will be denounced in due course in accordance with its Article 13.

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

Austria.

Ordinance (German) of 30 April 1938 to remodel the Regulations relating to hours of work (L.S. 1938, Ger. 6).

Ordinance for the application of the Regulations relating to hours of work, dated 12 December 1938.

See also introductory note.

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 day (L.S. 1919, Cz. 1).

Order of 11 January 1919 in pursuance of the Act of 19 December 1918 respecting the eight-hour day (L.S. 1919, Cz. 2).

Circular of the Ministry of Social Welfare of 2 March 1919, respecting the interpretation of the provisions relating to the eight-hour day (L.S. 1919, Cz. 3).

Regulation No. 24/1947 of the Ministry of Social Welfare respecting the temporary transfer of ordinary working hours for reasons of economy in electric power.

Regulation No. 1882/1946 of the Ministry of Social Welfare, to govern hours of work in sugar factories during the sugar processing season 1946-1947.

Act of 13 September 1946, to regulate hours of work in bakeries, No. 877 (L.S. 1946, Cz. 2).

India.

Factories Act No. XXV, 1934 (L.S. 1934, Ind. 2), as subsequently amended by Act XI of 1935 (L.S. 1936, Ind. 3 B) and in 1946 (L.S. 1946, Ind. 1).

Italy.

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

Luxembourg.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).

Order of 30 March 1932 respecting the application of certain Conventions adopted by the International Labour Conference at its first ten sessions (L.S. 1932, Lux. 1).

Order of 6 January 1933 to amend Order of 30 March 1932 (L.S. 1933, Lux. 1).

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. 36173 of 6 March 1947 to regulate and standardise the form of collective agreements.

* * *

Burma.

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

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

The Government of *Austria* states that, in view of the fact that the terms "industry", "commerce" and "agriculture" are explicitly defined in Austrian legislation, no special regulations have been found necessary to define the line of division separating industry from commerce and agriculture. At the same time, the term "industrial establishments" which is contained in the Convention does not correspond entirely to the same term used in Austrian labour legislation; in fact, this latter term covers commerce and the hiring of services, and excludes mines.

The provisions of the Ordinance of 1938 apply to all the activities covered by Article 1 of the Convention, including mines, and its scope is therefore much wider than the scope of this article.

In the regulations relating to hours of work, § 19, which deals with the period

of nightly rest for women, only covers "women workers", while the provisions of the Ordinance for the application of these regulations use the term "staff of the undertaking". This latter expression covers workers and employees and persons over eighteen years of age who are employed under a contract of apprenticeship.

The regulations relating to hours of work lay down that exceptions to the provisions relating to the nightly rest of women must, in exceptional cases, be notified by the head of the undertaking without delay to the supervisory authority (labour inspection service).

For reasons connected with the exploitation of an undertaking, or for economic reasons, the Federal Minister of Social Administration may authorise exceptions to the provisions concerning the nightly rest. The labour inspection service may authorise exceptions, if it is satisfied that they are urgently necessary, for a period of two weeks, but for not more than forty days in the calendar year, provided that the period of nightly rest granted is not less than ten hours.

According to § 20 of the regulations relating to hours of work, the labour inspection service may authorise the employment of women workers before 6 a.m. during the summer months in establishments where workers are particularly exposed to the effects of heat.

The Federal Minister for Social Administration, assisted by the competent authorities of the General Administrative Service, is the supreme authority entrusted with the application of the legislative provisions. Under the Federal Act of 3 July 1947 (Act respecting labour inspection), supervision of compliance with the legislative provisions is entrusted to the labour inspection service, and is carried out by the labour inspectors.

The national territory is divided into inspection zones, each of which is under a section of the labour inspection service. In addition, in each of the federal Provinces, there is at least one general labour inspection service. The number of these services for the whole country amounts at present to sixteen. Further, the Act provides for the setting up of special labour inspection services for certain occupations. An inspector for the protection of youth and the employment of women and children, attached to each of the general services, is entrusted with supervising compliance with the legislative provisions respecting the protection of young persons, women and children.

The labour inspection services are under the control of the Federal Minister for Social Administration, and their activities are directed and co-ordinated by a central labour inspection service.

The Government is unable to furnish statistical information and reports supplied by the inspection services for the period under review. However, under the new Act relating to labour inspection, this information will be available for the next

annual report. No decisions were given by courts of law and no observations were made by employers' or workers' organisations.

The Government of *Bulgaria* states that the number of women protected by the legislation amounts to approximately 95,000. No breaches of the legislation have been noted. No decisions were given by courts of law and no observations were 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 1946, only five 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 with home work was 46,754. The reports of the inspection service show that the provisions of the national legislation implementing the Convention are satisfactorily applied. No observations have been received from employers' or workers' organisations.

See also introductory note.

The Government of *Cuba* states that the prohibition of night work applies to all women, irrespective of the nature of the work which they perform. No use has been made of the exceptions provided for under Articles 4, 6 and 7 of the Convention. No decisions were given by courts of law. The visits made by the inspection service have shown that, as the employers have not made use of the exceptions provided for in the Convention, no women are employed at night.

The Government of *Czechoslovakia* states, with reference to Article 3, that Act 177 of 13 September 1946 prohibits the employment of women on preparatory work in bakeries at night. As to Article 4, Regulation No. 1882 of 1946 permitted the employment of women between 10 p.m. and 5 a.m. during the sugar processing season of 1946-1947 only to the extent absolutely necessary for the maintenance of operations and only in certain relatively light occupations. This authorisation excluded pregnant women from the third month of pregnancy, and also nursing mothers. Recourse was had to this Regulation only infrequently and in only the most pressing cases. Regulation No. 24 of 1947 permits the employment of women over eighteen years of age during the night where the necessity for economy in the use of electric power renders such action temporarily imperative.

For information respecting the authorities responsible for the application of the Convention, see under Convention No. 1.

No court decisions have been given, and no infringements have come to the notice of the Government.

The Government of *India* states that Articles 2 and 3 of the Convention are applied by § 45 of the Factories Act, as amended, which lays down that no woman shall be allowed to work in a factory except between 6 a.m. and 7 p.m. The provincial Governments are empowered, in respect of any class or classes of factories, and for the whole year or part of it, to vary this limit to any span of ten-and-a-half hours or, where the factory is a seasonal one, of eleven-and-a-half hours between 5 a.m. and 8.30 p.m.

The Factories Act is administered by the provincial Governments through their factory inspectors. The provincial Governments have been empowered to make rules for carrying into effect the provisions of the Act (§§ 32, 33, 43, 59, etc.). Every district magistrate is an inspector for his district (§ 10 (4)) and provincial Governments may appoint other public officers as additional inspectors (§ 10 (5)). By § 11 of the Factories Act, inspectors are given certain powers of entry, examination, etc. The Act contains penal provisions for contraventions. The Government of India has recently set up a new organisation under the Chief Adviser, Factories, to advise the central and provincial Governments in the administration of the Factories Act and other matters connected with factory legislation and conditions. As regards the practical application of the Convention, the Government states that no Note on the working of the Factories Act during 1945 has so far been published in the *Indian Labour Gazette*.

No decisions given by courts of law or other courts have come to the notice of the Government of India and no observations have been received from employers' or workers' organisations.

The Government of *Italy* states that the line of division which separates industry from commerce and agriculture is not defined by law but by legal precedent and administrative practice. A problem has been raised by the position of women employed at telephone exchanges; their work has been considered to be of an industrial nature. As far as agriculture is concerned, the distinction is based on the definition of agricultural work contained in paragraph 2 of § 8 of the Weekly Rest Act, No. 370 of 22 February 1934, and also in § 2135 of the Civil Code of 1942, which defines an agriculturalist as "a person who is directly engaged in the cultivation of the ground, forestry, stockbreeding or ancillary activities". By "ancillary activities" is meant activities directly connected with the transformation or sale of agricultural products within the common scope of agriculture.

In order to make use of the exception provided by Article 4 (a) of the Convention, employers must inform the labour inspectorate, which may suspend or limit the use

of this exception in each case. An appeal may be made to the Ministry of Labour and Social Welfare against the decisions of the inspectorate. In order to make use of the exception provided by Article 4 (b), authorisation must be obtained from the Ministry of Labour and Social Welfare, and it is only given on the basis of an *ad hoc* enquiry and after consultation with the industrial organisations. The authorisation specifies the period to be covered by the exception and is subject, as a rule, to alternation among the women employed on night work and to payment of a higher wage rate. In the case of seasonal work, the Ministry has authorised the labour inspectorate to grant exceptions, as in the case of the silkworm industry and of fruit and vegetable canning. No authorisation has been granted by the Ministry to apply the exception provided under Article 6 of the Convention, and no use has been made of the exception provided under Article 7.

The rules governing the enforcement of the Act are issued by the Ministry of Labour and Social Welfare, which also intervenes to authorise exceptions in individual cases. At the local level, the branch offices of the labour inspectorate act in close contact with the industrial organisations. The labour inspectorate, which is under the Ministry, is responsible for the enforcement of labour legislation. The inspectorate is made up of persons with degrees in engineering, economics, chemistry, medicine and law, as well as industrial experts.

No decisions have been given by courts of law. The Convention has been applied as strictly as is possible in present circumstances. The greatest obstacle to enforcement has been the shortage of electric power, which interrupts production, leads to periods of peak intensity in respect of which the time lost must be made up, and necessitates the employment of women and children on night work, particularly in the textile industry. The Government is giving close attention to this matter, and is aided in this respect by the industrial organisations, which are generally in agreement regarding individual applications for exceptions, granted by the Ministry only after thorough enquiry into each case.

The transition from war to peace conditions and the destruction of establishments and machinery caused by the war have not affected the application of the Convention to any great extent. During the period from 1 October 1946 to the end of May 1947, the Ministry issued thirty-eight authorisations and rejected eighteen applications for the employment of women and children at night.

The Government of *Luxembourg* states that the application of the laws and administrative regulations in question is entrusted to the Labour and Mines Inspection Service, the methods, organisation and functioning of which are laid down in the Order of 26 March 1945. The Convention has been

strictly applied, and no breaches of its provisions have been reported. No observations were received from employers' or workers' organisations.

See also under Convention No. 3 for information relating to the undertakings covered by the legislation.

The Government of *Portugal* states that no decision has been taken to define the line of division which separates industry from commerce and agriculture.

Legislative Decree No. 36173 of 6 March 1947 lays down in § 7, paragraph 14, that collective agreements shall not, in particular, be contrary to the legislative provisions respecting the employment of women. The Government refers to a collective agreement of 8 August 1947 for workers in the woollen industry, and adds that Clause 61 of this agreement stipulates that the employment and the presence of women in factories is prohibited after 10 p.m. With regard to the application of Article 4 (b) of the Convention, the Government states that Clause 32 of the collective labour agreement of 1 May 1945 for workers engaged in the fish-canning industry stipulates that in no case, either in normal or in exceptional circumstances, may hours of work be prolonged after 11 p.m. In the event of a particularly heavy catch or of an urgent shipment, hours of work may be prolonged up to midnight, but only for the necessary preparatory work before the fish is cooked. In such cases, the employer is obliged to give forty-eight hours' notice to the National Institute of Labour and Social Welfare and to provide the reasons for his request.

The number of women employed in industrial establishments is practically the same

as that given in the report covering the period 1 October 1940 to 30 September 1945, namely, 129,759.

For information relating to proceedings for breaches of the labour legislation, see under Convention No. 1.

There were no important decisions by courts of law and no observations from employers' or workers' organisations.

* * *

The Government of *Burma* states that the Convention is applied only to factories and mines. In mines, there is no restriction on the night work of women employed on the surface, but no women may be employed underground either by day or night. The term "women" is interpreted to include all women employed in factories, without distinction as to age or the nature of their duties. No exceptions have been granted for industrial undertakings which are influenced by the seasons. The application of the legislation relating to the night work of women is entrusted to the Chief Inspector of Factories and the Chief Inspector of Mines, and frequent visits are made by inspectors to factories and mines. No decisions by courts of law have been reported. Steps are being taken to supplement departmental staff, as the present shortage of this staff handicaps the complete application of the Convention.

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

Countries	Date of registration of ratification	Reports received
Albania	17. 3.1932	
Argentina	30.11.1933	
Austria	26. 2.1936	16.12.1947
Belgium	12. 7.1924	29.11.1947
Brazil	26. 4.1934	
Bulgaria	14. 2.1922	2. 2.1948
Chile	15. 9.1925	25. 2.1948
Colombia	20. 6.1933	
Cuba	6. 8.1928	19. 2.1948
Czechoslovakia	24. 8.1921	6. 3.1948
Denmark	4. 1.1923	15.11.1947
Dominican Republic	4. 2.1933	
Estonia	20.12.1922	
France	29. 4.1939	16. 1.1948
Greece	19.11.1920	19. 1.1948
Ireland	4. 9.1925	11.11.1947
Japan	7. 8.1926	
Latvia	3. 6.1926	
Luxembourg	16. 4.1928	8.12.1947
Netherlands	21. 7.1928	8.12.1947
Nicaragua	12. 4.1934	
Norway	7. 7.1937	7. 1.1948
Poland	21. 6.1924	15.12.1947

Countries	Date of registration of ratification	Reports received
Rumania	13. 6.1921	
Spain	29. 9.1932	
Switzerland	9.10.1922	17.11.1947
United Kingdom	14. 7.1921	10. 1.1948
Uruguay	6. 6.1933	
Venezuela	20.11.1944	2. 2.1948
Yugoslavia	1. 4.1927	

INTRODUCTORY NOTE

The Government of *Austria* states that, with regard to the minimum age for the admission of children to employment in industry, the provisions of the Reich are still in force under the Act (1945) which contains measures to cover the transitional period until the new federal legislation is adopted (*Rechts-Ueberleitungsgesetz*).

By its promulgation in the *Bundesgesetzblatt* (No. 279 of 20 August 1936) the Convention acquired force of law and has been incorporated in Austrian legislation. The putting into effect of the German Act relating to youth protection does not affect the Convention.

Before long, the new Austrian legislative provisions will replace this Act. The National Council has already received from the Federal Government a Bill, which is at present before Parliament, respecting the Federal Act relating to the employment of children and young persons (Act relating to youth protection).

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

Austria.

Act (German) of 30 April 1938 respecting the employment of children and the hours of work of young persons (Act relating to youth protection) (L.S. 1938, Ger. 5).

Order for the application of the Act relating to youth protection, dated 22 December 1938. See also introductory note.

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. XIII, 1918, p. 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 day (L.S. 1919, Cz. 1).

Order of 11 January 1919 in pursuance of the Act of 19 December 1918 respecting the eight-hour day (L.S. 1919, Cz. 2).

Denmark.

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

France.

Code of Labour and Social Welfare, Book II.
Act of 30 June 1928 to amend various sections of Book II of the Labour Code (L.S. 1928, Fr. 13).

Act of 9 August 1936 to amend the Act of 28 March 1882 respecting compulsory elementary education (amends § 2 of Book II of the Labour Code) (L.S. 1936, Fr. 10).

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).

Luxembourg.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).

Order of 30 March 1932 respecting the application of certain Conventions adopted by the International Labour Conference during its first ten sessions (L.S. 1932, Lux. 1).

Order of 6 January 1933 amending the Order of 30 March 1932 (L.S. 1933, Lux. 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).

Steedores 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).

Norway.

Workers' Protection Act, 1936 (L.S. 1936, Nor. 1).

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 17 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 6 February 1945, covering the establishment of works councils (L.S. 1945, Pol. 2).

Switzerland.

Federal Act of 24 June 1938 (L.S. 1938, Switz. 1) concerning minimum age for employment, to supersede those sections of the Federal Acts of 18 June 1914, 27 June 1919, 31 March 1922 and 26 June 1930 which relate to the minimum age for employment in industry.
Order of the Federal Council of 24 February 1940 to issue rules for the application of the above-named Act.
Order of the Federal Department of Public Economy of 9 June 1943 respecting the employment of young persons in peat undertakings.

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).
Education Act, 1944 (Extracts, L.S., 1944, G.B. 5).
Education (Scotland) Act, 1946.

Venezuela.

National Constitution of the United States of Venezuela, 5 July 1947.
Labour Act of 16 July 1936 (L.S. 1936, Ven. 2), amended by the Labour 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 employment in agriculture and stockbreeding (L.S. 1945, Ven. 2).
Minors' Code of 10 January 1939.

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

The Government of *Austria* states that the legislative provisions in force apply to all the activities covered by Article 1 of the Convention, including mines, and their scope is, in general, much wider than the scope of the Convention. The Act relating to youth protection, which is still in force, is not as a general rule applied to inland navigation or to timber floating. The employment of children in the undertakings in question is nevertheless prohibited under the Order for the application of the Act relating to youth protection.

According to Austrian legislation, children under fourteen years of age are not admitted to occupational schools. The Act relating to youth protection lays down in § 23 that the head of an undertaking is obliged to keep a register of all young persons under eighteen years of age employed by him. This register must contain entries showing the date of birth and the date on which a young person takes up his duties in the undertaking; the register must be preserved for at least two years after the date of the last entry. No decisions were

given by courts of law and no observations were received from employers' or workers' organisations.

For information relating to the line of division which separates industry from commerce and agriculture, the authorities entrusted with the application of the Convention and the statistics and reports supplied by the inspection services, see under Convention No. 4.

See also introductory note.

The Government of *Belgium* states that it has nothing to add to the information contained in previous reports regarding the application of the Convention. During the period under review, 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 legislation, with the assistance of the communal authorities responsible for issuing work books. No observations were received from employers' or workers' organisations.

The Government of *Bulgaria* states that between 300 and 400 breaches of the legislation were noted. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Chile* states that no court decisions 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 under fourteen years of age in industry and the registration of persons under sixteen years of age are applied satisfactorily. During the period under review, no breaches of the provisions of the Convention have been noted. No observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that the employment of children between fourteen and eighteen years of age is exceptional in virtue of the provisions of § XIV of Legislative Decree No. 647 which limits the daily hours of work of young persons in industry to six. No breaches of the prohibition of night work for young persons were noted during the supervisory visits made by the competent service of the National Labour Office for Women and Children. No decisions were given by the courts and no observations were received from workers' or employers' organisations.

The Government of *Czechoslovakia* states that no new legislation was introduced in the period under review. No court decisions were given. For information respecting the authorities responsible for application of the Convention, see under Convention No. 1.

The Government of *Denmark* refers to previous reports and adds that, during 1947, proceedings were instituted in four cases for breaches of the legislative provisions relating to minimum age in industry.

The Government of *France*, in its first report, states that, under § 2 of Book II of the Labour Code, children under fourteen years of age may not be employed in or admitted to industrial establishments, of whatever nature, whether public or private, secular or religious, even when these establishments are carried on for the purpose of vocational instruction or are of a charitable nature. This provision is applicable to children serving as apprentices in any of these establishments. An exception is, however, made in the case of establishments in which members of the same family are employed, either under the authority of the father, mother or guardian. All establishments wishing to employ children under eighteen years of age must notify the labour inspector in advance by means of a registered letter.

The Inspectorate of Labour and Labour Supply is responsible for the supervision of the legislative provisions in question. This service is composed of men and women inspectors, whose duties are defined in §§ 93-111 of Book II of the Labour Code. In Government establishments in which, in the interests of national defence, it would not be advisable to employ as inspectors persons not on the staff, compliance with the legislative provisions is entrusted exclusively to agents appointed for this purpose by the Minister of War and the Minister of Marine (§ 94). The supervision of the application of labour legislation in mines and quarries is entrusted to engineers and mines superintendents (§ 95). In establishments subject to the technical supervision of the Ministry of Public Works, the duties of labour inspectors are entrusted to officials directly under this Ministry.

No decisions by courts of law have been noted in the case-books covering the period under review. As the services of the General Inspectorate of Labour have not yet resumed the compilation of documents relating to the application of labour legislation in France, it has not yet been possible to supply complete information relating to the application of this legislation. However, this work has been begun by the services in question, and they will be in a position to supply the required information for the period 1947-1948. 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 factory inspection service, which is entrusted with the application of the Convention, is at present composed of 68 male sub-inspectors, five women sub-inspectors and one technical sub-inspector. The technical labour inspection service is composed of six inspectors, who are responsible exclusively for supervising conditions of industrial health and safety.

Work books have been issued to young

persons as follows: in the Piraeus, 1,390 (of which 621 were issued to girls) to applicants who had passed a medical examination; in Callithea, 112 to applicants over fourteen years of age, after medical examination; in Rouf, 90 to boys over fourteen years of age and 170 to girls over the same age, after medical examination; in New Iona, 243, 91 to boys; in Athens, 124 to boys and 77 to girls, after medical examination; and in Naxos and la Canée, 46.

The report adds that the pre-war legislation is strictly enforced and the Convention is applied as part of the national legislation.

The Government of *Ireland* states that its report for 1946-1947 is similar to that for the period 1939-1940, in which it stated that there were no breaches of the legislation.

The Government of *Luxembourg* states that, during the period under review, the Convention has been strictly applied. No breaches of the provisions of the Convention were reported. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

For information relating to the undertakings covered by the legislation and to the organisation of the labour inspection service, see under Convention No. 3.

The *Netherlands* Government states that no information is available for 1947. In 1946 it was constantly necessary to supervise the application of § 9 of the Act of 1919 prohibiting the employment of children under fourteen years of age or children still subject to compulsory education. As a result of the closing of schools during the last year of German occupation, a considerable number of children were placed in employment by their parents. This practice was facilitated by the shortage of labour. When the schools were reopened, many children did not return, owing to lack of accommodation, teaching staff and educational material.

The number of proceedings instituted during 1946 for infringements of the provisions of § 9 of the above-named Act was 245 (52 in connection with work in factories and workshops, 118 in connection with distributive work and 75 in connection with "other work" performed in some cases by very young children in public entertainment undertakings). The amounts imposed in fines varied from 1 to 50 florins. A total of 117 warnings was issued to parents and guardians of children working under forbidden conditions.

Norway. See under Convention No. 59.

The Government of *Poland* states that no decisions by courts of law have been brought to its notice. The reports of the labour inspectors show that in 1946, 66,382 boys (4.9 per cent. of the total number of workers) and 24,340 girls (1.8 per cent. of the total number of workers) were employed; 1,764 of these children were under fifteen

years of age and 1,229 of this number were released immediately. The remainder are all war orphans whose dismissal would reduce them to destitution. Such children have been granted medical assistance and have been employed on light work only. The proposed extension of the duration of compulsory primary education will eventually result in the complete exclusion of children under fifteen years of age from employment.

The Government of *Switzerland* states that, during the period under review, as the result of favourable conditions, the number of factories increased by approximately 8 per cent. and is now more than 10,000, while there was a considerable increase in the number of handicraft undertakings. The scope of the Act relating to the minimum age for employment has thus been extended. Neither the federal nor the cantonal authorities have been called upon to pronounce decisions in disputes arising out of the provisions of this Act.

The federal labour inspection service has been strengthened and, as the result of periodical courses of instruction instituted for the control services, there has been an improvement in the application of the legislation in several cantons. In addition, the Canton of Berne has set up a new division, the "Factory Police Division", which forms part of the Directorate of Public Economy and is directly responsible for the application of the legislation. In the Canton of Basle Rural, an Office of Arts, Crafts, Industry and Commerce has been set up and has been entrusted with the application of the legislation for the protection of workers. In the Canton of Uri, a division responsible for the inspection of factories, arts and crafts has been added to the Directorate of Arts and Crafts.

The Government appends to its report the reports of the federal factory inspectors on their activities in 1945 and 1946, which relate to various questions connected with the minimum age for employment.

During the period under review, the federal authority has been notified of forty-four convictions for breaches of the Federal Factory Act concerning the minimum age for employment. The number of breaches of the legislative provisions relating to the minimum age for employment and the number of fines imposed have continued to increase. The main reason for this is the great difficulty experienced by industries in certain regions in recruiting labour.

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 1946, 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. No suggestions, complaints or observations have been received from employers' or workers'

organisations. Professional groups co-operate freely with the authorities.

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.

That part of § 4 of the Employment of Women, Young Persons and Children Act, 1920, which defines "child" as "... a person under the age of fourteen years", has been repealed by § 121 of the Education Act, 1944, and § 89 (2) of the Education (Scotland) Act, 1946. By virtue of § 58 of the Education Act, 1944, and § 138 (1) of the Education (Scotland) Act, 1946, the prohibition of employment in England and Wales and in Scotland, respectively, now relates to persons who are not, for the purposes of these Acts, over "compulsory school age". Compulsory school age is defined as "any age between five and fifteen years" by § 35 of the Education Act, 1944, and § 32 of the Education (Scotland) Act, 1946. These Sections became operative on 1 April 1947.

The provisions of the Employment of Women, Young Persons and Children Act, 1920, are now administered by the Ministry of Labour and National Service in so far as they concern employment in factories and other industrial undertakings within the scope of the Factories Acts, by the Ministry of Fuel and Power in so far as they concern employment in mines and quarries, and by local education authorities in so far as they concern employment in other industrial undertakings.

The provisions of the Act of 1920 are enforced by the two Ministries referred to above through the factory inspectorate and the mines inspectorate respectively.

No decisions have been given by courts of law or other courts. A high standard of enforcement is secured, and the reports of the inspectors show that, except in isolated instances, the terms of the Convention are fully and carefully observed.

During the period covered 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.

In *Northern Ireland* there were no prosecutions for breaches of the Convention.

The Government of *Venezuela* states that the National Constitution of the United States of Venezuela (§ 63, paragraph 11) provides measures for the special protection of the work of minors, including the fixing of a minimum age for admission to various types of employment. The line of division which separates industrial and commercial undertakings from agricultural and stock-breeding undertakings is defined in the Regulations of 4 May 1945 (§ 5).

In reply to the question raised by the Committee of Experts in its report to the

1947 (30th) Session of the Conference (whether the deletion, by the Act of 4 May 1945, of § 2 of the Labour Act results in exempting public services of an industrial nature from the provisions of the Act which correspond to the provisions of the Convention), the Government refers to § 6 of the amending Act of 1945, which provides that "... wage-earning employees in the service of the nation, the States or the municipal authorities, shall be covered until such time as they become the object of special legislation, by the provisions of this Act and the Regulations issued in pursuance thereof, in so far as they are applicable to the type of services which they render and to the requirements of public administration".

This article, interpreted in conjunction with § 8 of the Act of 1945, admits explicitly that the employees of these public services, in so far as this is compatible with the type of the services which they render, shall receive the same protection as the employees of private undertakings. This principle has been constantly put into practice by the Administration and has led to the organisation of trade unions of public employees, some of which are mentioned in the Government's report. In many cases these employees receive even higher social benefits than the other workers, by means of collective agreements concluded between the Administration and other bodies corporate and the organisations concerned.

See under Convention No. 1 for information relating to the authorities entrusted with the application of the legislation.

Under § 257 of the Labour Act, provision is made for sanctions for contraventions of the legal provisions on the work of minors. The Minors' Code of 10 January 1939 also provides (§ 6) that a minor is considered to be destitute and in danger within the meaning of the Code if he is doing manual work prohibited to him by the laws and regulations relating to the work of minors. The officials entrusted with the application of the Minors' Code collaborate with the officials of the labour inspection service in the enforcement of the Convention. 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 Government of *France* states that the legislative provisions are applicable, under the Decree of 2 March 1939, to *Martinique, Guadeloupe, French Guiana and New Caledonia* (no longer non-metropolitan territories but French Departments).

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

British Guiana.

Education (Amendment) Ordinance No. 19 of 1947.

This Ordinance provides that no child under the age of fourteen years shall be employed unless it is rendering such service to its parents as is usually given by children, during hours when schools are not in session.

Cyprus.

Employment of Children and Young Persons Law, No. 47 of 1944.

Falkland Islands.

Ordinance No. 4 of 1939.

Fiji.

Labour Ordinance No. 23 of 1947 (Part IX, now incorporates Ordinance No. 34 of 1941).

Jamaica.

Prevention of Accidents and Sugar Mills Law (Chapter 301).

Malayan Union.

Children and Young Persons Ordinance No. 33 of 1947 and Rules made under this Ordinance.

Malta.

Ordinance No. 6 of 1944.

This Ordinance prohibits the employment of children under twelve years of age. The hours and nature of employment of children between the ages of twelve and fourteen years are strictly limited as follows: no employment during school hours, not more than two hours on school days, Sundays or feast days, nor between 8 p.m. and 6 a.m.

North Borneo.

Labour Ordinance, 1936.

St. Helena.

Education Ordinance No. 10 of 1941, § 13.

Seychelles.

Ordinance No. 25 of 1945, § 19. Ordinance No. 26 of 1945, § 11.

Uganda.

Employment of Children (Amendment) Ordinance No. 27 of 1946.

Western Pacific.

British Solomon Islands: Regulation No. 5 of 1947, Part IX.

(*Tonga*: No special legislation having regard to conditions prevailing in Tonga, where attendance at school is compulsory up to the age of fourteen years.)

In *Singapore*, the Children Ordinance of 1927 and Rules made thereunder prescribe the minimum age of twelve years. Legislation is being introduced shortly to increase this age to fourteen years.

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

This Convention came into force on 13 June 1921

Countries	Date of registration of ratification	Reports received
Albania	17. 3.1932	
Argentina	30.11.1933	
Austria	12. 6.1924	16.12.1947
Belgium	12. 7.1924	29.11.1947
Brazil	26. 4.1934	
Bulgaria	14. 2.1922	2. 2.1948
Chile	15. 9.1925	25. 2.1948
Cuba	6. 8.1928	19. 2.1948
Denmark	4. 1.1923	15.11.1947
Estonia	20.12.1922	
France	25. 8.1925	16. 1.1948
Greece	19.11.1920	19. 1.1948
Hungary	19. 4.1928	4.12.1947
India	14. 7.1921	11.12.1947
Ireland	4. 9.1925	11.11.1947
Italy	10. 4.1923	22.12.1947
Latvia	3. 6.1926	
Lithuania	19. 6.1931	
Luxembourg	16. 4.1928	8.12.1947
Mexico	20. 5.1937	17. 1.1948
Netherlands	17. 3.1924	8.12.1947
Nicaragua	12. 4.1934	
Pakistan ¹	14. 7.1921	
Poland	21. 6.1924	15.12.1947
Portugal	10. 5.1932	30.12.1947
Rumania	13. 6.1921	
Spain	29. 9.1932	
Switzerland	9.10.1922	17.11.1947
United Kingdom ²	14. 7.1921	10. 1.1948
Uruguay	6. 6.1933	
Venezuela	7. 3.1933	2. 2.1948
Yugoslavia	1. 4.1927	
* * *	* * *	* * *
Burma ³	14. 7.1921	13.12.1947

¹ See footnote 2 to Convention No. 1.

² Has denounced this Convention.

³ See footnote 3 to Convention No. 1.

INTRODUCTORY NOTE

The Government of *Austria* states that the prohibition of the night work of young persons is laid down in the German provisions, which are still in force under the Act of 1945 which provides measures for the period of transition until the new federal legislation is enacted (*Rechts-Ueberleitungsgesetz*).

Wherever these provisions are not in conformity with the provisions of the Convention, the Federal Government has endeavoured, since the liberation of the country, to ensure such conformity by means of administrative regulations and, in particular, provisions relating to the labour inspection services.

The Government's plan concerning the new Act relating to youth protection, which is at present before Parliament (see under Convention No. 5, introductory note) will take into account the obligations provided for by the Convention.

The Government of *Mexico* repeats the statement made in previous reports, to the effect that the legal effect of the ratification

of the Convention, in accordance with § 133 of the Constitution, is to transform its provisions into constitutional law as from the time of its promulgation in the *Diario Oficial*. Although this doctrine is sometimes opposed by a party to a dispute before the Federal Labour Board, and although the problem has not yet been settled by the courts, it has been maintained by the majority of Mexican specialists on the subject, including writers specialising in labour law, as well as by the Legal Branch of the Secretariat of Labour and the Fourth Bench of the Supreme Court of Justice.

The Government also refers to the statement made by the Mexican delegate in the meetings of the Committee on the application of Conventions set up by the Conference in 1947, pointing out, *inter alia*, that the application of international labour Conventions which cannot be incorporated in the law for constitutional reasons was ensured through a system of collective agreements.

In the case of Convention No. 6, § 123, paragraph 11, of the Constitution prevents its entry into force until the above-mentioned provision has been amended. In spite of the fact that, on various occasions, the Government has endeavoured to introduce the necessary constitutional amendment, a suitable opportunity for so doing has not yet been found.

The Secretariat of Labour has, however, taken due note of the observations made in 1947 by the Committee of Experts, and regrets that political circumstances connected with the Mexican workers' movement have not enabled it to raise the minimum age for employment at night to eighteen years. As the introduction of a constitutional amendment is a very difficult matter, the Secretariat has begun to study the possibility of regarding § 123 of the Constitution as providing for "minimum protection" which might be extended by means of regulations. In fact, the only discrepancy between Mexican legislation and the Convention is that regarding age, since § 20 of the regulations respecting dangerous and unhealthy occupations strictly prohibits night work for persons under sixteen years of age.

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

Austria.

Act (German) of 30 April 1938 respecting the employment of children and the hours of work of young persons (Act relating to youth protection) (L.S. 1938, Ger. 5).
Order for the application of the Act relating to youth protection, dated 12 December 1938.
See also introductory note.

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 sixteen 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 sixteen and eighteen 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 sixteen 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. 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 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 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.

France.

Code of Labour and Social Welfare, Book II.
Act of 24 January 1925 to amend §§ 20 (a) to 28 and 96 of Book II of the Code of Labour and Social Welfare (L.S. 1925, Fr. 1).

Act of 30 June 1928 to amend certain sections of Book II of the Code of Labour (L.S. 1928, Fr. 13).

Decree of 5 May 1928 defining the allowances and exceptions contemplated in §§ 17, 24, 25 and 26 of Book II of the Code of Labour and Social Welfare (L.S. 1928, Fr. 10).

Greece.

Act No. 2272 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).

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 eleven 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.

India.

Factories Act, 1934 (L.S. 1934, Ind. 2), amended subsequently (L.S. 1936, Ind. 3).

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).

Luxembourg.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).

Order of 30 March 1932 respecting the application of certain Conventions adopted by the International Labour Conference during its first ten sessions (L.S. 1932, Lux. 1).

Order of 6 January 1933 to amend the Order of 30 March 1932 (L.S. 1933, Lux. 1).

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.

See also introductory note.

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. 26917 of 24 August 1936 to amend and supplement Legislative Decree No. 24402 (L.S. 1936, Port. 3).

Legislative Decree No. 36173 of 6 March 1947 to regulate and standardise the form of collective agreements.

Order of the Under-Secretary of State for Corporations and Social Welfare, dated 6 March 1947, to define night work.

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 per-

formed in factories (L.S. 1936, Switz. 1), extended by the Order of 21 December 1945. 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.

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).

Supplies and Services (Extended Purposes) Act, 1947.

Factories (Hours of Employment in Factories using Electricity) Order, 1947 (came into force on 22 September 1947).

Venezuela.

Labour Act of 16 July 1936 (L.S. 1936, Ven. 2), amended by the Act of 4 May 1945 (L.S. 1945, Ven. 2).

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. 1).

* * *

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 Government of *Austria* states that the legislative provisions apply to all the activities covered by Article 1 of the Convention, including mines, and their scope is therefore much wider than the scope of this article of the Convention. For information relating to the line of division which separates industry from commerce and agriculture, see under Convention No. 4.

According to the German Act relating to youth protection, which remains provisionally in force (§ 16, paragraph 5), young persons over sixteen years of age may be employed up to 11 p.m. on alternate weeks in establishments in which use is made of the shift system. Further, the labour inspection service may authorise work on the night shift to stop at midnight provided the day shift starts work one hour later. This divergence from the provisions of the Convention will be remedied in the new Act relating to youth protection which is now before the National Council.

Subject to the above-mentioned conditions, the German Act authorises the employment of young persons at night in coal and lignite mines (between 10 and 11 p.m. or midnight). The German Act relating to youth protec-

tion lays down in § 74 that young persons over sixteen years of age may be employed at night in bakeries, in so far as the Austrian Act of 1919 authorises the manufacture of bakers' and pastrycooks' wares during the night (as laid down in the Act relating to youth protection). The Austrian Act respecting bakeries defines the prohibited period of night work as between 8 p.m. and 4 a.m. Consequently, young persons over sixteen years of age can be employed from 4 a.m.

In § 19, the German Act relating to youth protection lays down that young persons may be employed at night, irrespective of their age, on urgent work of a temporary nature which must be performed without delay. Not only young persons between sixteen and eighteen years of age, as provided for in the Convention, but also children between fourteen and sixteen years of age may be employed on such work. The head of an undertaking must notify the labour inspection service without delay of all work of this nature. The labour inspection service (in the case of mines, the mining authority) must ascertain as far as possible that work of an urgent nature exists which justifies the employment of young persons. During the period under review, no use has been made of the exception provided for in Article 7 of the Convention.

For information relating to the authorities entrusted with the application of the Convention, statistics, and reports supplied by the inspection services, see under Convention No. 4. No decisions were given by courts of law, and no observations were received from employers' or workers' organisations.

See also introductory note.

The Government of *Belgium* refers to previous reports and adds that, during the period under review, any legal decisions have merely confirmed the administrative precedents which constitute the basis of the work of the inspection services. These services have ensured compliance with the provisions of the legislation.

Generally speaking, only very limited use has been made of the exceptions provided for in Articles 2, 3 and 4 of the Convention. In the iron and steel industry, 250 young persons are at present employed at night exclusively in factories using reverberatory or regenerative furnaces. In the metal trades (other than in the manufacture of iron and steel), out of a total of 8,300 workers, 41 young persons are employed at night. In coal mines, out of a total of 100,000 male workers employed underground, 190 boys of sixteen to eighteen years of age are engaged in underground work after 10 p.m. and before 5 a.m. These exceptions are granted only in conformity with the provisions of national legislation and have been checked by the control services. No observations were received from employers' or workers' organisations.

The Government of *Bulgaria* states that no edict applying Article 7 of the Convention

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 employers' or workers' 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 satisfactory application of the relevant legislation. The number of minors protected by the legislation was 56,482. The number of young persons of either sex employed in establishments visited by the section of the labour inspectorate responsible for women and young persons and for home work was 1,571. No breaches of the provisions of the Convention were noted in 1946. In the majority of cases, the administrative services have merely to intervene in order to ensure compliance with the legislation. No observations were received from employers' or workers' organisations.

The Government of *Cuba* states that, as an indirect result of § XIV of Legislative Decree No. 647, and of Decree No. 53 of 1935 limiting the hours of work of young persons, the employment of young persons between fourteen and eighteen years of age, although authorised by § 66 of the Constitution, is not frequent in industry, commerce and agriculture and that therefore the need for fixing a line of division between these fields of activity does not arise.

There is no evidence to show that young persons over sixteen years of age have been employed at night in sugar refineries or in the manufacture of paper or iron and steel which are the only industries in Cuba covered by Article 2 of the Convention.

§ IV of Legislative Decree No. 647 provides for an exception in the case of coal and lignite mines, although such mines do not exist in Cuba; the provisions of the national legislation would appear to be in complete harmony with those of the Convention.

In no case has the prohibition of night work been suspended under Article 7 of the Convention. No infringements of the regulations have been reported by the inspection services and no decisions were given by courts of law. No observations were received from employers' and workers' organisations.

The Government of *Denmark* refers to previous reports and adds that, during 1947, no proceedings were instituted for breaches of the legislative provisions applying the Convention.

The Government of *France* states that, during the period under review, no decisions by courts of law have been noted in case-books. No observations have been received from employers' or workers' organisations.

See also under Convention No. 5, for information relating to the authorities en-

trusted with the supervision of the application of legislation and for information supplied by the labour inspection services on this subject.

The Government of *Greece* refers to previous reports and adds that the Convention has been strictly applied. It has still not been possible to define the line of division which separates industry from commerce and agriculture. No request has been made by employers to make use of the exception provided by Article 4 of the Convention and no measures have been taken to suspend the prohibition of the night work of young persons under Article 7.

See under Convention No. 5 for information relating to the organisation of the labour inspection service.

The Government of *Hungary* states that it has nothing to add to the information supplied in its previous reports.

The Government of *India* states that no decisions by courts of law or other courts have come to its notice and no observations have been received from employers' or workers' organisations.

See also under Convention No. 4 for information relating to the administration of the Factories Act.

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 three cases and the employers were suitably warned.

The Government of *Italy* states that, under § 14 of the Act of 1934 which authorises the exceptions provided for in Article 2, paragraph 2, of the Convention, it is also possible to grant exceptions for other operations specified by the Ministry of Labour and Social Welfare, after consultation with the industrial organisations. No use has, however, been made of this faculty, which is merely of a precautionary nature.

As regards Article 3, paragraph 3, of the Conventions, the Government states that under Act No. 105 of 22 March 1908, night work in bakeries is prohibited for all classes of workers between 9 p.m. and 4 a.m. (on Saturdays between 11 p.m. and 4 a.m.). However, in view of the abnormal situation prevailing in this industry, the Act is only partially applied and work begins at 3 a.m.

By a circular letter of the Ministry of Labour and Social Welfare dated 23 July 1947, the labour inspectorate is authorised to adapt the legislative provisions to individual local situations, by restoring completely or partially the prohibition of night work in bakeries after consultation with the industrial organisations and the authorities concerned. No use has been made of the exceptions provided by Article 7 of the Convention. No decisions were given by courts of law.

See also under Convention No. 4 for

information relating to the line of division which separates industry from commerce and agriculture, the authorities entrusted with the application of the legislation and the manner in which the Convention is applied (including the difficulties which have resulted from the shortage of electric power).

The Government of *Luxembourg* states that the processes to which the exceptions provided for in paragraph 2 of Article 2 of the Convention may be applied are for work in connection with metallurgical works, paper factories, lime or dolomite kilns. With regard to paragraph 3 of Article 3 of the Convention, the Government states that, by Ministerial Order and subject to agreement between the professional organisations of bakers, the interval of nightly rest between 10 o'clock in the evening and 5 o'clock in the morning may be advanced by one hour. Master bakers who wish to take advantage of this provision are obliged to inform the labour inspection service, indicating the names of the persons employed on the work in question and the nature and duration of the work performed. Such information must be posted in a conspicuous place in workplaces. The labour inspection service shall communicate this information to the Commanding Officer of the Armed Forces and to the Director of the local State Police. During the period under review, the prohibition of night work was not suspended under Article 7 of the Convention.

The Government adds that the Convention has been strictly applied. No decisions were given by the courts and no observations were received from employers' or workers' organisations.

For information relating to the undertakings covered by the legislation in question and to the organisation of the inspection service, see under Convention No. 3.

The Government of *Mexico* states that Mexican legislation contains a list but gives no precise definition of the following branches of employment: domestic service, shipping, railways, agriculture, small industrial establishments, family establishments and home work. The term "agricultural employment" is defined by § 190 of the Federal Labour Act and by the Agrarian Act.

Although in Mexican legislation there is no strictly defined line of division between industry, commerce and agriculture, the distinction between these three branches of employment gives rise to no confusion. In any case, the Government intends to define a line of division as soon as the amendment of the Federal Labour Act becomes politically opportune.

All industrial undertakings enumerated in Article 1 of the Convention are considered as such under Mexican legislation.

Legislative provisions relating to the prohibition of night work refer to children under sixteen years of age and not to young persons under eighteen years of age. In order to remedy this situation it will be necessary to change the minimum age

for admission to employment. This is a matter which the Secretariat of Labour has had in mind for some time, as the minimum age laid down in the Constitution is too low.

As there have been interpretations of the Labour Act in a manner which permits the employment of young persons on a "mixed" working day (§ 71 of the Federal Labour Act), the problem will be dealt with when the Constitution and the appropriate provisions of the Labour Act have been amended. An attempt has already been made in this direction in the drafting of § 20 of the regulations respecting dangerous and unhealthy occupations, which prohibits the employment of young persons under sixteen years of age between 8 p.m. and 6 a.m., thus eliminating the possibility that on a "mixed" working day young persons may be employed for some of the hours of the period defined as "night" under Mexican legislation.

With regard to Article 7 of the Convention, the Government states that, so far, it has not been necessary to suspend the prohibition relating to the night work of young persons provided for in § 29 of the Constitution.

The Secretariat of Labour is preparing measures for the reform of the labour inspection service in order to bring it into line with the Mexico Resolution and the Convention adopted by the International Labour Conference at its 30th Session. The Office of Enquiry into the situation of women and young workers, under the Secretariat of Labour and Social Welfare, also supervises the night work of young persons. No decisions were given by courts of law.

See also introductory note.

The *Netherlands* Government states that no breaches have been reported of the regulations relating to the compulsory rest period of eleven hours for persons under eighteen years of age.

Proceedings were instituted in one case of infringement of the regulations respecting the prohibition of night work, which concerned a young person of seventeen years of age working in a bakery, and a fine of 15 florins was imposed. Proceedings were also instituted in four cases of breaches of the same regulations in connection with night work in cafés and hotels, and in one case in connection with night work in an undertaking for the manufacture of synthetic marble.

The Government of *Poland* states that, during the period under review, no decisions by courts of law were brought to its notice. According to the reports of the labour inspectorate, 280 young persons worked at night, including 128 girls employed temporarily by authorisation of the regional labour inspector on seasonal work in sugar refineries. The Minister of Labour and Social Welfare has since forbidden the granting by the labour inspector of permits for night work in such cases.

The Government of *Portugal* states that no decision has been taken to define the

line of division which separates industry from commerce and agriculture.

Paragraph 14, § 7, of Legislative Decree No. 36173 of 6 March 1947 lays down that collective agreements shall not, in particular, be in contradiction to the legislative regulations relating to the employment of children. The Government refers to a collective labour agreement for the woollen industry, dated 8 August 1947, which stipulates in Clause 61 that the employment and presence of children in factories is prohibited after 10 p.m. During the period under review, no steps were taken by the authorities in pursuance of Article 7 of the Convention. There were no decisions by courts of law and no observations from employers' or workers' organisations which are worthy of mention. The Government is unable to supply statistics showing the exact number of young persons working in industrial establishments.

For information relating to proceedings for breaches of labour legislation, see under Convention No. 1.

The Government of *Switzerland* refers to previous reports and adds the following :

With regard to the application of Article 1 of the Convention, the Federal Tribunal was not called upon to give a decision regarding any appeal concerning the matter covered by the Federal Factory Act. As a result of favourable conditions, the number of undertakings covered by this Act has considerably increased and is now more than 10,000, representing an increase of approximately 8 per cent. There has also been a marked increase in the number of handicraft undertakings, but the exact number of the latter will not be known until after the next census of industrial undertakings in 1949. With regard to bakeries, the employers, on the basis of a ruling which they have obtained, maintain that such undertakings should not be covered by the Act if the more important bakeries, strictly speaking, are not affected. Three glassworks, which in virtue of the provisions of Article 2 of the Convention, have benefited for many years from the authorisation to employ young persons between sixteen and eighteen years of age at night, have continued to make use of this authorisation.

With regard to paragraph 3 of Article 3 of the Convention, the Government states that the federal authorities have intervened in connection with directives laid down by the "Conference of Apprenticeship Offices of French Switzerland and the Tessin" and the "Association of Master Bakers and Pastrycooks of French Switzerland", to the effect that, "as a general rule, bakers' apprentices shall not start work before 3 a.m." The associations in question were informed that a regulation of this nature, in so far as it affects young persons under eighteen years of age, is in contradiction to the Federal Act concerning the employment of young persons in industry. The Government has received a request, based on

Article 7 of the Convention, asking that bakers' apprentices under eighteen years of age should be authorised to work before 5 a.m. in order to enable them to complete their period of apprenticeship. No decision has yet been taken in this connection. During the period under review, the prohibition of night work has not been suspended under Article 7 of the Convention.

The Government appends to its report copies of the reports of the federal factory inspectors on their activities during 1945 and 1946. In the spring of 1947, the cantons were asked to submit reports regarding the application of the Federal Factory Act during 1945 and 1946. These reports show that in general the application of the legislative provisions is secured. During the period under review, the federal authorities were notified of five convictions for breaches of the prohibition of night work for young persons laid down in the Factories Act and six 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 was one where the breach was committed, not during the hours prohibited by the Convention, but in the interval between 8 p.m. (on Saturdays and on the eve of public holidays, 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 1946, a copy of which is appended to the report. This report contains a general account of the application of the provisions which ensure the application of the Convention in Switzerland.

For information relating to the strengthening of the control service see under Convention No. 5.

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 regards Article 7 of the Convention, the Government states that the emergency powers of the Minister of Labour and National Service to authorise exemptions from the provisions of the Factories Act, 1937, remained in force during the period under review, and the purposes for which these powers might be used were somewhat widened by the Supplies and Services (Extended Purposes) Act, 1947. In a few cases it has been found necessary to permit the continued employment of male young persons over sixteen years of age at night under these powers.

In order to spread the electricity load and thereby avoid a serious breakdown in sup-

plies, it has been found necessary to make provision for the staggering of hours of work in factories — including, in some cases, night work — during the winter months. Accordingly, the Minister of Labour and National Service has used the emergency powers mentioned above to make an Order, the Factories (Hours of Employment in Factories using Electricity) Order, 1947, which provides, among other relaxations, for the employment of male young persons over sixteen years of age at night. The use of the Order, which came into force on 22 September 1947, is carefully controlled by the factory inspectorate, and will be confined to cases where arrangements for unavoidable staggering of hours cannot be brought within normal statutory limits.

No decisions were given by courts of law or other courts. A high standard of enforcement is secured, and the reports of the inspectors show that, except in isolated instances, the terms of the Convention are fully and carefully observed. During the period under review six firms were prosecuted for breaches of the Convention. In these six cases, the total number of young persons illegally employed was fourteen (six males over sixteen years of age and eight under sixteen years of age).

In 1946 (the latest date for which figures are available) the number of young persons employed in factories in Great Britain was estimated at 800,000 (400,000 male and 400,000 female). A total of 21,903 persons under the age of twenty years (21,430 male and 473 female), excluding clerks and salaried persons, were employed above ground at mines, and 1,373 persons under twenty years of age (1,358 males and 15 females), excluding clerks and salaried persons, were employed above ground at quarries.

No observations were received from employers' or workers' organisations.

See also under Convention No. 5 for information regarding the authorities to which the application of the Employment of Women, Young Persons and Children Act, 1920, is entrusted.

In *Northern Ireland* no decisions were given by courts of law or other courts. There were no prosecutions. 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 have been revoked, with the exception of two which continued in force. A further Order was made in respect of one factory in which canning of vegetables is carried on.

The Government of *Venezuela* states that the line of division which separates industry and commerce from agriculture and stockbreeding is defined in the Regulations of 4 May 1945 (§ 5).

See under Convention No. 5 for the Govern-

ment's reply to the question raised by the Committee of Experts in 1947 whether the deletion (by the Act of 4 May 1945) of § 2 of the Labour Act of 1936 results in exempting public services of an industrial character from the provisions of the Act.

The exceptions provided for by Article 2, paragraph 2, of the Convention are not applied under the national legislation.

§ 108 of the Regulations issued under the Labour Act stipulates that, with regard to the exceptions provided for by § 72 of the Labour Act (§ 101 of the Act of 1945), the young persons concerned may only be employed until midnight. Although night work in the baking industry was prohibited for all workers by a Resolution of 12 February 1946, the Government stated in its report for 1945-1946 that the alternative night interval provided for in Article 3, paragraph 3, of the Convention was not authorised. During the period 1946-1947, the National Constituent Assembly has approved and maintained in force various provisions and Decrees relating to the prohibition of night work in bakeries.

The exceptions provided for in Articles 4 and 6 of the Convention are applied by § 110, paragraphs 4 and 5, of the Regulations, provided that the young persons concerned are granted a rest period of at least nine consecutive hours (§ 111). However, no use was made of the exception provided for in Article 7 of the Convention.

See also under Convention No. 1 for information relating to the authorities entrusted with the application of the legislation.

The application by the labour inspection service of § 257 of the Labour Act concerning sanctions in the event of contraventions of the provisions respecting children (warning of employer and fines if the warning fails) has worked satisfactorily.

No decisions were given by courts of law and no observations were received from employers' or workers' organisations or from individual employers or workers.

* * *

The Government of *Burma* states that the prohibition of night work of young persons has not been suspended in pursuance of Article 7 of the Convention.

The application of the Convention is entrusted to the Chief Inspector of Factories and Chief Inspector of Mines, and frequent visits are made by the inspectors, but as the departments are understaffed it has not been possible to implement the Convention with any degree of satisfaction. In spite of the lack of effective control, no cases of serious contravention were reported. Conditions will greatly improve with the strengthening of the inspectorates. No decisions were given by courts of law.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that the legislative provisions, excluding those relating to exceptions in the case of mines, are applicable, under the Decree of 2 March 1939, to *Martinique, Guadeloupe, French Guiana, Reunion* and *New Caledonia* (no longer non metropolitan territories but French Departments).

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

Bahamas.

Act 2 and 3 Geo. VI (Chapter 30).

Fiji.

Labour Ordinance No. 23 of 1947, § 69.

This Ordinance provides that no person under the age of eighteen years may be employed during the night in any industrial undertaking, except that persons over the age of sixteen years may be so employed with the written permission of the Commissioner of Labour.

Gambia.

Labour Ordinance No. 21 of 1944.

Jamaica.

Factories Regulations, 1943, made under the Factories Law, No. 43 of 1940.

Leeward Islands.

Employment of Women, Young Persons and Children Act, No. 5 of 1938, § 7.

Malayan Union.

Children and Young Persons Ordinance No. 33 of 1947 and Rules made thereunder.

No person under eighteen years of age may be employed in any industrial undertaking between 8 p.m. and 6 a.m. except that a young person of sixteen years of age or over may be employed during those hours in special circumstances under a licence from the Commissioner of Labour.

Malta.

Ordinance No. 6 of 1944.

This Ordinance prohibits the employment of young persons below the age of sixteen years between 8 p.m. and 6 a.m.

North Borneo.

Labour Ordinance, 1936.

Singapore.

Labour Ordinance (Cap. 69), § 21.

Trinidad.

Factories Ordinance No. 44 of 1946.

the employment of a young person over the age of sixteen years in such undertakings in exceptional circumstances.

Uganda.

Employment of Children (Amendment) Ordinance No. 27 of 1946.

This Ordinance provides that no young person under the age of eighteen years should be employed during the night in an industrial undertaking except that the Labour Commissioner may license

Western Pacific.

British Solomon Islands : Regulation No. 5 of 1947 (paragraphs 58 and 69 (d)).

It is further stated that the Convention is applicable to the conditions prevailing in the *Falkland Islands*, and *Tonga*.

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

Countries	Date of registration of ratification	Reports received
Argentina	30. 11. 1933	
Australia	28. 6. 1935	13. 11. 1947
Belgium	2. 2. 1925	29. 11. 1947
Brazil	8. 6. 1936	
Bulgaria	16. 3. 1923	2. 2. 1948
Canada	31. 3. 1926	5. 11. 1947
Chile	18. 10. 1935	25. 2. 1948
China	2. 12. 1936	3. 3. 1948
Colombia	20. 6. 1933	
Cuba	6. 8. 1928	19. 2. 1948
Denmark	12. 5. 1924	15. 11. 1947
Dominican Republic	4. 2. 1933	
Estonia	3. 3. 1923	
Finland	10. 10. 1925	10. 11. 1947
Germany	11. 6. 1929	
Greece	16. 12. 1925	19. 1. 1948
Hungary	1. 3. 1928	4. 12. 1947
Ireland	4. 9. 1925	10. 12. 1947
Italy	14. 7. 1932	
Japan	7. 6. 1924	
Latvia	3. 6. 1926	
Luxembourg	16. 4. 1928	9. 10. 1947
Netherlands ¹	26. 3. 1925	8. 12. 1947
Nicaragua	12. 4. 1934	
Norway	7. 10. 1927	7. 1. 1948
Poland	21. 6. 1924	6. 1. 1948
Rumania	8. 5. 1922	
Spain	20. 6. 1924	
Sweden	27. 9. 1921	28. 11. 1947
United Kingdom	14. 7. 1921	10. 1. 1948
Uruguay	6. 6. 1933	
Venezuela	20. 11. 1944	2. 2. 1948
Yugoslavia	1. 4. 1927	

¹ Denunciation 8. 7. 1947.

INTRODUCTORY NOTE

The Government of *Luxembourg* states that the Convention was ratified in a spirit of international solidarity, but that, in view of the subject matter covered, it calls for no practical application in the Grand Duchy.

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).

China.

Provisional Measures for the Control of Seamen, promulgated by the Ministry of Communications on 1 October 1931.

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.

Act No. 29 of 26 February 1872 relating to the registration of seamen and the supervision of their engagement and their discharge.
Seamen's Act No. 181 of 1 May 1923 (L.S. 1923, Den. 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.

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, 1920 (L.S. 1920, G.B. 9).

Luxembourg.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).
See also introductory note.

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. 4 B).
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).

Norway.

Act of 29 June 1888 concerning the registration and supervision of the engagement of seamen, and supplementary Acts of 28 May 1892 and 16 June 1927.
Seamen's Act of 16 February 1923 (L.S. 1923, Nor. 1).

Poland.

Act of 2 July 1924 relating to the employment of women and young persons (L.S. 1924, Pol. 2).

Sweden.

See under Convention No. 58.

United Kingdom.

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

Venezuela.

The National Constitution of Venezuela of 5 July 1947.
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 to give effect to the Labour Act.

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* states that the Act of 5 June 1928 applies to all merchant and fishing vessels. 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 eighteen 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. The Government is unable to supply statistical information. 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. There were no observations from employers' or workers' organisations.

The Government of *Chile* refers to its report for 1935-1936 and adds that, according to the reports of the inspection services for maritime labour, no young persons under eighteen years of age were employed on merchant vessels. There were no breaches of the legislation. The Government has no knowledge of any decisions by courts of law. No observations were received from employers' or workers' organisations.

The Government of *China* repeats the information supplied in its report for 1945-1946, in which it stated that the Provisional Measures for the Control of Seamen, promulgated and enforced on 1 October 1931, are in complete harmony with the Convention. § 6 of these Measures provides that minors shall not be employed as seamen without the permission of their legal guardians. Under civil law, persons under twenty years of age are considered as minors. There are no seamen under twenty years of age in China. The Ministry of Communications and the local Navigation Offices are entrusted with 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 *Cuba* repeats the information contained in its report for 1945-1946 and adds that no decisions were given by courts of law. No breaches of the legislation have been reported by the harbour-masters. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Denmark* refers to previous reports and adds that no decisions were given by courts of law or other courts and no observations were received from employers' or workers' organisations.

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 *Greece* states that control of the age of young persons employed on board vessels is ensured by means of a seaman's book in which the date of birth, as verified by the authorities at the seaman's place of birth, is entered. The enforcement of these provisions is entrusted to the port and consular authorities or to the State Labour Office, as the case may be. No breaches of the legislation and no decisions by the courts were reported.

The Government of *Hungary* states that no young person under eighteen years of age may be employed on board a vessel.

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

Luxembourg. See introductory note.

The *Netherlands* Government states that strict supervision was necessary during 1946 to secure the enforcement of § 9 of the Labour Act of 1919 prohibiting the employment of children under fourteen years of age or of those under the school-leaving age. During the last year of German occupation, when the schools were closed, many parents placed their children in employment. After the reopening of the schools a number of these children did not return.

The Government of *Norway* states that there has been no change of the position outlined in its earlier reports. No decisions of importance have been given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Poland* states that, under § 5 of the Act of 2 July 1924 respecting the employment of young persons and women, the admission of children under fifteen years of age to wage-earning employment is prohibited. The provisions of Article 3 of the Convention are not applied in practice. The ages of all persons employed are entered in a register.

The authorities entrusted with the supervision of the application of the legislative provisions are the Maritime and Fisheries Service (under the Ministry of Navigation) and the labour inspection services (under the Ministry of Labour and Social Welfare) in Poland, and the consulates abroad.

No verdicts or decisions by courts of law have come to the notice of the Government and no observations were made by industrial organisations.

Sweden. See under Convention No. 58.

The Government of the *United Kingdom* refers to previous reports and adds that the Minister of Transport is entrusted with the application of the legislation. The Government is not aware of any decisions given by a court of law. No reports of the inspection or registration services are available, and no relevant statistics are compiled. The Government is satisfied that the Convention is in effective operation. No obser-

vations have been received from employers' or workers' organisations.

The Government of *Venezuela* repeats the information given in reports of previous years and adds that no decisions were given by courts of law and no observations were received from employers' or workers' organisations or from individual employers or workers.

See also under Convention No. 1 for information relating to the authorities entrusted with supervision of the legislation applying the Convention.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* states that, although the application of the Convention is not extended to the *Belgian Congo*, the Act of 5 June 1928 applies to Natives of the colony employed on board Belgian vessels.

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

Falkland Islands.

Ordinance No. 4 of 1939.

Fiji.

Labour Ordinance No. 23 of 1947 (now incorporates Ordinance No. 34 of 1931).

Leeward Islands.

Employment of Women, Young Persons and Children Act, No. 5 of 1938, § 5.

Malayan Union.

Children and Young Persons Ordinance No. 33 of 1947, § 8.

Malta.

Ordinance No. 6 of 1944, § 3.

St. Helena.

Ordinance No. 10 of 1941, § 13.

St. Lucia.

Ordinance No. 9 of 1939.

Singapore.

Merchant Shipping Ordinance (Chapter 150), § 33.

Uganda.

Employment of Children (Amendment) Ordinance No. 27 of 1946.

Western Pacific.

British Solomon Islands : Regulation No. 5 of 1947, Part IX.

In *Palestine*, the requirements of the Convention will be covered in the Maritime Employment Ordinance now under preparation. It is stated that in *Tonga* the Convention is inapplicable to prevailing conditions.

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

This Convention came into force on 16 March 1923

Countries	Date of registration of ratification	Reports received
Argentina	30. 11. 1933	
Australia ¹	28. 6. 1935	5. 12. 1947
Belgium	2. 2. 1925	29. 11. 1947
Bulgaria	16. 3. 1923	2. 2. 1948
Canada	31. 3. 1926	5. 11. 1947
Chile	18. 10. 1935	25. 2. 1948
Colombia	20. 6. 1933	
Cuba	6. 8. 1928	19. 2. 1948
Denmark	15. 2. 1938	15. 11. 1947
Estonia	3. 3. 1923	
France	21. 3. 1929	16. 1. 1948
Germany	4. 3. 1930	
Greece	16. 12. 1925	19. 1. 1948
Ireland	5. 7. 1930	10. 12. 1947
Italy	8. 9. 1924	
Latvia	29. 8. 1930	
Luxembourg	16. 4. 1928	9. 10. 1947
Mexico	20. 5. 1937	17. 1. 1948
Netherlands	15. 12. 1937	8. 12. 1947
Nicaragua	12. 4. 1934	
Norway	21. 7. 1936	7. 1. 1948
Poland	21. 6. 1924	6. 1. 1948
Rumania	10. 11. 1930	
Spain	20. 6. 1924	
Sweden	1. 1. 1935	28. 11. 1947
United Kingdom	12. 3. 1926	10. 1. 1948
Uruguay	6. 6. 1933	
Yugoslavia	30. 9. 1929	

¹ Papua and New Guinea only.

INTRODUCTORY NOTE

The Government of *Luxembourg* states that the Convention was ratified in a spirit of international solidarity, but that, in view of the subject matter covered, it calls for no practical application in the Grand Duchy.

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. 1929, Fr. 1).

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 of 1933 (L.S. 1933, Ire. 2).

Luxembourg.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).
See also introductory note.

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).

Norway.

Seamen's Act of 16 February 1923 (L.S. 1923, Nor. 1) as amended by Act of 7 June 1935 (L.S. 1935, Nor. 2).

Poland.

Act of 17 March 1933 amending the Seamen's Code (which came into force on 1 June 1933) (L.S. 1933, Pol. 4).

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. 1 A).

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

United Kingdom.

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

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

The Government of *Australia* refers to previous reports and adds that there has been no change in the position regarding the application of the Convention since it furnished its report for 1945-1946. No decisions were given in courts of law or other courts and no observations were received from employers or workers. There were no payments to seamen in Australia in pursuance of the provisions of the Convention.

The Government of *Belgium* states that the Act of 5 June 1928 applies to all merchant and fishing vessels and adds that its provisions are in harmony with those of the Convention. Any disputes in connection with the right to unemployment indemnity in the event of shipwreck are settled by means of conciliation before the maritime superintendent and, if no settlement is reached, by the seamen's probiviral courts set up by the Act of 5 June 1928. No decisions were given by courts of law. There was only one case of shipwreck for which unemployment indemnity was fixed and settled by mutual agreement between the parties concerned.

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.

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. There were no observations from employers' or workers' organisations.

The Government of *Chile* refers to previous reports and adds that two vessels, representing a total tonnage of 644 tons

gross, were sunk during the period under review. The crews received the statutory compensation. The number of persons covered by the legislation is 5,907, i.e., 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* repeats the information given in previous reports and supplies figures showing the amounts paid in unemployment indemnity by the National Office for Maritime Affairs in 1946. 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 previous reports.

The Government of *France* refers to its previous reports and adds that, owing to special circumstances, it has not been possible to compile statistics relating to seamen. No decisions were given by courts of law and no observations have been received from organisations of shipowners or seamen.

The Government of *Greece* repeats information given in its report for 1945-1946 and adds that, although no record has been kept of the number of seamen protected by the provisions of the Convention, since eight ships, each with an average of thirty-five men, were lost during this period, it can be presumed that the number of seamen covered is approximately three hundred.

The Government of *Ireland* refers to its report for 1939-1940 and adds that two cases coming within the scope of the Convention arose during the period under review. In one case the crew claimed indemnity.

Luxembourg. See introductory note.

The Government of *Mexico* repeats the information given in reports of previous years.

The *Netherlands* Government states that three ships were lost during the period under review and that, according to the information supplied by the shipowners, the members of the crew received compensation as provided for in the Convention.

The Government of *Norway* states that there has been no change in the position outlined in earlier reports. No decisions of importance have been given by courts of law and no observations have been received from organisations of employers or workers.

The Government of *Poland* repeats the detailed information given in its report for 1945-1946 in which it stated that the provisions of Article 1 of the Convention are applied under the legislation. There is no interpretation in the national legislation of the following expressions used in Article 2 of the Convention: "loss or foundering of the vessel"; "unemployment

resulting from such loss or foundering"; "wages". The Seamen's Code of 2 June 1902 provides in § 69 that the hiring agreement expires if the shipowner loses his vessel accidentally and, in particular, in the following cases: (1) shipwreck; (2) when it has been proved that the vessel is absolutely unfit or unsuitable for repairs; (3) seizure of the vessel by violence; (4) confiscation or declaration of the vessel as a sea capture.

The amended § 69 of the Seamen's Code provides that in the event of shipwreck a seaman is entitled to receive the wages which would have been earned by him and to be transported free of charge to the port from which he began the voyage or, if so decided by the master of the vessel, to receive appropriate compensation, the amount of which, in the event of a dispute, is fixed by the shipping offices in Poland and by the Polish consular authorities at the port concerned abroad. The seaman is also entitled to receive from the shipowner or the person with whom he contracted for service an indemnity for every day during which he is unemployed, at the rate of his last daily wage, but subject to a maximum payment period of sixty days. If the vessel is totally unfit for repairs, the seaman receives, in addition to the above-mentioned payments, half his wages for the time spent on the return journey. In the event of shipwreck, the seaman is entitled to half his wages, but only for that part of the return journey for which he is not entitled to the indemnity referred to above. The amended § 69 of the Seamen's Code also provides that the unemployment indemnity shall be treated on a footing of equality with arrears in wages, *i.e.*, in order to recover this indemnity the seaman has the same facilities in procedure as he has in recovering arrears in wages. All claims made by seamen may be recovered by a voluntary agreement through the intervention of the shipping offices, or the consular authorities abroad, through legal channels—and through the Seamen's Mediation Committee and the Agreement Committee for Officers. In urgent cases, the shipping offices may order the temporary execution of verdict subject to the right of the parties concerned to bring the case before the courts.

The authorities responsible for the supervision of the application of the provisions of the Convention and the legislation are

the Maritime and Fisheries Services (under the Ministry of Navigation) and the labour inspection services (under the Ministry of Labour and Social Welfare). The trade unions concerned (*i.e.*, the Union of Transport Workers — Seamen's Branch — and the Union of Sea Fishermen) ensure that shipowners comply with the legislative provisions issued in the interests of seamen. During the period 1946-1947, no breaches of the legislation were reported. The Government has no knowledge of any verdicts or decisions by courts of law. No observations have been made by industrial organisations.

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

The Government of the *United Kingdom* refers to previous reports and adds that the Ministry of Transport is entrusted with the application of the legislation. No decisions by courts of law have been brought to the notice of the Government. No information is available regarding the number of vessels wrecked or otherwise lost during the year 1946. No observations have been received from employers' or workers' organisations.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

Belgium. See under Convention No. 7.

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

Malayan Union.

Enactment No. 24 of 1932, Laws of the Federated Malay States, and the following Enactments:

Johore: No. 1 of 1939.

Kedah: No. 20 of 1357 (Islamic year).

Kelantan: No. 9 of 1939.

Perlis: No. 11 of 1357 (Islamic year).

Brunei: No. 8 of 1939.

In *Palestine* the requirements of the Convention will be covered by the Maritime Employment Ordinance now in preparation.

9. Convention for establishing facilities for finding employment for seamen

This Convention came into force on 23 November 1921

Countries	Date of registration of ratification	Reports received
Argentina	30.11.1933	
Australia	3. 8.1925	17.11.1947
Belgium	4. 2.1925	29.11.1947
Bulgaria	16. 3.1923	2. 2.1948
Chile	18.10.1935	25. 2.1948
Colombia	20. 6.1933	
Cuba	6. 8.1928	19. 2.1948
Denmark	23. 8.1938	15.11.1947
Estonia	3. 3.1923	
Finland	7.10.1922	10.11.1947
France	25. 1.1928	16. 1.1948
Germany	6. 6.1925	
Greece	16.12.1925	19. 1.1948
Italy	8. 9.1924	
Japan	23.11.1922	-
Latvia	3. 6.1926	
Luxembourg	16. 4.1928	9.10.1947
Mexico	1. 9.1939	17. 1.1948
New Zealand	29. 3.1938	4. 3.1948
Nicaragua	12. 4.1934	
Norway	23.11.1921	7. 1.1948
Poland	21. 6.1924	6. 1.1948
Rumania	10.11.1930	
Spain	23. 2.1931	
Sweden	27. 9.1921	28.11.1947
Uruguay	6. 6.1933	
Yugoslavia	30. 9.1929	

INTRODUCTORY NOTE

The Government of *Luxembourg* states that the Convention was ratified in a spirit of international solidarity, but that, in view of the subject matter covered, it calls for no practical application in the Grand Duchy.

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 Mercantile Marine and Sea-Fishing Industry (L.S. 1928, Bel. 5 B).

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.

Shipping Act of 24 June 1878.

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.

Cuba.

Legislative Decree No. 660 of 6 November 1934, concerning, *inter alia*, the 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.

Decision of the Minister of Communications and Public Works concerning the organisation of the placing of seamen, dated 16 September 1946.

France.

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 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 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. Decrees of 31 January 1930, 19 April 1932 and 28 November 1934, providing for the establishment of Government employment offices in certain ports.

Act No. 192 of 30 September 1936 concerning the placing of seamen (L.S. 1936, Gr. 1).

Luxembourg.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).

See also introductory note.

New Zealand.

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

Norway.

Act concerning mustering of ships' crews, etc., of 29 June 1888.
Provisional Decree of 18 May 1945 concerning registration and employment facilities for relief crews of the merchant navy.
Royal Decree of 18 May 1945.
Employment Services Act of 27 June 1947.

Poland.

Decree of 2 August 1945 concerning employment offices.
Order of the Minister of Labour and Social Welfare of 24 September 1945 concerning the finding of employment.

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.

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

The Government of *Australia* states that, during the period under review, there have been no changes either by Statute or Regulations. The total number of individual seamen engaged in the Australian shipping industry during the year ended 30 June 1947 was 8,782, and the number of engagements and re-engagements of seamen (including officers) in Australian ports during the same period was 27,964. The estimated daily average of seamen (excluding officers) engaged at the principal Australian ports during the above period was 311. No decisions were given by courts of law or other courts and no observations were received from employers' or workers' organisations.

The Government of *Belgium* states that the supervision of the application of the Act respecting seamen's articles of agreement is entrusted to the Joint Committee for the Engagement of Seamen and, if necessary, to the maritime authorities. Under the

Disciplinary and Penal Code for the Mercantile Marine and Sea-Fishing Industry, the marine superintendent may institute proceedings for any contraventions noted.

As regards Belgian vessels, placing is effected on the basis of a roster of seafarers registered with the crew (manning reserve) for the mercantile marine. However, the master remains free to choose his crew and may decline to accept the seafarer or seafarers in the order of their inscription in the roster. No decisions were given by courts of law or other courts.

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* refers to its report for 1935-1936 and adds that there are twenty-nine free public exchanges for workers in ports, six for seafarers and two for workers engaged in inland navigation. Employment exchanges also exist for crews in all ports of registration in which the headquarters of shipping undertakings are situated. A total of 1,809 officers and 3,982 seamen was registered. These figures cover the strength of the crews of all vessels and replacements; about 20 per cent. of these officers and seamen were partially unemployed.

The Government has no knowledge of any decisions by courts of law. No observations were received from employers' or workers' organisations.

With regard to Article 4 of the Convention, the Government of *Cuba* states that, as its merchant marine is not highly developed, practically the whole of it having been sunk during the war and only now being in process of reconstruction, there has necessarily been delay in giving effect to § X of Legislative Decree No. 660 (concerning the establishment under Government supervision of joint employment exchanges for seafarers). The Ministry of Labour has, however, set up a National Bureau of Maritime Affairs and has created municipal employment exchanges which deal with the placing of seamen.

No breaches of the legislation were detected by inspection visits. 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 1945-1946 and supplies figures showing that the number of engagements effected through the public shipping offices during the period 1 October 1946 to 31 July 1947 was 12,867.

The Government of *Finland* repeats the information given in its report for 1945-1946, and adds that no decisions by courts of law have come to the notice of the Govern-

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

The Government of *France* states that, under the Order of 6 September 1939, and in pursuance of the Act of 11 July 1938, crews of the mercantile marine are subject to requisition. After the cessation of hostilities the small amount of tonnage available made it necessary to engage personnel by rotation. During the intervals between two engagements the seaman is entitled, subject to certain conditions, to reduced pay, the cost of which is borne by the State. This system would end on 31 December 1947.

As from 1 January 1948, shipping undertakings are free to recruit crews under the conditions laid down in the collective agreement concluded on 19 July 1947 between the Central Committee of French Shipowners and the National Federation of Maritime Trade Unions, in pursuance of the Resolution adopted by the International Labour Organisation with a view to ensuring regularity and continuity of employment for a considerable percentage of the crews signed on.

Since the beginning of the war, the Administration for Maritime Registration has taken the place of all seamen's employment offices. After the liberation of the metropolitan territory tripartite commissions, including representatives of shipowners and seamen, have been requested to suggest the classification of seamen according to the lists of seamen in receipt of wages while awaiting employment.

As the seamen are requisitioned on board, no complaints have been received from employers' or workers' organisations.

The Government of *Greece* repeats the detailed information given in its reports for 1944-1945 and 1945-1946 regarding the functioning of seamen's employment exchanges, the recruitment of seamen, the application of the legislation, etc. The compilation of statistics relating to seamen entered in the registers of the Labour Offices has been recently resumed. Close contact and co-operation between the various Labour Offices ensures the transfer of unemployed seamen from one port to another. The Ministry of Mercantile Marine is responsible for co-ordinating the work of these offices, which are under its control. The Labour Office at the Piraeus has reported that 1,020 officers and 5,155 ratings found employment at that port during the period under review. A total of 1,237 officers and 3,997 seamen was sent abroad by this office.

Luxembourg. See introductory note.

The Government of *New Zealand* states that no committees have been set up under Article 5 of the Convention, nor have any representations been received by the Government from either the shipowners or the seamen to have them set up.

Under Article 8 of the Convention, the

Government states that no statistics are available showing the numbers and nationalities of foreign seamen who have taken advantage of the facilities made available to any foreign seamen seeking employment or to a master of any foreign ship requiring crew. Engagements or discharges from foreign ships are executed before the consul who represents the particular nationality of the ship.

Under Article 10 of the Convention, the Government states that classified records of disengaged persons available for employment are kept by the National Employment Service. The figures for disengaged seamen are included with those of persons seeking engagement on harbour, dock, lighthouse, etc., work under the broad heading of "water transport". Figures are given of the number of persons in this group disengaged at the end of each monthly period from 1 October 1946 to 31 August 1947. Figures are also given of the number of persons in the "water transport" group placed in employment by the National Employment Service during each month from 1 October 1946 to 31 August 1947.

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' or workers' organisations.

The Government of *Norway* states that, on 1 July 1947, the provisions of the Provisional Decree of 18 May 1945 regarding registration were replaced by the Employment Services Act of 27 June 1947.

In accordance with § 15 of this Act, the Ministry of Social Affairs has appointed a special body of the Employment and Labour Exchanges Board, the Seamen's Committee, to deal with matters concerning the registration and engagement of seamen. The Committee consists of the chairman of the Employment and Labour Exchanges Board as Chairman, one representative of the Ministry of Trade as deputy chairman, two representatives of the shipowners and two representatives of the seamen. A special office acts as secretariat to the Committee and as a central office dealing with seamen's employment. The manager of this office has seafaring knowledge. It is proposed to establish seamen's employment offices in the seventeen largest ports in the country during the first six months of 1948. The report stated also that the Act of 11 July 1947 concerning the mustering of seamen, etc., had not yet come into force, but would be applied at the beginning of 1948.

With regard to Article 6 of the Convention, the Government points out that, under § 19 of the Employment Services Act, a seaman does not enjoy absolute freedom of choice of ship nor does the shipowner enjoy unrestricted freedom of choice of crew. The Act does, however, grant the shipowners'

and the seamen's organisations the right to conclude agreements concerning the detailed policy to be followed as regards the hiring of crews. Such agreements must be approved by the Crown. The Government also refers to the letter of 25 February 1947 from the International Labour Office to the Ministry of Social Affairs regarding this Article.

With reference to Article 8 of the Convention, the Government states that all foreign seamen with an employment permit for Norwegian vessels are offered employment through the engagement and mustering offices.

No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

In a detailed report on the application of the Convention, the Government of *Poland* states that the provisions of Polish legislation apply to all seamen covered by the Convention. The employment offices have the exclusive right of mediation in the conclusion of labour agreements and charge no fees for their placing activities. Violation of these provisions is punishable by a maximum of one year's imprisonment or a maximum fine of 25,000 zlotys or both.

No companies or agencies such as are referred to under Article 3 of the Convention exist in Poland. Under Article 4 of the Convention, the Government states that the functions of the employment offices as regards the finding of employment for seamen are entrusted in Poland to the State offices for the engagement of crews, set up at the maritime offices in Gdansk and Czeccin, and to the consular authorities abroad. During the twelve months covered by the report, the employment offices at Gdansk and Czeccin registered 7,026 seamen seeking employment and found employment for 90 per cent. of this number.

Under Article 5 of the Convention, the Government states that "qualifying" committees consisting of representatives of the Trade Union of Transport Workers and the

Union of Shipowners are being organised by the State offices for the engagement of crews. The shipowner may refuse to accept any seaman and a seaman may refuse to accept an engagement on any vessel, provided that conditions exist which justify this refusal.

The shipowner is obliged to supply the seaman on request with a copy of the collective agreement drawn up by the Polish Union of Transport Workers. Provisions similar to those relating to the finding of employment for seamen are in force for officers.

The authorities responsible for the application of the legislation are the Sea and Fisheries Boards under the Ministry of Navigation and the labour inspection services under the Ministry of Labour and Social Welfare. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Sweden* supplies statistical information showing the number of employment offices now dealing with placing of seamen, and gives the location of these offices. During the period 1 October 1946 to 30 September 1947, the number of seamen who registered for employment was 68,207. The number of vacant posts reported was 44,626 and the number of vacancies filled was 41,157. During the same period, the number of foreign seamen who reported to the Public Employment Service was 6,733, and 3,721 of them were placed in employment.

See also under Convention No. 2.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* states that local conditions justify the exclusion of the *Belgian Congo* from the scope of the application of the Convention. The free placing of seamen in employment, which is the object of the Convention, is ensured.

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

Countries	Date of registration of ratification	Reports received
Argentina	26. 5.1936	
Austria	12. 6.1924	16.12.1947
Belgium	13. 6.1928	29.11.1947
Bulgaria	6. 3.1925	2. 2.1948
Chile	18.10.1935	25. 2.1948
Cuba	22. 8.1935	19. 2.1948
Czechoslovakia	31. 8.1923	6. 3.1948
Dominican Republic	4. 2.1933	
Estonia	8. 9.1922	
Hungary	2. 2.1927	4.12.1947
Ireland	26. 5.1925	10.12.1947
Italy	8. 9.1924	22.12.1947
Japan	19.12.1923	
Luxembourg	16. 4.1928	8.12.1947
New Zealand	8. 7.1947	
Nicaragua	12. 4.1934	
Poland	21. 6.1924	15.12.1947
Rumania	10.11.1930	
Spain	29. 8.1932	
Sweden	27.11.1923	28.11.1947
Uruguay	6. 6.1933	

INTRODUCTORY NOTE

The Government of *Austria* states that a Bill is before Parliament respecting agricultural work.

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

Austria.

Act of 14 May 1869 respecting elementary education, text of the Act of 2 May 1883.

Ministerial Order of 8 June 1883 respecting the facilities to be granted as regards school attendance.

Order of 29 September 1905 respecting school attendance.

Act of 19 December 1918 respecting the employment of children (B.B., Vol. XII, 1918, p. 19), amended by the Act of 10 July 1928 (L.S. 1928, Aus. 3 A).

Order of 10 August 1919 of the Federal Ministry of Public Education.

Administrative Instruction of 23 January 1920 respecting the supervision of child labour (L.S. 1920, Aus. 17).

Text of the Convention published in the *Bundesgesetzblatt* of 19 July 1924.

Federal Act of 13 July 1935 to determine the principles governing the employment of children in agriculture and forestry (L.S. 1935, Aus. 4 A).

Various Acts passed by the Federated Provinces in 1936 and 1937.

See also introductory note.

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).

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).

Luxembourg.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).

Poland.

Constitution of the Republic of Poland, 17 March 1921 (§ 103) (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.

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

The Government of *Austria* states that, in 1936 and 1937, Acts were promulgated in the Federated Provinces of Burgenland, Styria, the Tyrol, Vorarlberg, Vienna, Carinthia and Lower Austria for the application of the Federal Act of 13 July 1935 to determine the principles governing the employment of children in agriculture and forestry. These Acts contain specific provisions regarding school attendance up to the age of fourteen years, the length of the period for which children may be employed during school holidays, the period of nightly rest granted to children employed in agriculture and the duration of employment for authorised work on Sundays and statutory public holidays. The school authorities are responsible for the supervision of compliance with these provisions. Breaches of the regulations are punishable by fines and in some cases by a maximum of two months' imprisonment.

The Bill respecting agricultural work which is now before Parliament provides that the agricultural inspection services shall assist in ensuring compliance with the legislative provisions in question.

The Government is unable to supply statistical information. No decisions were given by courts of law or other courts and no observations were received from employers' or workers' organisations.

The Government of *Belgium* repeats the information given in its report for 1945-1946 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 *Bulgaria* states that no decisions were given by courts of law. No special statistics are available regarding the employment of young workers in agriculture. No observations were received from employers' or workers' organisations.

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 of children under fourteen years of age in any occupations and under any conditions. No breaches of the legislation were noted by the inspection service. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Czechoslovakia* states that there has been no change in the position since it supplied its report for 1945-1946.

The Government of *Hungary* states that the employment of children in agriculture is only allowed on light work. Such work does not prejudice their attendance at school, as the periods during which they may be employed coincide with the school holiday periods. Moreover, since the introduction of the agrarian reforms, only very few cases occur where children under fourteen years of age are employed as paid workers for varying periods. The small number of such cases is accounted for, on the one hand, by the fact that there has been a considerable increase in the gross amount of wages of agricultural workers as compared with pre-war figures and, on the other hand, by the fact that wages paid to children have been increased by 50-60 per cent. of the wages paid to adults. The employment of children must not prevent them from attending school. No statistical information is available regarding the number of children employed under the conditions laid down by the Convention.

The Government of *Ireland* repeats the information given in its report for 1945-1946, and adds that convictions were obtained in cases of contravention which represented approximately 0.4 per cent. for children between six and fourteen years of age.

The Government of *Italy* states that, under the legislation, school attendance is compulsory up to the age of fourteen years and the total annual duration of elementary school attendance is nine months. The weights which may be drawn or carried by children engaged in agricultural work are indicated by regulations. Penalties are imposed on parents and employers who do not comply with the regulations regarding school attendance. The Ministry of Public Education is responsible for the application of the legislation in this respect. The Ministry of Labour and Social Welfare, through the branch offices of its inspectorate of labour, is responsible for the supervision of compliance with the legislation concerning the protection of child workers. No decisions on questions of principle have been given by the judicial authorities. No observations have been received from trade union organisations concerning the application of the Convention.

The Government of *Luxembourg* states that the employment of children on light harvest work, in particular in connection

with the grape harvest and the potato crop, is authorised for one week only (after 20 September) out of the six weeks' school holiday period.

The application of the legislation is entrusted to the Labour and Mines Inspection Service, the organisation, methods and functioning of which are laid down in the Order of 26 March 1945. The Convention has been strictly applied and no observations have been received from employers' or workers' organisations.

The Government of *Poland* states that there are no special legislative provisions relating to the minimum age for the admission of children to agricultural employment, and that the only provision on this subject is contained in § 103 of the Constitution, which prohibits wage-earning employment for children under fifteen years of age. The collective agreement of 1946-1947 for agricultural workers in the territories of the Polish Republic lays down that, up to the age of fifteen years, or until they have completed compulsory attendance at school, children are not considered as capable of performing work. In practice, the supervision of the application of the provisions of the Conven-

tion is entrusted to the school authorities, who are responsible for the enforcement of the legislation concerning compulsory education.

Young persons between fourteen and sixteen years of age may be employed by the day, but on light work only. As children between seven and fourteen years of age are obliged to attend school, minors may only be employed outside school hours. No statistics are compiled relating to the employment of young persons in agriculture. The Government has no knowledge of any decisions by courts of law. No observations were received from agricultural organisations.

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 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

Countries	Date of registration of ratification	Reports received
Argentina	26. 5. 1936	
Austria	12. 6. 1924	16. 12. 1947
Belgium	19. 7. 1926	29. 11. 1947
Bulgaria	6. 3. 1925	2. 2. 1948
Chile	15. 9. 1925	25. 2. 1948
China	27. 4. 1934	3. 3. 1948
Colombia	20. 6. 1933	
Cuba	22. 8. 1935	19. 2. 1948
Czechoslovakia	31. 8. 1923	6. 3. 1948
Denmark	20. 6. 1930	15. 11. 1947
Estonia	8. 9. 1922	
Finland	19. 6. 1923	10. 11. 1947
France	23. 3. 1929	13. 2. 1948
Germany	6. 6. 1925	
India	11. 5. 1923	11. 12. 1947
Ireland	17. 6. 1924	11. 11. 1947
Italy	8. 9. 1924	22. 12. 1947
Latvia	9. 9. 1924	
Luxembourg	16. 4. 1928	8. 12. 1947
Mexico	20. 5. 1937	17. 1. 1948
Netherlands	20. 8. 1926	8. 12. 1947
New Zealand	29. 3. 1938	
Nicaragua	12. 4. 1934	
Norway	11. 6. 1929	7. 1. 1948
Pakistan ¹	11. 5. 1923	
Peru	8. 11. 1945	
Poland	24. 6. 1924	15. 12. 1947
Rumania	10. 11. 1930	
Spain	29. 8. 1932	
Sweden	27. 11. 1923	28. 11. 1947
Switzerland	23. 5. 1940	17. 11. 1947
United Kingdom	6. 8. 1923	10. 1. 1948
Uruguay	6. 6. 1933	
Venezuela	20. 11. 1944	2. 2. 1948
Yugoslavia	30. 9. 1929	
* * *	* * *	* * *
Burma ²	11. 5. 1923	13. 12. 1947

¹ See footnote 2 to Convention No. 1.

² See footnote 3 to Convention No. 1.

INTRODUCTORY NOTE

The Government of *India* states that the Trade Unions Act of 1926 makes no distinction between agricultural and industrial workers as far as the right of combination and association is concerned. Consequently no legislation was necessary to give effect to the provisions of the Convention.

The Government of *Italy* states that the legislation makes no distinction between industrial and agricultural workers with regard to the rights of association and combination. No legislation is therefore necessary to give effect to the Convention.

The Government of *Norway* refers to previous reports in which it stated that freedom of association for employees exists for agricultural workers and for workers in other trades. The right of association forms part of the basic rights of the individual and it has, therefore, not been found necessary to adopt protective legislation.

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.

The Government of the *United Kingdom* states that no legislative or administrative regulation is necessary to apply the Con-

vention. Agricultural workers, as is the case of industrial workers, enjoy complete freedom of action.

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

Austria.

Federal Act of 7 December 1929 (§ 149) to make certain alterations in the Constitution of 1920.

Various Acts passed by the Federated Provinces.

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).

Act No. 8811 of 8 July 1947 to supplement the Labour Code by the addition of provisions relating to the occupational organisation of agricultural workers.

China.

The Agricultural Unions Act of 14 June 1943.

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), Legislative Decree No. 3 of 6 February 1934, to issue provisional Regulations respecting strikes (L.S. 1934, Cuba 2 A) and Decree No. 1123 of 9 April 1943.

Czechoslovakia.

Constitutional Act of 29 February 1920.

Act No. 309 of 12 August 1921 to prohibit coercion and safeguard freedom of association (L.S. 1921, Cz. 6).

Act No. 144 of 16 May 1946 respecting the united trade union organisation (L.S. 1946, Cz. 1).

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.

§ 1 of the Act of 21 March 1884 respecting associations, to repeal § 416 of the Criminal Code. 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.

Ordinance of 9 August 1944 respecting the restoration of Republican law in the continental territory of France.

Act of 9 August 1947 to abrogate and annul the Decree of 25 February 1940 and the measure known as the "Act of 31 December 1941", as subsequently amended.

India.

Indian Trade Unions Act, 1926 (L.S. 1926, Ind. 1).

Ireland.

Trade Union Acts, 1871-1917.

Italy.

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

See also introductory note.

Luxembourg.

Constitution of the Grand Duchy of Luxembourg of 17 October 1868.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).

Act of 11 May 1936 to guarantee freedom of association.

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.

Norway.

See 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 provisions 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).

United Kingdom.

See introductory note.

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 of 16 July 1936.

Regulations of 4 May 1945 on work in agriculture and stockbreeding (L.S. 1945, Ven. 2).

* * *

Burma.

Indian Trade Unions 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 *Austria* states that all workers employed in agriculture enjoy the same rights of association and combination as industrial workers. There are no legislative provisions restricting the rights of agricultural workers.

The administrative authorities are responsible for the supervision of the legislation in question. Breaches of the legislative provisions which call for penal sanctions are dealt with by the ordinary courts. If no penal sanctions are called for, the administrative authorities deal with the case. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Belgium* repeats the information given in its report for 1945-1946 and adds that no decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Bulgaria* repeats the information given in its report for 1945-1946.

The Government of *Chile* refers to its previous reports and adds that Act No. 8811 of 8 July 1947, which came into force on 29 July 1947, supplements the Labour Code by the addition of provisions relating to the occupational organisation of agricultural workers. Under this Act, organisations of agricultural workers are to be institutions for mutual co-operation between capital and labour, and their principal aim is to be the promotion of improvement in rural housing. Such associations may, subject to the relevant legislative provisions, establish co-operative societies of any kind and promote educational and welfare services.

Under § 8 of the Act, organisations of agricultural workers are not permitted to concern themselves with objectives other than those mentioned in the Act or in the relevant statutes, or to perform an act of any kind which threatens the freedom of work and industry guaranteed by the Constitution and the legislation.

Few decisions were given in the labour courts; a copy of a decision given during the period under review accompanies the report. The reports of the inspection services show that the organisation of agricultural workers is only proceeding slowly and does not show any considerable progress as compared with the position before the application of the Act of 8 July 1947. There

are at present 259 associations of agricultural workers with a membership of 10,197. No observations were made by employers' or workers' organisations.

The Government of *China* repeats the information given in its report for 1945-1946, and adds that an amendment to the Agricultural Unions Act of 14 June 1943 was prepared by the Ministry of Social Affairs in 1947 but it has not yet been adopted by the Legislative Yuan. Article 18 of the Act provides that agricultural workers who have been employed for more than one year and employees of public or private agricultural undertakings are free to become members of the Chang Agricultural Union, or of the municipal or district agricultural unions. It also states that the number of agricultural unions registered with the Ministry of Social Affairs up to the end of September 1947 was 19,060, with a total membership of 15,548,315.

The application of the legislation is entrusted to the Ministry of Social Affairs, the local institutions of social administration and other authorities concerned. No decisions have been given by courts of law and no observations have been received from employers' and 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 *Czechoslovakia* states that there has been no change in the position since it supplied its report for 1945-1946.

The Government of *Denmark* refers to its previous reports and adds that no decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Finland* repeats the information given in its previous reports.

In its report covering the period 1 January 1946-30 September 1947, the Government of *France* refers to previous reports and adds that, by the Ordinance of 9 August 1944, Republican law was re-established in the continental territory of France. This Ordinance repealed the measure known as the "Act of 2 December 1940" and again put into effect the legislation respecting the right of association of agricultural workers. Further, under this Ordinance, these workers recovered their rights to strike and combine which they had lost under the above-mentioned Act. The Act of 9 August 1947 abrogated and annulled the Decrees of 25 February 1940 and the measure known as the "Act of 31 December 1941" as amended, relating to the requisitioning of agricultural employees and agricultural labour.

The Government of *India* repeats the information given in its report for 1945-1946 and adds that no decisions by courts of law have come to its notice. No observa-

tions were received from employers' or workers' organisations.

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, as the previous trade union system has been abolished and there is now no legislation on the subject, association for the protection of workers' interests is left to free initiative, both in agriculture and in all other branches of the national economy. Pending the issue of new legislative provisions, the occupational organisations which have established themselves freely in agriculture as in other occupations should, therefore, be considered as *de facto* associations subject as such to common law. In fact, the agricultural workers' trade union movement has organised itself into a number of complex and comprehensive branches; this has led to the establishment of the Confederation of Agricultural Workers. This is spontaneous trade union activity which is still in the process of development and organisation pending the issue of new legislation, the basic principles of which are being examined by the Constituent Assembly.

Owing to the fact that the right of association and combination for workers in agriculture and industry forms part of the Italian legal system, it has not been found necessary to create a special authority responsible for supervising the application of the Convention. The judicial authorities have given no decisions of principle regarding the application of the Convention. Breaches of the provisions of the Convention may lead, by analogy with other cases, to ordinary police or judicial action.

See also introductory note.

The Government of *Luxembourg* states that the application of the legislative and administrative regulations is entrusted to the Labour and Mines Inspection Service, the methods, organisation and functioning of which are laid down in the Grand-Ducal Order of 26 March 1945. The Convention has been strictly applied. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Mexico* states, as in previous reports, that freedom of association for industrial and agricultural workers is assured by § 123 (XVI) of the Political Constitution.

Moreover, the number of agricultural wage-earners is extremely small, owing to the agrarian reforms, and thus unions for these workers are very few in number. On the other hand, the majority of workers engaged in agriculture are settlers on partitioned estates. Generally speaking, the agricultural population is mainly organised in the National Confederation of Peasants, which consists of leagues of rural commu-

nities which, in their turn, are composed of regional committees representing settlers on partitioned estates, peasants' unions, and similar settlements (rural workers' co-operatives and agricultural settlements).

The application of the legislation is entrusted to the Secretariat of Labour and Social Welfare, the Department for Federal Districts, the Federal and Local Boards of Conciliation and Arbitration, and the Inspection and Attorney's Service for the protection of labour.

The legal disputes which have arisen in connection with the association of agricultural workers have related to competence in respect of collective bargaining. The courts have settled these disputes by ruling that the duly established majority of the workers is competent in this regard.

The Government points out that freedom to belong to a union is limited by § 49 of the Federal Labour Act ("closed-shop" clause) which stipulates that employers shall not engage persons who are not members of a contracting union, provided that this clause shall not apply to the detriment of persons who were already employed at the time when the agreement was concluded.

Under § 236 of the Federal Labour Act, a union is entitled to require an employer who has agreed to the "closed-shop" clause to dismiss any of its members who resign from or are expelled by the union ("maintenance of membership" clause). The Government supplies the following information regarding two opinions given by the Supreme Court in application of the "closed-shop" system: (1) it is not sufficient for a union to declare this clause to apply to one of its members in order that the contract of employment shall be considered as having lapsed; such a declaration is a unilateral act on the part of the union until the employer complies with it; (2) if an undertaking dismisses a worker in accordance with the provisions of the appropriate collective agreement and in response to the union's wishes regarding the application of the "maintenance of membership" clause, and if it subsequently transpires that the expulsion of the worker in question took place in an irregular manner, the employer is obliged to reinstate the worker in his employment, without being liable for the payment of any wages for the intermediate period.

The *Netherlands* Government states that there is nothing special to report regarding the application of the Convention.

The Government of *Norway* states that the rights established by the Convention were recognised and protected when the Convention was approved by the Government and that these rights have been respected during the period under review. This is also apparent from the fact that no disputes have arisen nor have any observations been made by employers' or workers' organisations.

See also introductory note.

The Government of *Poland* repeats the detailed information given in its report for 1945-1946, and adds that no decisions by courts of law were brought to its notice and no observations were made by any organisation.

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 the period 1940-1941.

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

See also introductory note.

The Government of *Venezuela* repeats the detailed information given in its reports for 1944-1945 and 1945-1946, and adds that no observations were received from employers' or workers' organisations or from individual employers or workers.

* * *

The Government of *Burma* states that § 4 of the Act of 1926 provides that any seven or more members of a trade union, by signing the rules of the trade union and by otherwise complying with the provisions of the Act concerning registration, may apply for

the registration of a trade union under this Act. This applies equally to industrial and agricultural workers.

The application of the relevant legislation is entrusted to the Registrar of Trade Unions, Burma. The disturbed state of the country districts and the comparatively small proportion of employees in the industry has made the extension of the trade union movement to agriculture a matter of considerable difficulty, and so far only a few agricultural unions are registered.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* states that local conditions justify the exclusion of the *Belgian Congo* and *Ruanda Urundi* from the application of the Convention.

The Government of *France* refers to its reports covering the period 1 January 1940 to 31 December 1946, in which it stated that an enquiry was being made into the question of the application of the Convention to French colonies, protectorates or mandated territories, and adds that so far the enquiry has yielded no fresh information.

The Government of the *United Kingdom* states that there is no legislation in any non-metropolitan territory which discriminates against agricultural workers in the matter of rights of association. This Convention can accordingly be regarded as applying to all these territories.

12. Convention concerning workmen's compensation in agriculture

This Convention came into force on 26 February 1923

Countries	Date of registration of ratification	Reports received
Argentina	26. 5.1936	
Belgium	26.10.1932	29.11.1947
Bulgaria	6. 3.1925	2. 2.1948
Chile	15. 9.1925	25. 2.1948
Colombia	20. 6.1933	
Cuba	22. 8.1935	19. 2.1948
Denmark	26. 2.1923	15.11.1947
Estonia	8. 9.1922	
France	4. 4.1928	16. 1.1948
Germany	6. 6.1925	
Ireland	17. 6.1924	11.11.1947
Italy	1. 9.1930	22.12.1947
Latvia	29.11.1929	
Luxembourg	16. 4.1928	13.12.1947
Mexico	1.11.1937	17. 1.1948
Netherlands	20. 8.1926	8.12.1947
New Zealand	29. 3.1938	4. 3.1948
Nicaragua	12. 4.1934	
Poland	21. 6.1924	15.12.1947
Spain	1.10.1931	
Sweden	27.11.1923	28.11.1947
United Kingdom	6. 8.1923	10. 1.1948
Uruguay	6. 6.1933	

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), as subsequently amended.

Chile.

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.

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

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 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 of 9 April 1898, applied to agriculture by Act of 15 December 1922 (L.S. 1922, Fr. 3), amended by Act of 30 April 1926 (L.S. 1926, Fr. 4).

Act No. 151 of 16 March 1943 (L.S. 1943, Fr. 6) 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 (L.S. 1944, Fr. 10).

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 (L.S. 1945, Fr. 11 A).

Act of 16 October 1946 concerning the readjustment of the pensions and allowances paid to victims of employment injuries or their survivors (L.S. 1946, Fr. 12 A).

Act No. 46-2426 of 30 October 1946 to reorganise in industry and commerce the system for prevention and compensation of industrial accidents and occupational diseases (L.S. 1946, Fr. 12 B).

Ireland.

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

Italy.

Legislative Decree No. 1455 of 11 July 1935 concerning the changing of the seat and the

territorial limits of the Departmental Arbitration Commission for accidents in agriculture.

Royal Decree No. 1765 of 17 August 1935 to issue provisions respecting compulsory insurance against industrial accidents and occupational diseases (L.S. 1935, It. 8).

Decree No. 288 of 17 March 1941 extending compulsory insurance against accidents in agriculture to workers over sixty-five years of age, as amended by Act No. 1576 of 31 October 1942 and by Legislative Decree of the Provisional Head of the State No. 882 of 29 July 1947.

Legislative Decree No. 815 of 25 March 1943 unifying compulsory insurance for accidents in industry and agriculture, as amended by Legislative Decree of the Provisional Head of the State No. 128 of 4 March 1947.

Legislative Decree No. 343 of 28 April 1945 concerning the granting of a temporary cost-of-living bonus to a person in receipt of benefit in respect of an industrial accident or occupational disease whose disability is assessed at 50 to 100 per cent.

Legislative Decree No. 85 of 8 February 1946 to bring insurance benefits into line with fluctuations in the value of currency and the general increase in the cost of living.

Legislative Decree of the Provisional Head of the State No. 14 of 25 January 1947, to issue provisions respecting compulsory insurance against accidents in industry or agriculture and against occupational diseases.

Decree of the Provisional Head of the State No. 757 of 29 December 1946, to amend Legislative Decree No. 225 of 17 March 1938, regarding the institution of a badge of honour for persons disabled by accidents in industry or agriculture or by occupational diseases.

Ministerial Decree of 23 December 1946 approving the scale of contributions to be collected for 1946 in respect of compulsory insurance against accidents in industry and agriculture.

Legislative Decree of the Provisional Head of the State No. 438 of 13 May 1946, regarding the composition and powers of the administrative services of the National Institute of Industrial Accidents.

Legislative Decree of the Provisional Head of the State No. 631 of 25 April 1947, establishing the sum of consolidated contributions in agriculture due for the year 1947, as provided in Royal Legislative Decree No. 2138 of 28 November 1938.

Legislative Decree of the Provisional Head of the State No. 928 of 9 September 1947, to modify compulsory insurance against accidents in agriculture.

Luxembourg.

Act of 20 December 1909, extending compulsory accident insurance to agriculture and forestry.

Act of 17 December 1925 respecting the Social Insurance Code (L.S. 1925, Lux. 2), as amended by the Acts of 6 September 1933 (L.S. 1933, Lux. 3) and of 21 June 1946 (L.S. 1946, Lux. 1).

Act of 5 March 1928 to ratify the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).

Grand-Ducal Order of 5 April 1938, modifying premium rates for accident insurance in agriculture and forestry.

Act of 27 July 1938 increasing certain accident pensions.

Grand-Ducal Order of 21 February 1945 extending to agricultural workers compulsory old-age, sickness and disablement insurance.

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), 18 July 1930 (L.S. 1930, Neth. 3 B) and 27 December 1946 (L.S. 1946, Neth. 2).

New Zealand.

Workers' Compensation Act, 1922, as amended in 1926 (L.S. 1926, N.Z. 2), 1936, 1943 (L.S. 1943, N.Z. 2 A) and 1945 (L.S. 1945, N.Z. 3 A).
Finance Act, 1933.
Law Reform Act, 1936.
Statutes Amendment Acts, 1939, 1940, 1942 and 1945.
Various rules and regulations issued in 1939-1942.

Poland.

Act of 28 July 1939 concerning social insurance tribunals, as amended by the Decree of 1 March 1946 (came into force at the end of 1946).
Decree of the Polish Committee of National Liberation of 23 October 1944 (L.S. 1946, Pol. 2, K).
Decree of 29 September 1945 relating to the payment by employers of the entire contribution to social insurance and the labour fund (L.S. 1946, Pol. 2 L).
Order of the Minister of Labour and Social Welfare of 12 May 1947 to fix provisionally the amount of pensions benefit.

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).

*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.

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

The Government of *Belgium* refers to previous reports and adds that 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 1942-1944.

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

The Government of *Chile* states that decisions are given fairly frequently by the courts and the administrative authorities. The texts of two such decisions are appended to the report. In 1946, the number of workers covered by the legislation was 339,672 and the number of industrial accidents in agriculture was 16,125. The majority of agricultural employers insure their workers and no difficulty therefore arises in paying compensation. No information is available regarding infringements of the legislation. No observations were received from employers' or workers' organisations.

The Government of *Cuba* states that the insurance companies are unable to determine the exact number of agricultural workers protected by the legislation, but that it is permissible to consider that all such workers receive the compensation to which they are entitled. 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 previous reports and adds that no decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *France* states that the two main objects of the Act of 16 October 1946 are : (1) to raise to 60,000 francs the wage serving as the basis for supplementary payments in respect of pensions for industrial accidents ; (2) to bring pensions into line with the cost of living by calculating the amount payable on the entire remuneration up to 75,000 francs, on one-third of the portion of remuneration between 75,000 and 125,000 francs and one-eighth of the portion of remuneration in excess of 125,000 francs.

The Act of 16 October 1946 established equality for victims of industrial accidents in all occupations as far as the calculation of benefits and increased pensions are concerned.

The authorities responsible for the supervision of social legislation in agriculture are also responsible for the application of workmen's compensation legislation. The Government adds that a reform of the legislation on workmen's compensation in

agriculture is under consideration. No decisions by courts of law have come to the notice of the Government.

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* refers to previous reports and adds that the insurance scheme is administered by the National Institute for Industrial Accident Insurance, which administers it separately, and with special rules, from accident insurance for industrial and commercial workers.

Under Legislative Decree No. 85 of 8 February 1946, insurance benefits were modified to bring them into line with fluctuations in the value of currency and the general increase in the cost of living. Legislative Decree No. 928 of 9 September 1947 provides for a suitable increase in compensation for temporary incapacity and the grant of a temporary cost-of-living allowance analogous to that payable in the case of industrial accidents. This is payable in addition to the appropriate ordinary compensation in the case of permanent incapacity of not less than 40 per cent. or is payable to the dependants in case of death.

As stated in previous reports, the application of the compulsory insurance scheme for industrial accidents in agriculture is ensured by the Ministry of Labour and Social Welfare, through the labour inspectors, and officers and members of the judicial police.

Since the Code of Civil Procedure of 1942 came into force, disputes are referred to the ordinary judicial authorities. The procedure for accident cases, however, has been appropriately modified in order to secure greater flexibility and to guarantee technical competence. The ordinary judges are usually assisted by one or more technical advisers chosen from appropriate circles.

The question whether an accident has arisen out of the worker's employment is often the subject of important legal decisions, in particular in connection with accidents which occur and cause injury while the person concerned is on his way to or from work. It is now recognised that the accident must have occurred in special circumstances connected with the worker's employment, and not in circumstances in which he is exposed to a risk which affects any other person in similar circumstances. Accidents which occur on the way to or from work cannot entitle the insured person to compensation unless special conditions (e.g. using a particular means of transport, taking a particular road, etc.) prevail.

No observations were received from employers' or workers' organisations.

The Government of *Luxembourg* states that, within the meaning of the legislation, the term "agricultural or forestry undertakings" covers all undertakings over 25 ares in extent. Benefits to agricultural workers who are victims of accidents are

based, not on the actual wages of the worker, but on an average annual wage established each year by the Government for the various communes; the age and sex of the worker are taken into consideration. Benefits are paid to agricultural workers from the fourth week after the date of the accident. However, under the Order of 21 February 1945, agricultural workers are liable to sickness, old-age and disablement insurance and injured persons draw a sickness benefit, as well as being entitled to medical care during the first thirteen weeks, in accordance with the Social Insurance Code of 17 December 1925.

Insurance is in the form of mutual insurance between the owners of agricultural and sylvicultural undertakings. The Accident Insurance Association is a public utility service under Government supervision. Technical and financial control is entrusted to the inspectorate of social institutions. No important decisions have been given by the courts. No observations were made by agricultural employers' organisations; there is no organisation for agricultural workers.

The Government appends to its report copies of reports for the financial years 1938, 1939, 1945 and 1946, which contain detailed information regarding benefits, average wages, contributions, receipts and expenditure of the Accident Insurance Association (Agricultural and Forestry Section).

The Government of *Mexico* repeats the detailed information given in its previous reports and adds that no decision of special importance has been given regarding the compensation of agricultural workers for industrial accidents. The number of wage-earning workers in agriculture is relatively small, as land is collectively owned. No observations have been received from employers' or workers' organisations.

The *Netherlands* Government states that there is nothing of importance to report regarding the application of the Convention.

The Government of *New Zealand* states that it considers the national law to be in full harmony with the Convention. No decisions were given by courts of law. Statistics in respect of accidents in agriculture are not available. Statistics relating to the number of persons employed in agricultural and pastoral occupations have been supplied. No observations were received from employers' or workers' organisations.

The Government of *Poland* repeats the detailed information given in its report for 1945-1946 and adds that the collective labour contract for agricultural workers in the period 1946-1947 is the same as that for the period 1945-1946. During the period under review, 1,250,000 agricultural workers were insured. The Government has no knowledge of any decisions by courts of law or other courts. No observations

were received from employers' or workers' organisations.

The Government of *Portugal* refers to its previous reports and adds that, during the period under review, no observations have been received from employers' and workers' organisations.

The report contains summaries of a number of court decisions and awards regarding the application of the Convention.

The Government of *Sweden* states that the Act of 10 July 1947 modifies the rules for the review of compensation payments in the case of incapacity for work. Statistical data have also been furnished.

The Government of the *United Kingdom* refers to its previous reports.

In *Northern Ireland* there has been no change since the Government submitted its last annual report.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that under the Act of 16 October 1946 (§ 15) the following legislation is now applicable to the Departments of *Guadeloupe*, *Martinique*, *French Guiana* and *Reunion* :

(i) amendments to those Sections of the Act of 9 April 1898 relating to agriculture made by the Act of 1 July 1938 (§§ 3, 4 and 10) ;

(ii) validated Act of 16 March 1943, as amended by the Ordinances of 31 March 1945, 2 November 1945 and by the Act of 16 October 1946.

At the same time, § 15 of the Act of 16 October 1946 lays down special provisions for the Department of *Reunion* and stipulates that pensions are computed on the entire amount of wages up to 40,000 francs ; on one-third, up to 70,000 francs, and on one-eighth, over 70,000 francs.

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

British Guiana.

Workmen's Compensation (Amendment) Ordinance No. 14 of 1947, § 2. It is intended to bring this Ordinance into operation on 1 January 1948.

Ceylon.

Workmen's Compensation Ordinance (Chapter 117).

This Ordinance applies to workmen on cocoa, cardamon, cinchona, coconut, coffee, rubber, and tea estates on which more than ten persons are employed. Forestry occupations are also covered.

Falkland Islands.

Ordinance No. 7 of 1939.

Grenada.

Workmen's Compensation (Amendment) Ordinance No. 38 of 1946.

Kenya.

Workmen's Compensation Ordinance of 1946.

Malayan Union.

Malayan Union Ordinance No. 23 of 1947 amends the following legislation :

Workmen's Compensation Enactment (Cap. 155 of Laws of Federated Malay States), § 2 (1) and Schedule II (*n*) and the following Enactments :

Johore : No. 15 of 1934 and No. 9 of 1940 (also Government Gazette Notice No. 824 of 9 August 1939).

Kedah : Nos. 1 of 1353 and 2 of 1360 (Islamic year).

Kelantan : No. 43 of 1939 (also Government Gazette Notification No. 185 of 1940).

Trengganu : No. 12 of 1356 (Islamic year).

Mauritius.

Ordinance No. 13 of 1931 as amended by Ordinances Nos. 7 of 1932 and 13 of 1935.

Nyasaland.

Rules of 1946, Government Notice No. 175 of 1946.

Palestine.

Workmen's Compensation Ordinance No. 331 of 1947.

St. Helena.

Workmen's Compensation Ordinance No. 3 of 1946.

St. Vincent.

Compensation for Injuries Ordinance (Cap. 75, revised edition, 1926).

Singapore.

Workmen's Compensation Ordinance, 1933.

This Ordinance applies to persons employed on any estate or plantation on which not less than twenty-five persons are employed on any one day of the year, to persons employed as toddy tappers, and those employed in felling or burning jungle or in felling timber.

Trinidad.

Workmen's Compensation (Amendment) Ordinance No. 20 of 1943.

In *Bermuda*, a Social Security Bill is under consideration by a Select Committee of the Legislative Council. The Bill includes provision for workmen's accident compensation and agricultural workers are not excluded.

In *Gibraltar*, a Workmen's Compensation Ordinance has been drafted which will give effect to this Convention.

13. Convention concerning the use of white lead in painting

This Convention came into force on 31 August 1923

Countries	Date of registration of ratification	Reports received
Afghanistan	12. 6. 1939	
Argentina	26. 5. 1936	
Austria	12. 6. 1924	16. 12. 1947
Belgium	19. 7. 1926	29. 11. 1947
Bulgaria	6. 3. 1925	2. 2. 1948
Chile	15. 9. 1925	25. 2. 1948
Colombia	20. 6. 1933	
Cuba	7. 7. 1928	19. 2. 1948
Czechoslovakia	31. 8. 1923	6. 3. 1948
Estonia	8. 9. 1922	
Finland	5. 4. 1929	10. 11. 1947
France	19. 2. 1926	12. 12. 1947
Greece	22. 12. 1926	19. 1. 1948
Hungary ¹	4. 1. 1928	
Latvia	9. 9. 1924	
Luxembourg	16. 4. 1928	8. 12. 1947
Mexico	7. 1. 1938	17. 1. 1948
Netherlands	15. 12. 1939	8. 12. 1947
Nicaragua	12. 4. 1934	
Norway	11. 6. 1929	7. 1. 1948
Poland	21. 6. 1924	15. 12. 1947
Rumania	4. 12. 1925	
Spain	20. 6. 1924	
Sweden	27. 11. 1923	28. 11. 1947
Uruguay	6. 6. 1933	
Venezuela	28. 4. 1933	2. 2. 1948
Yugoslavia	30. 9. 1929	

¹ Conditional ratification registered.

INTRODUCTORY NOTE

The Government of *Mexico* states that the only provisions of Mexican legislation which can be considered as referring to a prohibition for the use of white lead in painting are those mentioned in paragraph 31 of § 326 of the Federal Labour Act. This provision does not prohibit the use of white lead but, on the contrary, recognises the existence of lead poisoning as an occupational disease among the workers using white lead. Paragraph 2 of § 15 of the new Industrial Hygiene Regulations requires, in accordance with an accompanying schedule, that workers in industries using white lead are to be examined medically every month. As these new Regulations have been declared unconstitutional, they will have to be amended. The attention of the Directorate of Social Welfare (Secretariat of Labour) was drawn to this fact in 1940, in a note stressing the necessity of including in the Regulations a prohibition for the use of white lead, as laid down in the Convention.

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

Austria.

Order of 8 March 1923 issued under § 74 (a) of the Industrial Code and issuing regulations for the protection of the life and health of persons employed in painting, varnishing and

decorating carried on by way of trade (L.S. 1923, Aus. 1 D).

Order of 4 February 1928 of the Minister of Social Affairs respecting the notification of cases of lead poisoning due to painting work in building, varnishing and artistic painting (L.S. 1928, Aus. 1).

Federal Act of 3 July 1947 respecting labour inspection.

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, b, c).
 Decree No. 47-1619 of 23 August 1947 to lay down certain special measures relating to the protection of workers engaged in the application of paint or varnish by spraying.

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.

Luxembourg.

- Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).

Mexico.

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

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.

Norway.

- Act of 24 May 1929 partially prohibiting the use of white lead, etc., in painting (L.S. 1929, Nor. 1).
 Royal Decree of 6 December 1929 concerning the putting into force of the above Act.
 Regulations concerning the use of white lead, etc., in painting, issued under § 6 of the Act of 24 May 1929.

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).
 Order of the Minister of Social Welfare, dated 3 October 1935, in agreement with the Ministers of Industry and Commerce, the Interior, War, Finance, Agriculture and Agrarian Reform, Communications and Posts and Telegraphs, respecting the occupations prohibited for young persons and women (L.S. 1935, Pol. 4).
 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 examination of working painters, examined in accordance with the above-mentioned Act.

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 *Austria* states that the provisions contained in the Act of 8 March 1923 respecting measures for the protection of the life and health of persons employed in painting, varnishing and decorating, were not affected by the introduction of German measures. No use has been made of the exception provided for in Article 2, paragraph 1, of the Convention. Under Article 7 of the Convention, the Government states that there were no cases of lead poisoning or of death from lead poisoning. Statistics relating to lead poisoning are compiled by the Statistical Health Service of the Federal Ministry of Social Administration.

Under the Federal Act of 3 July 1947 respecting labour inspection, the Federal Ministry for Social Administration, assisted by the competent authorities of the administrative departments, is the supreme authority responsible for the application of the legislation. The supervision of compliance with the legislative provisions is entrusted to the labour inspectors attached to the labour inspection service. The territory is divided into inspection zones, each under a department of the labour inspection service. In each of the federated districts there is at least one general labour inspection service. There are at least sixteen such services throughout the country. Special inspection services may be set up for certain occupations. The activities of the labour inspection services are directed and co-ordinated by a central inspection service established under the Federal Ministry for Social Administration.

The Government is unable to supply statistical information, but hopes to be able to include this information in its next report. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Belgium* repeats the detailed information given in its report for 1945-1946 and adds that there has been no case where the use of white lead or sulphate of lead or any product containing these pigments has been considered necessary by the competent authorities. No use has been made of the exception provided for in connection with artistic painting or fine lining under paragraph 1 of Article 2 of the Convention. Statistics with regard to lead poisoning are kept up to date by the Technical Committee of the Welfare Fund for Victims of Occupational Diseases. There was only one case of lead poisoning among working painters.

During the period under review, 4,231 permits were issued for the purchase and use of white lead. No decisions were given by courts of law and no observations were 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* refers to its previous reports and adds that, during the period under review, 5,000 workers were employed on painting work and of these approximately 300 were engaged in paint factories. The inspection services have not noted any breaches of the regulations and there have been no cases of lead poisoning. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Cuba* states, under Articles 1 and 2 of the Convention, that no exceptions have been granted in virtue of §§ I and II of Legislative Decree No. 215 of 16 May 1934. No cases of lead poisoning among working painters have been noted by the General Directorate of Hygiene and Social Welfare. Statistics compiled by the Ministry of Health and Social Assistance contain no data relating to morbidity and mortality. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Czechoslovakia* refers to its report for the period 1945-1946 and adds that there has been no change in the legislation or in the application thereof.

The Government of *Finland* states that the Ministry of Social Affairs controls and supervises the activities of the labour inspectors. The Government has no knowledge of any decisions 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* states that, in order to comply with the provisions of Article 5 of the Convention, Decree No. 47-1619 of 23 August 1947 was promulgated to come into force on 1 January 1948. This Decree lays down various preventive measures for the protection of workers against the risks of asphyxiation, fire and explosion which are incurred in the application of paint and varnish in the form of spray.

Available statistics of reported occupational diseases do not show any cases of lead poisoning among workers engaged in the painting of buildings. The Government has no knowledge of any decisions by courts of law. No breaches of the prohibition of the use of white lead in the painting of buildings were reported by the labour inspection services. No observations were 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. No

statistics are available under Article 1 of the Convention. As it has not yet been possible to organise the Occupational Health Service of the Ministry of Labour, it is not possible to supply the detailed statistics called for under Article 7 of the Convention. Figures are given relating to cases of lead poisoning reported among workers in mines. No observations have been received from employers' or workers' organisations.

The Government of *Luxembourg* states that the use of white lead, sulphate of lead and all products containing these pigments has been practically discontinued, and no cases of lead poisoning among working painters have been reported during the period under review. The application of the legislative and administrative regulations is entrusted to the Labour and Mines Inspection Service, the methods, organisation and functioning of which are laid down in the Order of 26 March 1945. No decisions were given by courts of law. The Convention has been strictly applied and no observations have been received from employers' or workers' organisations.

The Government of *Mexico* states that the provisions of Articles 2, 3 and 5 of the Convention will be taken into account when the Industrial Hygiene Regulations are amended. Under Article 6 of the Convention, the Government states that it is proposed to consult the employers' and workers' organisations concerned. Cases of lead poisoning are included in the annual statistics of occupational diseases.

The Secretariat of Labour and its staff, and, in particular, the Directorate of Social Welfare and the Safety Committees mentioned in § 324 of the Federal Labour Act and Chapter II of the Regulations for the Prevention of Industrial Accidents, are responsible for ensuring compliance with the regulations. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

See also introductory note.

The *Netherlands* Government states that it has nothing special to report regarding the application of the Convention.

The Government of *Norway* refers to previous reports and adds that no decisions were given by courts of law and no observa-

tions were received from employers' or workers' organisations.

The Government of *Poland* repeats the detailed information given in its report for 1945-1946 and adds that no decisions were given by courts of law and no observations were received from occupational organisations.

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

The Government of *Venezuela* refers to the observation made by the Committee of Experts in 1947 respecting the arrangements made under Article 5 (II (c)) of the Convention to prevent clothing put off during working hours being soiled by painting material. In reply, the Government states that, although there does not appear to be complete harmony between § 136 of the Regulations issued under the Labour Act and the provisions of the Convention, by the application of § 130 of the above-mentioned Regulations the inspection authorities ensure that workers' clothing shall be placed in individual cupboards, and therefore it cannot be soiled by painting material.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* states that local conditions do not make it possible to apply the Convention to the *Belgian Congo* or to territories under mandate.

The Government of *France* states that the Decree of 2 March 1939 extends to *French Guiana* and *New Caledonia* the provisions of Chapter II, Book II, of the Labour Code (§ 79).

It is not yet possible to compile information regarding the activities in the colonies, of the corps of labour inspectors under the Minister of Labour and the Minister for Overseas France which was set up by the Regulations issued under the Decree of 17 August 1944. This information cannot be centralised until the relevant provisions of the Labour Code (in particular, regulations relating to health and safety of workers) have been applied to the territories (excluding Indo-China) under the Minister for Overseas France.

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

This Convention came into force on 19 June 1923

Countries	Date of registration of ratification	Reports received
Afghanistan	12. 6.1939	
Argentina	26. 5.1936	
Belgium	19. 7.1926	29.11.1947
Bulgaria	6. 3.1925	2. 2.1948
Canada	21. 3.1935	24.11.1947
Chile	15. 9.1925	25. 2.1948
China	17. 5.1934	3. 3.1948
Colombia	20. 6.1933	
Czechoslovakia	31. 8.1923	6. 3.1948
Denmark	30. 8.1935	15.11.1947
Estonia	29.11.1923	
Finland	19. 6.1923	10.11.1947
France	3. 9.1926	16. 1.1948
Greece	11. 5.1929	19. 1.1948
India	11. 5.1923	11.12.1947
Ireland	22. 7.1930	11.11.1947
Italy	8. 9.1924	22.12.1947
Latvia	9. 9.1924	
Lithuania	19. 6.1931	
Luxembourg	16. 4.1928	8.12.1947
Mexico	7. 1.1938	17. 1.1948
New Zealand	29. 3.1938	
Nicaragua	12. 4.1934	
Norway	7. 7.1937	7. 1.1948
Pakistan ¹	11. 5.1923	
Peru ¹	8.11.1945	
Poland	21. 6.1924	15.12.1947
Portugal	3. 7.1928	30.12.1947
Rumania	18. 8.1923	
Spain	20. 6.1924	
Sweden	22.12.1931	28.11.1947
Switzerland	16. 1.1935	17.11.1947
Turkey	8. 7.1946	
Uruguay	6. 6.1933	
Venezuela	20.11.1944	2. 2.1948
Yugoslavia	1. 4.1927	
* * *	* * *	* * *
Burma ²	11. 5.1923	13.12.1947

¹ See footnote 2 to Convention No. 1.
² See footnote 3 to Convention No. 1.

INTRODUCTORY NOTE

The Government of *Canada* states that, since the Act designed to implement the Convention was declared *ultra vires* of the Parliament of Canada in 1937, the Convention can be implemented only by the Legislatures of the various provinces. The Government also states that it is proposed to write to the provincial Ministers of Labour enquiring as to how far the provincial statute concerning a weekly rest day, where one exists, complies with the Convention, and asking that consideration be given to the enactment of such statute in cases in which one does not exist.

The Government then gives a brief review of the legislation relating to various provinces.

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 by the Order of the Regent of 14 July 1947, 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 introductory note.

Chile.

Regulations No. 101 of 16 January 1918 respecting holidays and Sunday rest supplemented by Decrees Nos. 757 and 759 of 5 October 1939, 369 of 14 June 1941, 513 of 5 August 1941 and 42 of 4 January 1947.

China.

Factory Act as amended. Consolidated text of 30 December 1932 (L.S. 1932, Chin. 2 A). Amended Regulations for the administration of the Factory Act. Consolidated text of 30 December 1932 (L.S. 1932, Chin. 2 B). Order of the Minister of Industry of 1 November 1934. Mines Act of 25 June 1936.

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). Austrian Act of 16 January 1895 relating to the regulation of the Sunday rest and of holidays, as amended by the Act of 18 July 1905 (B.B., Vol. IV, 1905, p. 311, German text). Austrian Order of 12 September 1912 completing and partially amending the Order in pursuance of the Act relating to the regulation of the Sunday rest and of holidays (B.B., Vol. VIII, 1913, p. 1). Hungarian Act No. XIII of 1891 concerning Sunday rest in industry. Various notifications of the Minister of Labour and Social Welfare issued in 1945, 1946 and 1947 and in force for part of the period 1 October 1945 to 30 September 1947.

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 1 June 1923 bringing the Convention into force in Finland. Act of 4 March 1927 on Industrial Inspection (L.S. 1927, Fin. 1). Decision of the Council of State of 4 April 1927, applying the Act of 4 March 1927.

Act of 2 August 1946 respecting hours of work (L.S. 1946, Fin. 4).

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.

India.

Indian Railways Act, 1890, as amended in 1930 (L.S. 1930, Ind. 1 A).

Indian Mines Act, 1923 (L.S. 1923, Ind. 3), as subsequently amended (L.S. 1928, Ind. 1, and 1935, Ind. 3).

Indian Factories Act, 1934 (L.S. 1934, Ind. 2), as subsequently amended (L.S. 1936, Ind. 3, and 1945, Ind. 1).

Railways Servants' (Hours of Employment) Rules, 1931.

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.

Luxembourg.

Act of 21 August 1913 concerning the weekly day of rest for employees and workmen (B.B., Vol. IX, 1914, p. 106).

Resolution of 21 August 1914 in pursuance of the above Act (B.B., Vol. XI, 1916, p. 16).

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).

Order of 24 January 1939, to amend § 3 of the Order of 21 August 1914.

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).

Norway.

Workers' Protection Act dated 19 June 1936 (L.S. 1936, Nor. 1).

Poland.

Act of 18 December 1919 regarding hours of work in industry and commerce (L.S. 1920, Pol. 1), as amended by the Decree of 19 September 1946 (L.S. 1946, Pol. 6).

Portugal.

Legislative Decree No. 24,402 of 24 August 1934 regulating hours of work in industrial and commercial undertakings (L.S. 1934, Port. 5 A).

Legislative Decree No. 36,173 of 6 March 1947, standardising the form of collective labour agreements.

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 persons employed in cinematograph establishments.

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 work 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.

Venezuela.

National Constitution of the United States of Venezuela of 5 July 1947 (Extracts, L.S. 1947, Ven. 1).

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.

Decree No. 119 of 4 May 1945 governing work in agriculture and stockbreeding (L.S. 1945, Ven. 2).

* * *

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)

The Government of *Belgium* states that no special difficulties were experienced regarding the application of the Convention during the period under review. Under the Order of 17 July 1947 supplementing existing legislation, retail stores and hairdressing establishments in certain coastal regions are authorised to employ their staff for a maximum of eight hours on six Sundays in July and August. Compensatory rest periods must be granted during the following week.

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, these services have instituted proceedings in 28 cases for infringements of the Act of 17 July 1905. No observations have been received from employers' or workers' organisations.

The Government of *Bulgaria* repeats the information given in its previous report and adds that no decisions were given by courts of law and no observations were received from employers' or workers' organisations.

Canada. See introductory note.

The Government of *Chile* refers to its previous reports and adds that, in accordance with Article 6 of the Convention, Decree No. 42 of 7 January 1947 allows an excep-

tion to the provisions concerning closure and rest on Sundays and legal public holidays in the case of a hairdressing establishment between 15 September and 15 March of each year.

Most of the legal and administrative decisions on weekly rest concern commercial undertakings and have no bearing on the principles of the Convention; the texts of five of these decisions are attached to the report. The Government adds that the provisions relating to weekly rest are very satisfactorily applied and that the labour inspectors maintain a strict supervision to prevent any breaches. Over one-and-a-half million persons are covered by the legislation; of these, 423,205 are employed in industrial undertakings (371,155 workers and 52,050 employees). During 1946 the labour inspectors made 1,932 visits in industrial and commercial undertakings and recorded 145 breaches, most of which were in commercial undertakings. No observations were made by the employers' or workers' organisations.

The Government of *China* states that the Factory Act and the Mines Act, together with the amendments proposed in 1947, contain the principles of the Convention. Under § 15 of the Factory Act and § 19 of the proposed revised Mines Act, workers are entitled to one day's rest in every seven days.

According to the reports of the factory and mines inspectors, the legislative provisions relating to the weekly rest have been carefully observed by employers. In a few industrial undertakings where, owing to special reasons, workers were employed on the weekly day of rest, extra wages were paid amounting to from one-third to two-thirds of their regular wages. In some cases, compensatory leave was allowed in lieu of time worked.

The Minister of Social Affairs is entrusted with the application of the Convention. The Government adds that, in order to ensure the enforcement of the Convention, arrangements are being made to train more labour inspectors for factories and mines. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Czechoslovakia* refers to its previous report and adds that, during the period under review, regulations were issued by the Ministry of Labour and Social Welfare concerning the timetables of working hours in order to ensure a better utilisation of electric power. According to these provisions, industrial undertakings may be instructed, on the proposal of the national undertakings producing electric power, to transfer regular working hours, temporarily and for the length of time considered necessary, to another time of the day, to the night, or to Sundays and public holidays.

See also under Convention No. 1 (working hours in industry) for information regarding

the authorities responsible for the application and supervision of the relevant legislation and its practical application.

The Government of *Denmark* refers to its previous reports and to the survey of the principal Acts and regulations in force in the field of social legislation, together with the list of regulations regarding exceptions to the weekly rest provisions.

The Government also refers to the observations contained in the report drawn up in 1938 by the Committee for the Protection of Workers, with a view to eliminating the discrepancies between the legislation and the provisions of the Convention. Both the Bill prepared by the above-named Committee and the recommendation on the same subject adopted by the Labour Board in 1946 take into account the measures laid down in the Convention.

During the year 1947 no action was brought before the courts for breaches of the legislative provisions.

The Government of *Finland* states that the scope of the Act of 2 August 1946 on hours of work, § 15 of which contains provisions relating to weekly rest, is wider than that of the Convention. The following types of work are not covered by the provisions of the Act: the construction, repair and maintenance of buildings in connection with agriculture and accessory occupations, that is, work covered by the Bill respecting hours of work in agriculture at present before the House of Representatives; the hauling of timber from forests to industrial centres or to warehouses or roadside depots from which timber will be loaded on to ships, railway trucks or motor vehicles; and the floating of lumber (except in sorting yards). Although transport of the kind mentioned above is exempt from the provisions of the Act, Sundays are observed in general as days of rest.

The line of division which separates industry from commerce and agriculture has not yet been defined by the competent authorities. In doubtful cases the Labour Council, consisting of an independent chairman and representatives of employers and workers in equal numbers, decides which of the laws respecting hours of work is applicable to a specified undertaking or person. The Labour Council also determines the line of demarcation in respect of the undertakings mentioned above (Act and Order of 2 August 1946 respecting the Labour Board).

Exceptions to the weekly rest provisions are authorised for workers whose hours of work do not exceed three a day. In practice, these exceptions are limited to persons who undertake the delivery of daily papers as an accessory occupation. Employers are required by § 8 of the Act of 2 August 1946 to post up the schedule of working hours and rest periods in a conspicuous place in the establishment.

The Government has no knowledge of any decisions by the courts and does not

possess any statistical data on the application of the Convention.

The Government of *France* repeats the information supplied in previous reports and states that no legal decision relevant to the application of the Convention was reported in the case-books for the period under review.

The Government adds that the General Labour Inspectorate is now in a position to resume the drawing up of comprehensive documents concerning the application of labour legislation and will be able to provide information on this subject for the period 1947-1948.

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

The Government of *Greece* states that the first district of the labour inspection service issued 282 permits for Sunday work during the period under review, affecting 2,988 men and 277 women. Fifty-six of these permits relate to construction work, 172 to repair work, 47 to the cleaning and maintenance of machinery and seven to the drawing up of inventories and balance sheets. The labour inspection service of Chalcis has granted 24 permits, that of Naxos 21, that of Canea one, that of Calamata two, and that of Eleusis 15.

The Government of *India* states that the Order of 2 March 1945 amending the rules providing for periods of rest to mates, keymen and gangers employed on the maintenance of the permanent way in railways, was extended in July 1946 to include artisans and unskilled labour employed for temporary purposes on open lines. These workers will be allowed one calendar day's rest in each week or, at the discretion of the Railway Administration, an equivalent number of consecutive days up to a maximum of three. The report also points out that § 35 of the Factories Amendment Act of 1945, which came into force on 1 January 1946, provides for compensatory holidays equivalent to the holidays lost, to be granted as soon as circumstances allow it.

No decisions by the courts have come to the notice of the Government, and no observations have been received from employers' or workers' organisations.

See under Convention No. 1 for information concerning the authorities responsible for the application of the legislation.

The Government of *Ireland* refers to its report for 1941-1942 and adds that one contravention was reported during the period under review. The employer was suitably warned.

The Government of *Italy* states that the scope of the legislation applying the Convention was restricted during the war, but that the Convention is now applied in almost the normal manner. Thus, the obligation of ensuring weekly rest to workers employed in loading and unloading goods

at railway stations has been re-established. The amendment of the legislative provisions governing the weekly rest in newspaper undertakings is under consideration. No decisions on questions of principle regarding the application of this Convention were given by the judicial authorities during the period under review.

The Government of *Luxembourg* states that the application of the legislation is entrusted to the Labour and Mines Inspectorate, the organisation and functions of which are set out in the Grand-Ducal Order of 26 March 1945. No observations have been received from employers' or workers' organisations.

The Government of *Mexico* repeats the information supplied in previous reports and adds that the federal or local labour inspection services supervise the granting of the weekly rest. Further, the workers themselves assert their rights if the weekly rest is not granted by the employers.

The national legislation relating to the Convention is very comprehensive. The provisions contained in collective agreements relating to public holidays go beyond the provisions of the legislation.

The Government of *Norway*, referring to its previous report, states that no important decision was made by the courts. No observations were received from employers' or workers' organisations.

The Government of *Poland* states that the labour inspectorate is at present composed of sixteen regional labour inspectors, 94 district inspectors, eleven doctors, four special labour inspectors and fourteen 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 *Portugal* refers to an Order of the Supreme Administrative Tribunal of 27 May 1947, relating to haberdashery employees, validating weekly rest days fixed by collective agreements.

See under Convention No. 1 for statistics on the number of workers covered by legislation on hours of work and weekly rest.

The Government adds that, during the period under review, 982 breaches of the main provisions relating to the weekly rest were notified in the district of Lisbon. Statistics are not available for other parts of the country.

No important observations have been made by employers' or workers' organisations.

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

The Government of *Switzerland* refers to its previous report and adds that, as a result of favourable conditions, the scope of the Federal Act concerning the weekly rest has been considerably widened. The number of factories subject to this law has increased by 8 per cent. and now exceeds 10,000, and there has been a marked increase in the number of handicraft undertakings.

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 45. 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 in connection with a breach of the provisions of the Order of 4 December 1933 regarding hours of work and rest periods of professional drivers of motor vehicles.

The report refers to the reports of the federal inspectors of factories for 1945 and 1946 relating to the application of the provisions concerning the weekly rest contained in the Factories Act, and to the report of the Federal Council on its administration during 1946, which contain information regarding the application of the legislative provisions to give effect to the Convention in Switzerland.

The report adds that, in general, the Convention continues to be fully observed in Switzerland. Although 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 competent federal authorities have requested the cantons to take the necessary steps in order to ensure stricter control in the undertakings concerned.

The Government of *Venezuela* states that the relevant legislation applies to all the undertakings specified in § 8 of the Labour Act and that the line of demarcation between industry and commerce on one side, and agriculture and stockbreeding on the other, has been established in § 5 of the Regulations concerning agriculture and stockbreeding.

The Government adds that in accepting the general principle of a 48-hour week for workers and a 44-hour week for employees in offices and commercial undertakings, the legislation expressly recognises the weekly rest. The rest is guaranteed to all workers, including those engaged in undertakings which are excluded from the field of application of the legislation by §§ 35, 36, 37, 38, 39 and 40 of the Regulations concerning the Labour Act. This guarantee arises from § 43 of the Regulations, which compels the employer to allow one complete day of rest in the following week to workers who have worked four or more hours on a Sunday, and

half a day of rest to workers having worked under four hours on a Sunday. However, work on Sundays may be compensated by a repeated reduction in the daily hours of work, provided the workers agree to this freely in an agreement with the employers made in the presence of the competent labour inspector. As a result of these provisions, the weekly rest is generally granted on a Sunday.

See under Convention No. 1 for information regarding the authorities entrusted with the application of the legislation. No observations were made by the employers or workers, either individually or as organisations.

* * *

The Government of *Burma* states that no decisions were given by the courts. The Chief Inspector of Factories and the Chief Inspector of Mines are entrusted with the application of the Convention, and its

enforcement is carried out by inspectors making surprise visits to factories and mines. The provisions of the Convention have been generally observed, but certain contraventions have been reported during the busy seasons. Without adequate staff, these irregularities cannot be effectively checked. Fortunately, the workers themselves have become acquainted with the provisions contained in the legislation and, since they are mostly in favour of weekly rest, it is now not uncommon to hear of workers asserting 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, French Guiana, Reunion and New Caledonia*.

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

Countries	Date of registration of ratification	Reports received
Argentina	26. 5.1936	
Australia	28. 6.1935	13.11.1947
Belgium	19. 7.1926	29.11.1947
Bulgaria	6. 3.1925	2. 2.1948
Canada	31. 3.1926	5.11.1947
Chile	18.10.1935	25. 2.1948
China	2.12.1936	3. 3.1948
Colombia	20. 6.1933	
Cuba	7. 7.1928	19. 2.1948
Denmark	12. 5.1924	15.11.1947
Estonia	8. 9.1922	
Finland	10.10.1925	10.11.1947
France	16. 1.1928	16. 1.1948
Germany	11. 6.1929	
Greece	14. 6.1930	19. 1.1948
Hungary	1. 3.1928	4.12.1947
India	20.11.1922	11.12.1947
Ireland	5. 7.1930	10.12.1947
Italy	8. 9.1924	
Japan	4.12.1930	
Latvia	9. 9.1924	
Luxembourg	16. 4.1928	9.10.1947
Netherlands	17. 6.1931	8.12.1947
Nicaragua	12. 4.1934	
Norway	7.10.1927	7. 1.1948
Pakistan ¹	20.11.1922	
Poland	21. 6.1924	6. 1.1948
Rumania	18. 8.1923	
Spain	20. 6.1924	
Sweden	14. 7.1925	28.11.1947
United Kingdom	8. 3.1926	10. 1.1948
Uruguay	6. 6.1933	
Yugoslavia	1. 4.1927	
* * *	* * *	* * *
Burma ²	20.11.1922	13.12.1947

¹ See footnote 2 to Convention No. 1.

² See footnote 3 to Convention No. 1.

INTRODUCTORY NOTE

The Government of *Luxembourg* states that the Convention was ratified in a spirit of international solidarity, but that, in view of the subject matter covered, it calls for no practical application in the Grand Duchy.

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.

China.

Provisional Measures for the Control of Seamen of 1 October 1931.

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 and 116 of the Maritime Labour Code, and establishing a new § 116 B of the Code.

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.

India.

Indian Merchant Shipping (Amendment) Act, 1931 (L.S. 1931, Ind. 1).

Notification of the Government of India (Department of Commerce, No. 80-M, II/31 of 5 December 1931) (L.S. 1931, Ind. 3).

Ireland.

Merchant Shipping (International Labour Conventions) Act, 1933 (I.F.S. 2).

Luxembourg.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927). See also introductory note.

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).

Norway.

Seamen's Act of 16 February 1923 (L.S. 1923, Nor. 1).

Act of 29 June 1888 concerning the registration and the supervision of the engagement of seamen, and supplementary Acts No. 2 of 28 May 1892 and No. 2 of 16 June 1927.

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.

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.

United Kingdom

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

* * *

Burma.

Burma Merchant Shipping Act.

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 1946.

The Government of *Belgium* states that the provisions of Articles 1 to 6 of the Convention are applied by the Act of 5 June 1928, which covers all merchant and fishing vessels. The authorities entrusted with the application of the relevant legislation are the maritime superintendent and, for recruitment abroad, the Belgian consuls.

No decisions were given by courts of law. The administrative measures employed have prevented any fraudulent attempt at embarkation. No observations were received from shipowners or seafarers.

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

The Government of *Chile* refers to previous reports and adds that the inspection services for maritime labour have reported that no young persons under eighteen years of age are employed on board merchant vessels. There were no breaches of the regulations in this respect. The Government has no knowledge of any decisions by courts of law. No observations were received from employers' or workers' organisations.

The Government of *China* repeats the information supplied in its report for 1945-1946, in which it stated that the Provisional Measures for Control of Seamen are in complete harmony with the provisions of the Convention. According to Chinese law, persons under twenty years of age are considered as minors and, under the Provisional Measures for the Control of Seamen, may only be employed as trimmers or stokers with the permission of their legal guardians. All trimmers and stokers on Chinese vessels are over twenty years of age. The Ministry of Communications and the local shipping offices are entrusted with the application of the provisions 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 *Cuba* repeats the information contained in previous reports and adds that no decisions were given by courts of law. There were no breaches of the legislation and no observations were received from employers' or workers' organisations.

The Government of *Denmark* refers to its earlier reports and adds that no decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Finland* states that, under the Ordinance of 29 October 1925, 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. The Government has no knowledge of any decisions by courts of law.

The Government of *France* states that the Act of 11 April 1942 strictly prohibits the employment of seamen under eighteen years of age as trimmers or stokers.

The departments of the mercantile marine have no knowledge of any court decisions and have received no observations from

employers' or workers' organisations regarding the practical application of the Convention or of the relevant Articles of the Maritime Labour Code.

The Government of *Greece* repeats the information contained in its previous reports and adds that no court decisions were given and no breaches of the legislation were reported.

The Government of *Hungary* states that Hungary has no steamships engaged in maritime navigation.

The Government of *India* states that the application of the legislation, administrative regulations, etc., is entrusted to the shipping masters at the ports of recruitment, who supervise their enforcement at the time of the signing of agreements. No decisions by courts of law or other courts have come to the notice of the Government. No contraventions were reported at any court and no observations were received from employers' or workers' organisations.

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

Luxembourg. See introductory note.

The Government of the *Netherlands* states that it has nothing to report regarding the application of this Convention.

The Government of *Norway* states that there has been no change in the position outlined in earlier reports. No decisions of importance have been given by courts of law and no observations have been received from organisations of employers or workers.

The Government of *Poland* repeats the detailed information supplied in its report for 1945-1946 and adds that no decisions were given by courts of law. No observations were received from employers' or workers' organisations.

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

The Government of the *United Kingdom* states that it has no knowledge of any decisions by courts of law. No relevant statistics are compiled and no reports are available from inspection services. The Government is satisfied that the measures taken to enforce the Convention are effective. No observations were received from employers' or workers' organisations.

* * *

The Government of *Burma* states that no advantage has been taken of the provisions of Articles 3 (c) and 4 of the Convention, as no persons under the age of eighteen years have been employed on vessels. No contraventions of the legislative provisions have been reported.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The *Belgian* Government states that the *Belgian Congo* is still excluded from the scope of application of the Convention. Nevertheless, the Act of 5 June 1928 applies to Natives of the Colony engaged on board vessels flying the Belgian flag.

The Government of *France* refers to its report for the period 1937-1938.

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

Fiji.

Labour Ordinance, No. 23 of 1947, § 69 (b) and (c).

Malayan Union.

Straits Settlements Merchant Shipping Ordinance. Cap. 150, §§ 34, 35, 36, 37, applies to the ports of Penang and Malacca, now within the Malayan Union.

St. Helena.

Ordinance No. 10 of 1941, § 13.

Singapore.

Merchant Shipping Ordinance (Chapter 150), § 34.

Tanganyika.

Employment of Women and Young Persons (Amendment) Ordinance, No. 10 of 1946.

Uganda.

Employment of Children (Amendment) Ordinance, No. 27 of 1946.

Western Pacific.

British Solomon Islands : Regulation No. 5 of 1947, § 69 (b).

In *Gibraltar*, an amendment to the Employment of Women, Young Persons and Children Ordinance, No. 16 of 1932, to include the provisions of this Convention is in draft.

In *Palestine*, the requirements of the Convention will be covered in the Maritime Employment Ordinance, now in preparation.

16. Convention concerning the compulsory medical examination of children and young persons employed at sea

This Convention came into force on 20 November 1922

Countries	Date of registration of ratification	Reports received
Argentina	26. 5. 1936	
Australia	28. 6. 1935	17. 11. 1947
Belgium	19. 7. 1926	29. 11. 1947
Brazil	8. 6. 1936	
Bulgaria	6. 3. 1925	2. 2. 1948
Canada	31. 3. 1926	5. 11. 1947
Chile	18. 10. 1935	25. 2. 1948
China	2. 12. 1936	3. 3. 1948
Colombia	20. 6. 1933	
Cuba	7. 7. 1928	19. 2. 1948
Denmark	23. 4. 1938	15. 11. 1947
Estonia	8. 9. 1922	
Finland	10. 10. 1925	10. 11. 1947
France	22. 3. 1928	16. 1. 1948
Germany	11. 6. 1929	
Greece	28. 6. 1930	19. 1. 1948
Hungary	1. 3. 1928	4. 12. 1947
India	20. 11. 1922	11. 12. 1947
Ireland	5. 7. 1930	10. 12. 1947
Italy	8. 9. 1924	
Japan	7. 6. 1924	
Latvia	9. 9. 1924	
Luxembourg	16. 4. 1928	9. 10. 1947
Mexico	9. 3. 1938	17. 1. 1948
Netherlands	9. 3. 1928	8. 12. 1947
Nicaragua	12. 4. 1934	
Pakistan ¹	20. 11. 1922	
Poland	21. 6. 1924	6. 1. 1948
Rumania	18. 8. 1923	
Spain	20. 6. 1924	
Sweden	14. 7. 1925	28. 11. 1947
United Kingdom	8. 3. 1926	10. 1. 1948
Uruguay	6. 6. 1933	
Yugoslavia	1. 4. 1927	
* * *	* * *	* * *
Burma ²	20. 11. 1922	13. 12. 1947

¹ See footnote 2 to Convention No. 1.

² See footnote 3 to Convention No. 1.

INTRODUCTORY NOTE

The Government of *China* states that the outbreak of the Sino-Japanese war interrupted the task of enacting regulations to give effect to this Convention. The authorities concerned are now engaged in the preparation of such regulations.

The Government of *Luxembourg* states that the Convention was ratified in a spirit of international solidarity, but that, in view of the subject covered, it calls for no practical application in the Grand Duchy.

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

Australia.

The Navigation (Maritime Conventions) Act, 1934 (L.S. 1934, Austral. 10).
The Navigation (Health) Regulations (Amendment, S.R. 1935, No. 76).

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.

China.

See introductory note.

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.

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.

India.

Indian Merchant Shipping (Amendment) Act, 1931 (L.S. 1931, Ind. 1).
 Notification No. 80-M of the Department of Commerce of 8 August 1931.

Ireland.

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

Luxembourg.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).
 See also introductory note.

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 (*Scheepelingenbesluit*) 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.

United Kingdom.

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

* * *

Burma.

Burma Merchant Shipping Act.

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

The Government of *Australia* states that the position regarding the Convention remains unchanged. According to information supplied by the Director-General of Health, no difficulties have been experienced in the smooth working of the medical examination of children and young persons employed at sea. The Government appends to its report statistics furnished by the Director-General of Health regarding examinations conducted at the principal ports of the Commonwealth during the year ended 30 September 1946.

The Government of *Belgium* states that the legislation is applied generally and does not provide for the exceptions allowed under the Convention. The Maritime Superintendent must ascertain that young persons have passed the prescribed medical examination before they are accepted for registration.

No decisions were given by courts of law and no observations were received. The administrative control exercised by the Maritime Superintendent prevents any attempt at contraventions of the regulations.

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* refers to its report for 1935-1936 and adds that, during the period under review, the provisions which authorise the engagement of young persons under eighteen years of age as apprentices have not been applied. As such young persons follow preparatory occupational courses at the school for apprentice pilots, and in general are not admitted until they have reached the age of eighteen years, there were no breaches of the legislative provisions. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *China* states that, although no regulations exist concerning the compulsory medical examination of children and young persons employed at sea, it is found that no child or young person under twenty years of age is so employed. For the purpose of determining the age and physical condition of children and young persons, the Ministry of Social Affairs, in 1947, drew up regulations concerning the standard for measuring the height and weight of children and young persons. These regulations apply to workers in factories as well as to workers at sea. The Ministry of Communications and the local shipping offices are responsible for the application of the Convention. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

See also introductory note.

The Government of *Cuba* repeats the information given in its previous reports and adds that no decisions were given by courts of law. There were no breaches of the legislation and no observations were received from employers' or workers' organisations.

The Government of *Denmark* refers to its previous reports and adds that no decisions were given by courts of law and no

observations were received from employers' or workers' organisations.

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* refers to its report for 1933-1934 and adds that the services of the mercantile marine have no knowledge of any decisions by courts of law. No breaches were reported of the relevant provisions of the Maritime Labour Code. No observations have been received by mercantile marine departments from employers' or workers' organisations.

The Government of *Greece* states that the port authorities are responsible for ensuring the effective application of the Convention. Medical examinations are carried out by specially appointed committees of medical practitioners under the supervision of the competent port authority.

The Government of *Hungary* states that no new legislation has been introduced in connection with the Convention, and adds that no persons under eighteen years of age are employed at sea.

The Government of *India* states that the application of the legislation and administrative regulations, etc., is entrusted to the port health officers. During the period under review five young persons were medically examined for employment at sea in the port of Bombay. No young persons were medically examined for employment at other ports in India. No observations have been received from employers' or workers' organisations.

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

Luxembourg. See introductory note.

The Government of *Mexico* repeats the information given in its reports covering the years 1940-1946 and adds that at present only the Secretariat of the Marine is entrusted with the supervision of the application of the legislation. However, it is proposed to include the provisions of the Convention in the Industrial Hygiene Regulations and this will mean that the Secretariat of Labour will become a supervisory authority. No decisions were given by courts of law.

The Government of the *Netherlands* states that medical examinations of young seafarers are carried out by physicians of the Maritime Inspection Service, which is also responsible for the enforcement of the regulations. The Government supplies statistics relating to the number of persons examined during the period under review.

The *Polish* Government states that during the period covered by the report 68 young

workers between sixteen and eighteen years of age were medically examined before being employed on board ship. It adds that no decisions were given by courts of law or other courts and that no observations were received from employers' or workers' organisations.

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

United Kingdom. See under Convention No. 15.

* * *

The Government of *Burma* states that the Convention has been fully applied throughout the country and no contraventions have been reported. No observations have been received from employers' or workers' organisations.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The *Belgian* Government states that the *Belgian Congo* is excluded from the scope of the Convention. Nevertheless, the Act of 5 June 1928 is applicable to Natives

engaged on board vessels navigating on the Congo.

The Government of *France* states that it has nothing to add to its report for 1937-1938.

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

Malayan Union. See under Convention No. 15.

St. Helena. See under Convention No. 15.

Sarawak.

Labour Conventions Order, 1943. There is no periodical examination.

Singapore.

Merchant Shipping Ordinance, Chapter 150, § 35.

Uganda.

Employment of Children (Amendment) Ordinance No. 27 of 1946. There is no provision for periodical examination.

Western Pacific.

British Solomon Islands : Regulation No. 5 of 1947, § 69 (c).

For *Gibraltar* and *Palestine*, see under Convention No. 15.

SEVENTH SESSION (GENEVA, 1925)

17. Convention concerning workmen's compensation for accidents

This Convention came into force on 1 April 1927

Countries	Date of registration of ratification	Reports received
Austria	21. 8.1936	
Belgium	3.10.1927	29.11.1947
Bulgaria	5. 9.1929	2. 2.1948
Chile	8.10.1931	25. 2.1948
Colombia	20. 6.1933	
Cuba	6. 8.1928	19. 2.1948
Hungary	19. 4.1928	4. 2.1948
Latvia	29. 5.1928	
Luxembourg	16. 4.1928	13.12.1947
Mexico	12. 5.1934	17. 1.1948
Netherlands	13. 9.1927	8.12.1947
New Zealand	29. 3.1938	
Nicaragua	12. 4.1934	
Poland	3.11.1937	15.12.1947
Portugal	27. 3.1929	30.12.1947
Spain	22. 2.1929	
Sweden	8. 9.1926	28.11.1947
Uruguay	6. 6.1933	
Yugoslavia	1. 4.1927	

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. 581 of 21 April 1927 relating to occupational diseases (L.S. 1927, 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 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 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, No. 1653 of 27 June 1936, No. 3103 of 11 November 1936 and No. 37 of 31 December 1937.

Decree No. 165 of 1947 containing a new list of accident prevention devices and provisions.

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, No. 47.880 N.M. of 10 January 1947 and No. 3.050 M.E. of 23 March 1947 concerning sickness insurance for agricultural workers, to increase the amount of invalidity pensions under accident insurance.

Act No. XXIX of 1928 to incorporate the Convention in Hungarian legislation.

Act No. LXV of 1912 respecting pensions for State employees and their widows and orphans.

Luxembourg.

Act of 17 December 1925 respecting the Social Insurance Code (L.S. 1925, Lux. 2 A), as

amended by the Acts of 6 September 1933 (L.S. 1933, Lux. 3) and 21 June 1946 (L.S. 1946, Lux. 1).

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 Act 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 (L.S. 1935, Neth. 3), 17 July 1936 (L.S. 1936, Neth. 1) and 27 December 1946 (*Staatsblad*, No. G 397).

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.
Act of 28 July 1939 respecting social insurance tribunals (L.S. 1946, Pol. 2 H), as amended by the Decree of 1 March 1946.
Order of the Minister of Labour and Social Welfare of 12 May 1947 respecting the provisional fixing of social insurance pension rates.

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.

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 and 10 July 1947.

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 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.

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

The Government of *Belgium* refers to previous reports, and adds that no court decisions were given concerning the application of the Convention. A triennial report on the operation of the workmen's compensation legislation will be transmitted to the International Labour Office in the near future. No observations have been received from employers' or workers' organisations.

The Government of *Bulgaria* repeats the information given in its report for 1945-1946 and adds that the number of workers covered by insurance is 336,861. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Chile* refers to its reports for 1935-1936 and 1937-1938.

In reply to the question raised by the Committee of Experts in 1947 whether Act No. 8198 of 1945 requires compensation of permanent partial incapacity to be made in the form of periodical payments (Article 5 of the Convention), the Government states that, under § 277 of the Labour Code, permanent partial incapacity entitles the worker to compensation not exceeding the amount of two years' wages, the actual amount being proportionate to the degree of incapacity. Act No. 8198 does not amend this provision, but increases the amount of compensation by raising the annual wage on which it is based. The compensation is paid in twelve equal monthly instalments if it exceeds 2,000 pesos, unless the labour judge decides that a single payment should be made to provide for vocational retraining, or to purchase a holding of land, or to provide equipment for a trade or industry which the worker is technically able to exercise.

Decisions are frequently given by the courts or administrative authorities applying the principles of the Convention. The texts of fourteen such decisions accompany the report. Data are supplied for the year 1946 relating to the number of workers covered, by occupation, the amount of payments in cash, and the number of accidents classified by age, sex, cause, nationality, branch of activity, occupation or status of the worker, and nature and severity of the injury.

No observations have been made by employers' or workers' organisations.

In a detailed report, the Government of *Cuba* states that, as regards casual workers, a worker who is sent by his employer to effect repairs to the plant of another employer, for whom he is a casual worker, is insured by the first employer. The Directorate of Health and Social Welfare authorises the commutation of a pension for a lump sum when the pension is small and the lump sum would enable the beneficiary to set up a small business. The Ministry of Labour, the Provincial Offices and the Directorate of Health and Social Welfare carry out inspection visits in order to ascertain that workers are duly insured by insurance companies or by employers who guarantee the discharge of their liabilities. The report contains statistics, supplied by the insurance companies, of cases in which compensation was paid and of the amount of the compensation. No observations have been received from employers' or workers' organisation.

The Government of *Hungary* states that, under Order No. 3050 of 23 March 1947, agricultural workers are placed on the same footing as industrial workers; their pension rate differs however, temporarily, from those of industrial workers.

During the period under review, the number of insured persons was 400,000 in industry, 60,000 in the mines and 226,000 in agriculture; 10,824 accidents occurred in industry and 6,580 in the mines.

The Government of *Luxembourg*, in its first report since 1939, gives a detailed account of the application of the Convention. It states that compulsory accident insurance covers all industrial, commercial, agricultural and forestry establishments, including handicraft establishments. Work carried out by the State, by the communes, by public and public utility undertakings and associations, is also covered by compulsory insurance. Workers, helpers, journeymen, apprentices or servants, employed in an insured undertaking, as well as office and workshop clerks, foremen and technical employees of an insured undertaking, are covered up to that portion of their pay which does not exceed a sum fixed by public administrative regulation. Domestic servants, as well as craftsmen engaged in home industries and persons employed by these craftsmen, are also insured. Persons employed on work carried out under public

control by a private contractor are insured only if their work lasts longer than twelve days. The legislation does not make provision for the exceptions permitted under Article 2 of the Convention.

Benefits due in case of fatal accidents or accidents causing permanent disability are paid in the form of pensions. The cash benefits or the disability pension amounts to two-thirds of the pay or to a fraction of that sum corresponding to the degree of disability. The widow receives 30 per cent. of the pay, and each child under eighteen years of age is entitled to a pension of 20 per cent. of the pay, the total rent of the beneficiaries being limited to 80 per cent. of the pay.

The report also contains detailed information regarding lump sum indemnities to be paid to widows in case of remarriage, and other lump sum settlement arrangements. Permanent pensions may be altered only during the three years following the date of the decision of the Accident Insurance Association which grants the pension, or the date of the final judicial decision in case of recourse to the courts.

Victims of accidents are entitled to medical treatment as well as to the supply of medicine, and of all other remedies likely to ensure the success of the treatment. This medical attention is supplied by the Association without limitation as to time. The supply of artificial limbs and surgical appliances depends on the judgment of the attending physician. The payment of benefits is guaranteed by the Accident Insurance Association. The possible liability of the employer does not in any way prejudice the payment of compensation.

The social insurance office is placed under the supervision of the Government, as regards compliance with the provisions of laws and regulations. Technical and financial supervision is ensured by the inspection service for social institutions. No decisions of principle have been given by courts of law. Statements covering the periods 1938, 1939, 1944 and 1946 are appended to the report of the Government. They contain detailed data concerning the number of accidents, the benefits paid, and the income and expenditure of the Accident Insurance Association (Industrial Section). No observations have been received from employers' or workers' organisations.

The Government of *Mexico* states that it has not been possible to introduce the legislative amendments necessary to remove the discrepancies still existing between present legislation and the provisions of the Convention. It points out, however, that so far as the persons insured under the Social Insurance Act are concerned, the requirements of the Convention in respect of payment of compensation in the form of pensions, and the initial supply of artificial limbs, are fulfilled. The report adds that the area to which the Social Insurance

Act applies is gradually being extended to the entire Republic. The Government appends to its report statistics of accidents compensated in 1946 and opinions of the Supreme Court regarding industrial accidents.

The Government of the *Netherlands* states that it has nothing special to report on the application of the Convention.

The Government of *Poland* repeats the enumeration of workers covered by the legislation given in its report for 1945-1946, and adds that the Ministerial Order of 12 May 1947 fixed provisionally the amount of pensions, and replaces the temporary measures introduced by the Order of 13 June 1946. Under this legislation, the amount of benefits is at present uniform for all categories of insured persons, regardless of the remuneration and period of liability.

The report refers to the possibility for insured persons to lodge a complaint before the independent social insurance tribunals against the decisions of the social insurance institutions.

On 31 July 1947, 2,884,600 persons were insured against occupational accidents in industry and agriculture. During the period under review, no decisions were given by any courts or other institutions. No observations have been received from employers' or workers' organisations.

The Government of *Portugal* refers to its previous reports and adds that, during the period under review, no observations have been received from employers' or workers' organisations.

The report contains summaries of a number of court decisions and awards regarding the application of the Convention.

The Government of *Sweden* states that the Act of 10 July 1947 modifies the rules for the review of compensation payments in the case of incapacity for work. Statistical data have also been furnished.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

No information.

18. Convention concerning workmen's compensation for occupational diseases

This Convention came into force on 1 April 1927

Countries	Date of registration of ratification	Reports received
Austria	29. 9.1928	
Belgium	3.10.1927	29.11.1947
Bulgaria	5. 9.1929	2. 2.1948
Chile	31. 5.1933	25. 2.1948
Colombia	20. 6.1933	
Cuba	6. 8.1928	19. 2.1948
Czechoslovakia	19. 9.1932	6. 3.1948
Denmark	18. 6.1934	15.11.1947
Finland	17. 9.1927	10.11.1947
France	13. 8.1931	
Germany	18. 9.1928	
Hungary ¹	19. 4.1928	4. 2.1948
India	30. 9.1927	11.12.1947
Iraq ¹	26.11.1938	17. 2.1948
Ireland ¹	25.11.1927	
Italy	22. 1.1934	22.12.1947
Japan	8.10.1928	
Latvia	29.11.1929	
Luxembourg	16. 4.1928	13.12.1947
Netherlands ¹	1.11.1928	
Nicaragua	12. 4.1934	
Norway ¹	11. 6.1929	
Pakistan ²	30. 9.1927	
Poland	3.11.1937	15.12.1947
Portugal	27. 3.1929	30.12.1947
Spain	29. 9.1932	
Sweden ¹	15.10.1929	
Switzerland	16.11.1927	17.11.1947
United Kingdom ¹	6.10.1926	
Uruguay	6. 6.1933	
Yugoslavia	1. 4.1927	
* * *	* * *	* * *
Burma ³	30. 9.1927	13.12.1947

¹ See under Convention No. 42 (revised).

² See footnote 2 to Convention No. 1.

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 *Ireland*, the *Netherlands*, *Sweden* and the *United Kingdom* 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) and by the Order of the Regent of 23 June 1947.

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 categories of workers exposed to occupational diseases in respect of which compensation is payable.

Legislative Order of 24 February 1947 respecting transfer and seizure of benefits granted in virtue of the legislation concerning compensation for injuries caused by occupational diseases.

Legislative Order of 25 February 1947 extending the rights under the legislation concerning compensation for injuries caused by occupational diseases.

Order of the Regent of 27 May 1947 fixing the rates of contributions for the year 1946 payable by heads of lead and zinc factories subject to the Act of 24 July 1927 concerning compensation for injuries caused by occupational diseases.

Ministerial Order of 23 June 1947, supplementing the Ministerial Order of 22 December 1938 to draw up the list of occupational diseases in respect of which compensation is payable.

Ministerial Order of 23 June 1947 supplementing the Ministerial Order of 5 May 1939 specifying the categories of workers of workmen treated on the same footing, exposed to the risks of an occupational disease in respect of which compensation is payable.

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 No. 1252 and No. 1653 of 6 May and 6 June 1936.

Legislative Decree No. 596 of 1936, respecting industrial accidents (L.S. 1936, Cuba 1).

Czechoslovakia.

Act No. 46 of 5 March 1947 respecting workmen's compensation for occupational diseases, to abrogate, as from 1 January 1947, the provisions of Acts Nos. 99 of 1 June 1932 and 33 of 4 March 1942.

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).

Hungary.

See introductory note.

India.

Workmen's Compensation Act of 5 March 1923 (L.S. 1923, Ind. 1) amended by the Acts of 3 September 1926 (L.S. 1926, Ind. 3), 9 September 1933 (L.S. 1933, Ind. 2), and 5 April 1938 (L.S. 1938, Ind. 2).

Notification No. L.1821 of the Department of Industries and Labour, dated 29 January 1937 (L.S. 1937, Ind. 2 B).

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.

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.

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).

Act No. 45 of 12 April 1943, to extend compulsory insurance against occupational diseases to silicosis and asbestosis (L.S. 1943, It. 3).

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.

Legislative Decree of the Provisional Head of State No. 14 of 25 January 1947, containing provisions regarding compulsory insurance against accidents and occupational diseases.

Decree of the Provisional Head of State No. 757 of 28 October 1946 to amend Royal Decree No. 255 of 17 March 1938 regarding the institution of a badge of honour for persons disabled by industrial accidents or occupational diseases.

Legislative Decree of the Provisional Head of State No. 804 of 29 July 1947 concerning the legal recognition of the Social Welfare and Social Assistance Institution.

Legislative Decree of the Provisional Head of State No. 919 of 29 July 1947 regulating the grant of medical and cash benefits to Italian citizens entitled to compensation for industrial accidents or occupational diseases from German insurance institutions.

Luxembourg.

Section 94 of the Act of 17 December 1925 respecting the Social Insurance Code (L.S. 1925, Lux. 2 A), as amended by the Act of 6 September 1933 (L.S. 1933, Lux. 3).

Grand-Ducal Order of 30 July 1928 concerning the extension of compulsory insurance against accidents to occupational diseases (L.S. 1928, Lux. 1), as amended by Grand-Ducal Order of 31 March 1939.

Netherlands.

See introductory note.

Norway.

See introductory note.

Poland.

Act of 28 March 1933 on social insurance (L.S. 1933, Pol. 5), amended by Presidential Order 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.

Act of 28 July 1939 respecting social insurance tribunals, amended by the Decree of 1 March 1946.

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).

United Kingdom.

See 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, a Ministerial Order was introduced extending the list of occupational diseases in respect of which compensation is payable. The Welfare Fund is entrusted with the application of the legislation, under the supervision of the Ministry of Labour and Social Welfare. The officials responsible for supervision of compliance with the legislation are the medical labour inspectors. No observations have been received from employers' or workers' organisations.

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

The Government of *Chile* refers to previous reports and adds that proposals have been made to extend from two to five years the period in which revision of benefits is possible.

During the period under review, 455 cases of occupational disease occurred and, according to the reports of the inspection services, compensation was satisfactorily settled in respect of them. The Government adds that decisions are given fairly frequently by courts of law, and appends to its report the text of several such decisions. 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, the General Directorate of Hygiene and Social Welfare and the ordinary courts of law. No decisions were given by courts of law. Compensation was paid to 195 persons. No observations were received from employers' or workers' organisations.

The Government of *Czechoslovakia* refers to its previous reports and adds, under Article 1 of the Convention, that Act No. 46 of 5 March 1947 (the text of which is appended to the report) extends to occupational diseases the provisions relating to industrial accidents, subject to exceptions in certain cases.

In the case of occupational diseases, the term "injuries" in the legislative provisions relating to accident insurance is understood to mean disease, and the expression "death in consequence of an accident" is understood to mean death caused by the disease.

The beginning of the disease within the meaning of the Act respecting sickness insurance is deemed to be equivalent to the date of an accident if this is more favourable to the insured person, or, in the case of persons not insured, the date of the beginning of the incapacity for work within the meaning of the legislative provisions relating to accident insurance.

In the case of occupational diseases, compensation consists of a pension which

is paid to the person suffering from the disease from the 27th week after the beginning of the sickness or the incapacity for work.

If the occupational disease does not become apparent until after the time during which the insured person was employed on the work which caused it, the pension is calculated on his annual wages on the date on which he ceased to be employed on this work and according to the legislative provisions in force at the time.

With regard to the principal provisions relating to industrial accident insurance, the rates of compensation and the conditions under which compensation is paid, the Government refers to its report for 1945-1946.

Under Article 2 of the Convention, the Government states that occupational diseases are deemed to be the diseases enumerated in the schedule appended to the Act of 5 March 1947, in so far as they result from an occupation in an insured undertaking of a kind referred to in the schedule (list of diseases) opposite the occupational disease in question.

No decisions were given by civil or other courts during the period under review.

The Government of *Denmark* refers to previous reports and adds that no decisions were given by courts of law. During the period under review, 49 cases were certified as occupational diseases and expenses were defrayed in 63 previously approved cases, involving a total expenditure of 168,174 crowns.

The Government of *Finland* states that the Act of 12 May 1939 contains all the necessary provisions relating to compensation. The number of diseases classified as occupational diseases in the above-mentioned Act is greater than that specified in the Convention. No decisions were given by courts of law. Statistical information is given which includes data supplied by insurance companies and by the State Accident Insurance Institution for the period 1938-1943.

Hungary. See introductory note.

The Government of *India* states that the occupational diseases listed in Schedule III of the Workmen's Compensation Act and its amendments are compensated at the same rates as industrial accidents. For all occupational diseases except anthrax the Act provides that the workman must have been employed by the same employer continuously for not less than six months. The list contained in Schedule III covers more occupational diseases than those mentioned in the Convention. The Act and the Rules made thereunder are administered by the provincial Governments through the Commissioners for Workmen's Compensation.

No court decisions were given during the period under review and no statistics have been published on the occurrence of occupa-

tional diseases. No observations were received from employers' or workers' organisations.

Iraq. See introductory note.

Ireland. See introductory note.

The Government of *Italy* reports the introduction of Legislative Decrees regulating the legal recognition of the social welfare and assistance institutions, and extending the payment of medical and cash benefits. Amendments were also introduced regarding the calculation and amount of benefits, raising the maximum wage on which pensions may be calculated, and providing for payment of supplements to pensions for cases which occurred before 1 June 1946. Occupational disease insurance is extended to silicosis and asbestosis.

The supervision of the enforcement of the provisions of the national legislation giving effect to the Convention is entrusted to the Ministry of Labour and Social Welfare through its labour inspectors. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Luxembourg* states that the provisions regarding compulsory accident insurance also applied to a number of occupational diseases mentioned in the Order of 31 March 1939. Supervision of the application of legislation and statutory provisions is entrusted to the inspection service for social institutions. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

Netherlands. See introductory note.

Norway. See introductory note.

The Government of *Poland* states that occupational disease insurance benefits are the same as those paid for workmen's accident compensation. The legislation covers all the diseases enumerated in the Convention as well as various other diseases mentioned in the Ordinance of 29 September 1937. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Portugal* refers to its report covering the period 1940-1945 and adds that no decisions were given by

courts of law and no observations were received from employers' or workers' organisations.

Sweden. See introductory note.

The Government of *Switzerland* refers to previous reports and supplies the following additional information.

During the period 1946-1947, the Swiss National Accident Insurance Fund registered the following cases: *lead poisoning*: 40 cases. These 40 cases cost: (a) 21,586 francs for unemployment benefits; (b) 13,064 francs for medical expenses; (c) 8,184 francs for survivors' pensions (capital value); *mercury poisoning*: 11 cases (1 with invalidity pension). These 11 cases cost: (a) 13,601 francs for unemployment benefits; (b) 7,737 francs for medical expenses; (c) 25,342 francs for invalidity pensions (capital value).

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 appends to its report a copy of the report of the Federal Council on its activities in 1946, together with a copy of the annual report of the Swiss National Accident Insurance Fund.

The Convention continues to be fully applied. No observations were received from employers' or workers' organisations.

United Kingdom. See introductory note.

* * *

The Government of *Burma* states that no changes have taken place during the period under review. Settlements of claims are dealt with by the Commissioners for Workmen's Compensation who are responsible to the Director of Labour. However, no such claims have been entered during the period 1946-1947. No relevant decisions have been given by any court of law.

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

Countries	Date of registration of ratification	Reports received
Austria	29. 9. 1928	
Belgium	3. 10. 1927	29. 11. 1947
Bulgaria	5. 9. 1929	2. 2. 1948
Chile	8. 10. 1931	25. 2. 1948
China	27. 4. 1934	3. 3. 1948
Colombia	20. 6. 1933	
Cuba	6. 8. 1928	19. 2. 1948
Czechoslovakia	8. 2. 1927	6. 3. 1948
Denmark	31. 3. 1928	15. 11. 1947
Estonia	14. 4. 1930	
Finland	17. 9. 1927	10. 11. 1947
France	4. 4. 1928	23. 2. 1948
Germany	18. 9. 1928	
Greece	30. 5. 1936	19. 1. 1948
Hungary	19. 4. 1928	4. 2. 1948
India	30. 9. 1927	11. 12. 1947
Iraq	30. 4. 1940	17. 2. 1948
Ireland	5. 7. 1930	25. 10. 1947
Italy	15. 3. 1928	22. 12. 1947
Japan	8. 10. 1928	
Latvia	29. 5. 1928	
Lithuania	28. 9. 1934	
Luxembourg	16. 4. 1928	13. 12. 1947
Mexico	12. 5. 1934	17. 1. 1948
Netherlands	13. 9. 1927	8. 12. 1947
Nicaragua	12. 4. 1934	
Norway	11. 6. 1929	7. 1. 1948
Pakistan ¹	30. 9. 1927	
Peru	8. 11. 1945	
Poland	28. 2. 1928	15. 12. 1947
Portugal	27. 3. 1929	30. 12. 1947
Spain	22. 2. 1929	
Sweden	8. 9. 1926	28. 11. 1947
Switzerland	1. 2. 1929	17. 11. 1947
Union of South Africa	30. 3. 1926	10. 11. 1947
Uruguay	6. 6. 1933	
United Kingdom	6. 10. 1926	10. 1. 1948
Venezuela	20. 11. 1944	2. 2. 1948
Yugoslavia	1. 4. 1927	
* * *	* * *	* * *
Burma ²	30. 9. 1927	13. 12. 1947

¹ See footnote 2 to Convention No. 1.

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), 26 August 1937, 5 December 1945 and 26 January 1946.

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.

China.

Factory Act of 30 December 1929, as amended by the consolidated text of 30 December 1932 (L.S. 1932, China 2 A).

Cuba.

Decree No. 2687 of 15 November 1933, to repeal and replace the Act of 12 June 1916 (L.S. 1933, Cuba 3 A), as amended by Decrees Nos. 3156 and 3341 of 16 and 30 December respectively (L.S. 1933, Cuba 3 B and C).

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

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 accident 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).

Resolution of the Council of Ministers of 26 April 1945 concerning cost-of-living supplements to compensation, amended by Resolutions of 23 November 1945, 9 May 1946 and 13 February 1947.

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 and 1947 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 liable 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 *Journal Officiel* 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 or 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.

Act No. 46-2242 of 16 October 1946 to adjust the rate of annuities and allowances granted to persons injured in industrial accidents and to their dependants.

Act No. 46-2426 of 30 October 1946 respecting the prevention of, and compensation for, industrial accidents (L.S. 1946, Fr. 12).

Order of 30 November 1946 to prescribe the first model forms to be used in administering the Act of 30 October 1946.

Decree No. 46-2959 of 31 December 1946 to issue public administrative regulations for the administration of the Act of 30 October 1946.

Order of 7 January 1947 to prescribe a list of the documents to be furnished to the Commission provided for in § 45 of the Decree of 31 December 1946, to issue public administrative regulations for the administration of the Act of 30 October 1946.

Decree No. 47-176 of 16 January 1947 to prescribe rules for the administration of Act No. 46-2242 of 16 October 1946.

Order of 5 February 1947 to fix the scale of medical costs in connection with industrial accidents.

Order of 7 February 1947 to modify the daily compensation of persons disabled by industrial accidents who are admitted for rehabilitation to schools administered by the National Office for disabled persons, ex-servicemen, war victims and wards of the nation.

Decree of 14 March 1947 to provide transitional measures for the administration of the new social security system in the Departments of the Upper Rhine, Lower Rhine and Moselle in respect of industrial accidents and occupational diseases.

Order of 23 March 1947 to prescribe a second series of model forms to be used in administering the Act of 30 October 1946.

Order of 27 March 1947 in pursuance of Ordinance No. 45-2454 of 19 October 1945 and of Act No. 46-2426 of 30 October 1946, respecting

the composition and operations of the regional committees responsible for determining whether applicants for invalidity pensions, old-age pensions under §§ 64 and 65 of the aforesaid Ordinance, widows' or widowers' pensions are invalidated or incapacitated, and also for determining the degree of permanent incapacity for work of persons suffering from industrial accidents.

Order of 12 May 1947 to fix the maximum amount of funeral expenses payable by the primary social security funds in connection with industrial accidents and occupational diseases.

Order of 23 June 1947 to prescribe scales for the various fees and allowances payable under Act No. 46-2426 of 30 October 1946.

Order of 10 September 1947 to amend § 65 of the Act of 30 October 1946.

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), as amended.

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).

India.

Workmen's Compensation Act, 1923 (L.S. 1923, Ind. 1), as subsequently amended.

Workmen's Compensation (Transfer of Funds) Regulations, 1945.

Notification No. L.1821 of 28 and 29 January 1937, extending the list of occupational diseases in respect of which compensation is payable.

Notification No. L.3002 of 27 March 1937, extending the scope of the Workmen's Com-

pensation Act to persons employed in the handling or transport of goods in warehouses.

Iraq.

Labour Law No. 72 of 1936, § 19, as amended by Law No. 36 of 1942, § 11.

Law No. 6 of 1940, to ratify the Convention.

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.

Workmen's Compensation Act, 1934 (Transfer of Ministerial Functions), Order, 1947.

Italy.

§ 3 of the Civil Code.

Act No. 51, of 31 January 1904, respecting industrial accidents (consolidated text: L.S. 1921, It. 1), as amended, *inter alia*, 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 (consolidated text: L.S. 1921, It. 2; amendments: L.S. 1923, It. 5, and 1925, It. 4) [converted into an Act by Act No. 473 of 17 April 1925].

Act No. 851 of 22 June 1933 to co-ordinate and supplement measures taken to decrease the causes of malaria (L.S. 1933, It. 6).

Royal Decree No. 1765, of 17 August 1935, to issue provisions respecting compulsory insurance against industrial accidents and occupational diseases (L.S. 1935, It. 8). [§ 76 of this Decree declares that the Act of 31 January 1904, together with the amendments thereto, "shall cease to be operative" in so far as matters governed by the Decree are concerned.]

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.

Luxembourg.

Social Insurance (Consolidated) Act of 17 December 1925 (L.S. 1925, Lux. 2), as amended by the Acts of 6 September 1933 (L.S. 1933, Lux. 3) and 21 June 1946 (L.S. 1946, Lux. 1).

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 Act 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.
- Decrees 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.

Norway.

- Act of 24 June 1931 respecting the accident insurance of industrial employees (L.S. 1931, Nor. 3), as amended, *inter alia*, by the Act of 13 December 1946 (L.S. 1946, Nor. 4 A).
- Royal Decree of 4 July 1947.

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. I *ter* of 8 December 1922, No. I *quater* of 8 November 1927 (L.S. 1927, Switz. 3 B) and No. I *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.

Union of South Africa.

- Workmen's Compensation Act, No. 30 of 1941 (L.S. 1941, S.A. 2), and Regulations framed thereunder.
- Workmen's Compensation Amendment Act, No. 27 of 1945 (L.S. 1945, S.A. 1), to amend the above Act.

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.

Venezuela.

- Constitution of the United States of Venezuela, 5 July 1947 (L.S. 1947, Ven. 1).
- Civil Code of 13 August 1942.
- Act of 4 May 1945 (L.S. 1945, Ven. 1) to amend the Labour Act of 16 July 1936 (L.S. 1936, Ven. 2).

Regulations of 30 November 1938 issued under the Labour Act.
 Regulations of 4 May 1945 governing work in agriculture and stockbreeding (under § 9 of the Labour Act) (L.S. 1945, Ven. 2).
 Compulsory Social Insurance Act of 24 July 1940 (L.S. 1940, Ven. 1).

* * *

Burma.

Workmen's Compensation Act (India), 1923, as amended by the Workmen's Compensation (Amendment) Acts of 1926, 1929, 1933 and 1937 (L.S. 1923, Ind. 1; 1926, Ind. 3 A; 1929, Ind. 3; 1933, Ind. 2).
 Workmen's Compensation Rules (India), 1924.
 [These measures 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* states that as no discrimination is made between Belgian and foreign workers it is not possible to supply information dealing separately with the treatment of foreign workers. No observations have been received from organisations of workers or employers with respect to the application of the Convention.

The Government of *Bulgaria* repeats the information contained in its previous reports and adds that no decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Chile* refers to its report for 1945-1946 and adds that, although the labour courts and administrative authorities frequently give decisions which recognise the rights of foreigners under the relevant legislation, no copies of such decisions were received by the General Directorate of Labour during the year 1946. Statistical data are supplied on the number of foreign workers employed in different branches of economic activity and the number of accidents incurred by them. The estimated number of foreign workers was 41,096 and the number of industrial accidents which occurred to them was 395.

According to the reports of the inspection services, almost all employers insure the persons for whom they are responsible against industrial accidents; for this reason there is generally no difficulty in ensuring payment of appropriate compensation. No observations were received from employers' or workers' organisations.

The Government of *China* repeats the information given in its report for 1945-1946, in which it stated that, under the revised Factory Act, the employer's obligation to pay compensation and bear the expense of medical treatment applies to foreign workers as well as to nationals, but that few foreign workers are employed in Chinese factories and mines. The competent authorities for the application of the Convention are the Ministry of Social Affairs

and local social administrations. No decisions have been given by courts of law, and no observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that, in virtue of Decree No. 3341, nationals and foreigners have the same rights to have their pensions commuted for lump sums. No agreements have been concluded under Article 2. No case for mutual assistance has arisen, but the Government affirms its readiness to afford such assistance. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Czechoslovakia* refers to its report for 1945-1946, and adds that under existing legislation no distinction is made between Czechs and other nationals as far as the payment of compensation for industrial accidents and occupational diseases is concerned. For this reason no statistical data are available concerning foreign workers.

The Government adds that the provisions of Ordinance No. 1/1944 Sb., issued by the former Government of the Protectorate, regarding the suspension of the payment of indemnities during the period in which a foreign worker is voluntarily resident abroad, or during the period in which he is expelled from Czechoslovak territory as a result of a court sentence, will be annulled under the reform of the legislation which is at present being undertaken and, in this way, the legislation will correspond to the provisions of the Convention.

The Government of *Denmark* refers to its previous reports and adds that no decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Finland* repeats the information, contained in its previous reports, indicating that foreign nationals, subject to certain residential qualifications, are entitled to the same compensation as its own nationals. The wage ceiling for inclusion in the accident insurance scheme has been raised to 200,000 marks per annum. It is not possible to obtain information regarding the number of foreigners in Finland. No decisions were given by courts of law.

The Government of *France* states that the fundamental changes in national workmen's compensation legislation do not substantially alter the relative situation of foreign workers. While on French soil, foreign workers who suffer injury in industrial accidents enjoy for the most part the same rights and advantages as French workers. When a foreign worker thus injured (or the dependants of such a worker) ceases to live in French territory, payment of benefit is discontinued. This restriction may, however, be waived by international treaty or

agreement, notably in the case of nationals of countries which have ratified the Convention.

Many of the provisions of pre-war treaties in this field have become obsolete as a result of changes in both French and foreign workmen's compensation legislation; post-war financial relations, on the other hand, have necessitated the conclusion of new agreements. The Government has therefore entered into negotiations with those countries whose nationals are habitually employed in France. An agreement, the text of which is appended to the report, has been concluded with Poland; it provides that the monies representing the compensation due under French or Polish law (according to the case) to victims of industrial accidents or their dependants resident outside the country which is responsible for payment of the compensation shall be centralised for Poland by the Central Social Insurance Institution in Warsaw, and for France by the National Social Security Fund in Paris. Negotiations have also been initiated, or are contemplated, with the United Kingdom, Belgium, Italy and Switzerland.

The existence of a contract of employment is no longer, as under the earlier French system, the determining factor in respect of compensation for accidents occurring outside the territory of metropolitan France. The determining factor now is whether or not the worker concerned comes within the framework of the social security system, and he comes within that framework in so far as his workplace (or, in certain cases, his place of residence) falls within the area of a primary social security fund. Consequently the Act of 30 October 1946, like the rest of the social security legislation, does not, in principle, apply outside France itself, though exceptions are made in the case of certain accidents occurring in the course of short terms of work abroad on behalf of undertakings with their head offices in France. Where the Act of 30 October 1946 does not apply, the legislation in force in the territory where the victim was customarily employed should apply. Where such legislation is less advantageous than that of metropolitan France, employers have the option of guaranteeing to workers recruited in France for work abroad supplementary benefits to make the compensation equivalent to that which they would have received under the French social security system.

The Act of 30 October 1946 instituted a system based on new concepts, notably on the principle that the risk of industrial accident is a social risk, personal liability being the exception rather than the rule. While improving the scheme of compensation for industrial accidents and occupational diseases, the new legislation lays stress on the role of prevention and cure. The creation of a certain number of specialised bodies is paving the way for a rational organisation of preventive measures.

The rights of victims in respect of medical care, readaptation, vocational retraining, etc., are defined, due regard being had to consonance with the social insurance system. The scope of the scheme has also been widened, and benefits (as shown by a comparative table) have been increased. Care has been taken to eliminate unnecessary delays in procedure. Disputes in connection with workmen's compensation are dealt with by the general procedure for disputes under the social security system.

From 1 January 1947, the application of the legislation respecting industrial accidents has been entrusted to the social security agencies, and especially to the primary, regional and national funds. The regional funds, which are assisted by technical committees, also have the task of fixing the contribution rates of each undertaking within their sphere of competence on the basis of the preventive measures in force, exceptional risks, etc. The various social security funds operate under the direction of the Ministry of Labour and Social Security, while, to a certain extent, observance of the relevant rules and regulations is subject to the supervision of the Court of Cassation.

No judicial decisions have come to the notice of the authorities in the period under review. Statistics are given of foreign immigrants admitted to France between 1 July 1946 and 30 November 1947.

The Government of *Greece* reports that, while no new legislation has been introduced, the Act of 1934 now applies throughout the country save in the agricultural communities. In the absence of any discrimination, no specific information can be furnished with respect to foreign workers. Industrial accidents reported in the period to the Labour Inspectorate (which is responsible for the application of the Convention) totalled 3,617.

The Government of *Hungary* states that the social insurance legislation mentioned in the report for the last preceding period continued in force without change in the present period of reference.

The Government of *India* reports that its relevant legislation remains in force unchanged. No court decisions have come to its notice and no observations have been received from employers' or workers' organisations.

The Government of *Iraq* furnishes no new information as to the application of the Convention.

The Government of *Ireland* states that by the Workmen's Compensation Act, 1934 (Transfer of Ministerial Functions) Order, 1947, the functions hitherto vested in the Minister for Industry and Commerce were transferred to the Minister for Social Welfare as from 8 May 1947. Otherwise there is no change in the position outlined in the report for 1942-1943.

The Government of *Italy* repeats the information contained in its preceding reports and indicates that the existing provisions are enforced as hitherto by the Ministry of Labour and Social Welfare. There have been no relevant court decisions and no complaints have been received from employers' or workers' organisations.

The Government of *Luxembourg*, in its first report since March 1940, states that its workmen's compensation legislation applies to both foreign and national workers without distinction. The principle of equality of treatment is explicitly formulated in § 119 of the Social Insurance Act of 17 December 1925; the provision therein withholding the application of the principle from nationals of States which refuse to give reciprocal equality of treatment to Luxembourg nationals is suspended, by virtue of the ratification of the Convention by Luxembourg, with regard to the other ratifying States.

No special arrangements have been made with other Members under Article 1, paragraph 2, of the Convention; agreements in the sense of Article 2 had, however, been concluded prior to ratification with *Belgium* (1905), *Germany* (1905) and *France* (1906).

Workmen's compensation legislation was first enacted in 1902. The Act of 1902 has been modified by the Social Insurance Act of 1925 and the Amendment Acts of 1933 and 1946. The latest of these Acts modified substantially the system of accident insurance: commercial undertakings, domestic servants and workers in home-working trades are now liable to compulsory insurance; non-manual workers are now insured irrespective of their remuneration, subject only to limitation of the amount of the remuneration taken into account for the computation of benefit; and certain benefit rates, e.g. those of survivors' pensions, have been considerably increased.

The Government is directly responsible for the supervision of the working of the Social Insurance Office and for the observance of the statutory provisions and regulations. Technical and financial supervision is exercised by the Inspectorate of Social Institutions. No decisions were given by courts of law. No objections were raised by organisations with respect to implementation of the law or the application of the Convention. Statistics relating to accident insurance are annexed to the report.

The Government of *Mexico* reproduces, without any additional observations, the information furnished in its report on the period 1943-1944.

The Government of the *Netherlands* states that it has nothing special to report.

The Government of *Norway* states that § 27 (4) of the Act of 13 December 1946 and the Regulations issued pursuant thereto in the Royal Decree of 4 July 1947, provided, in special cases, for the payment

of benefit, irrespective of the existence of reciprocity agreements, to persons who have ceased to reside in Norway. It is pointed out by the Government that since extension of this provision to seamen and to fishermen Norwegian legislation goes beyond the requirements of the Convention.

The Government of *Poland* repeats the information contained in its last report and adds that, independently of the supervision exercised by the Minister of Labour and Social Welfare over social insurance institutions, an additional safeguard for the application of the legislation exists in the form of the right of any insured person to appear before an independent tribunal to appeal against decisions of social insurance institutions. This makes it possible to modify or amend any decisions which are not in conformity with existing legislation.

No special statistics are compiled. The Government has no knowledge of any decisions by courts of law or other courts. No observations were received from employers' or workers' organisations.

The Government of *Portugal* refers to its previous reports and states that, between 12 October 1946 and 30 September 1947 a total of 1,472 foreign workers were authorised to take up employment of any kind in Portugal. A larger number, which it has not been possible to compute, were already employed in Portugal prior to the above period, under the protection of the sole subsection of Article 1 of Legislative Decree No. 22,827 of 14 July 1933. No statistics are available with respect to industrial accidents occurring to foreign workers. No observations have been received from employers' or workers' organisations.

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 1945-1946. 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 397 cases of death covered by the legislation, 35 were among foreign workers. No observations have been received from employers' or workers' organisations.

The Government of the *Union of South Africa* states that there is no change in the position as outlined in its report for 1944-1945.

The Government of the *United Kingdom* refers to previous reports.

In *Northern Ireland* there has been no change since the last annual report.

The Government of *Venezuela* states that under § 26 of the Civil Code foreigners enjoy substantially the same civil rights

as Venezuelans, subject to specified exceptions. § 21 of the new Constitution, which deals in somewhat more detail than the earlier Constitution (§ 38) with the status of foreigners, provides safeguards for the provisions of international Conventions, at the same time introducing a restrictive clause permitting the limitation by law of the rights of all or certain categories of foreigners when such action is "necessitated by serious motives of internal or external security or by considerations of public health". Neither the Labour Act of 1945 nor the Regulations governing work in agriculture and stockbreeding, of the same year, discriminates between Venezuelans and foreigners in the matter of workmen's compensation. Similarly, the right to benefit under the Social Insurance Act is based on wages, without regard to nationality.

The legislation is administered by the Directorate of Labour under the Ministry of Labour and Communications. No special agreements were made under Article 2 of the Convention; no relevant court decisions are reported and no observations were received by the authorities either from employers' or workers' organisations or from individual employers or workers.

See also under Convention No. 1 for information relating to the inspection services, etc.

* * *

The Government of *Burma* reproduces, without any additional observations, the information furnished in its report for 1945-1946.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that by virtue of § 15 of the Act of 16 October 1946 respecting readjustment of industrial accident pensions the application of the following measures is extended to the overseas Departments of *Guadeloupe*, *Martinique* and (with certain reservations) *Reunion*:

Act of 16 October 1946 respecting readjustment of industrial accident pensions.

Act of 1 July 1938, to amend the Act of 9 April 1898 respecting liability for accidents occurring to employees in the course of their employment (L.S. 1938, Fr. 9).

Act of 3 April 1942, as amended by the Ordinance of 13 July 1945.

Act of 16 March 1943 (L.S. 1943, Fr. 6) as amended by the Ordinances of 31 March 1945 and 2 November 1945 (L.S. 1945, Fr. 3 B, G).

The Act of 30 October 1946 respecting the prevention of, and compensation for, industrial accidents and occupational diseases (L.S. 1946, Fr. 12) provides in its § 89 that it shall come into force in the overseas Departments of *Guadeloupe*, *Martinique*, *French Guiana* and *Reunion* at the same time as the general metropolitan social security legislation. Since the social security legislation was extended to these Departments by Decree of 17 October 1947, the above Act has already come into extended operation, albeit after the close of the period under review.

In the territories of the French Union, as distinct from the overseas Departments, the Act of 30 October 1946 does not apply, and workers are protected only by local laws and regulations, the compensation under which is admittedly "in general less advanced than was even the system in force in the metropolitan territory under the Act of 1898". The Ministries concerned are endeavouring to bridge this gap, and a social security code, to supplement the labour code recently promulgated for these territories (L.S. 1945, Fr. 10; amendment: L.S. 1946, Fr. 4), is being elaborated at the present time.

It is, furthermore, already possible for employers in France to guarantee to French or foreign workers employed on their behalf in a territory belonging to the French Union advantages equivalent to those which would have accrued to them if they had been employed in France itself.

The Government of the *United Kingdom* states that in the following territories workmen's compensation legislation is in force providing for equality of treatment irrespective of nationality: *Aden*, *Bahamas*, *Barbados*, *British Guiana*, *British Honduras*, *Ceylon*, *Cyprus*, *Falkland Islands*, *Fiji*, *Gold Coast*, *Grenada*, *Jamaica*, *Kenya*, *Leeward Islands*, *Malayan Union*, *Malta*, *Mauritius*, *Nigeria*, *Northern Rhodesia*, *Nyasaland*, *Palastine*, *Sierra Leone*, *Singapore*, *St. Lucia*, *St. Vincent*, *St. Helena*, *Trinidad* and *Uganda*.

In *Gibraltar* a Workmen's Compensation Ordinance has been drafted which likewise provides for equality of treatment irrespective of nationality.

20. Convention concerning night work in bakeries

This Convention came into force on 26 May 1928

Countries	Date of registration of ratification	Reports received
Bulgaria	5. 9. 1929	2. 2. 1948
Chile	31. 5. 1933	25. 2. 1948
Colombia	20. 6. 1933	
Cuba	6. 8. 1928	19. 2. 1948
Estonia	23. 12. 1929	
Finland	26. 5. 1928	10. 11. 1947
Ireland	15. 3. 1937	25. 10. 1947
Luxembourg	16. 4. 1928	8. 12. 1947
Nicaragua	12. 4. 1934	
Spain	29. 8. 1932	
Sweden	5. 1. 1940	28. 11. 1947
Uruguay	6. 6. 1933	

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. 1931, 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.

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.

Act of 2 August 1946 respecting hours of work (L.S. 1946, Fin. 4).

Ireland.

Night Work (Bakeries) Act of 14 August 1936 (L.S. 1936, Ire. 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, 1947.

Luxembourg.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).

Order of 30 March 1932, as amended on 6 January 1933, respecting the application of certain Conventions adopted by the International Labour Conference during its first ten sessions (L.S. 1932, Lux. 1).

Order of 9 July 1938 concerning night work in bakeries.

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.

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

The Government of *Bulgaria* repeats the information supplied in its previous reports and adds that no special statistics are drawn up. No decisions were given by courts of law and no observations were made by employers' or workers' organisations.

The Government of *Chile* refers to its previous reports and adds that there have been comparatively few court decisions concerning the application of the Convention; no such decisions were given in 1946. The labour inspectors, who ensure the strict application of the provisions of the Convention, have noted, as in previous years, a continued improvement in the application of the legislative provisions. The Government knows of no case where use was made during 1946 of exceptions authorised for reasons of *force majeure*.

Approximately 12,500 workers are employed in bakeries or similar undertakings. During 1946, 30 breaches of the legislation were noted. The Government again states that certain employers' organisations have indicated that the strict application of the legislation gives rise to some difficulties and that this question is still under consideration.

The Government of *Cuba* states that § 1 of the Act of 2 June 1928 contains a general and wide prohibition relating to the manufacture of biscuits as well as bread. The term "night" includes the hours between 8 p.m. and 4 a.m. § 2 of the above-mentioned Act and § 2 of the Regulations issued thereunder allow for exceptions in the public interest in the event of repairs to machinery or ovens, but there are no permanent exceptions or exceptions for climatic reasons.

The Government adds that bakeries employ substitutes in order to conform with the 44-hour week and the provisions regarding the weekly rest. No difficulties have arisen concerning the application of the legislation, which was only adopted after consultation with the employers' and workers' organisations concerned. No breaches of the legislation were noted and no decisions were given by courts of law. No observations were received from employers' or workers' organisations.

The Government of *Finland* states that, according to the provisions of the Act of 2 August 1946, which is also applicable to work in bakeries, exceptions are permitted in the event of urgent work provided the employer notifies the labour inspector. The latter, after examining the question, may authorise the continuation of such work for a maximum of four weeks. In addition to the exceptions authorised by the labour inspector, night work was permitted for limited periods in certain establishments manufacturing hard bread. Wages for night work must be at least 100 per cent. higher than the normal rates. The number of worker inspectors has been increased to fourteen. In 1946, inspections were carried out in 1,509 bakeries employing 6,883 workers, of whom 4,672 were women. The number of visits of inspection made was 1,811, of which 46 were made during the night.

No decisions by courts of law have come to the notice of the Government. Thirteen breaches of the legislative provisions were reported, some of these being in connection with the Act relating to night work in

bakeries. No observations were made by employers' or workers' organisations.

The Government of *Ireland* refers to its report for 1939-1940 and adds that during 1946 the enforcing authorities carried out 1,732 inspection visits in 699 bakeries. Proceedings for breaches of the legislation were instituted in three cases.

The Government of *Luxembourg* states that the right to substitute intervals (the period from 11 p.m. to 5 a.m. instead of from 10 p.m. to 4 a.m.) was used in only a few cases owing to temporary pressure of work. With regard to Article 3 of the Convention, the Government states that, after an agreement has been reached between the employers' and workers' organisations concerned, the hours of nightly rest from 10 p.m. to 5 a.m. may be advanced by one hour under a Ministerial Order.

The application of the legislation is entrusted to the Inspectorate of Labour and Mines, the methods, organisation and functions of which were reorganised by the Order of 26 March 1945. The Convention has been strictly applied and no observations were made by employers' or workers' 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 CONSTITUTION) (III)

Does not apply to 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

Countries	Date of registration of ratification	Reports received
Albania	17. 3. 1932	
Australia	18. 4. 1931	13. 11. 1947
Austria	29. 12. 1927	16. 12. 1947
Belgium	15. 2. 1928	29. 11. 1947
Bulgaria	29. 11. 1929	2. 2. 1948
Colombia	20. 6. 1933	
Czechoslovakia	25. 5. 1928	6. 3. 1948
Finland	5. 4. 1929	10. 11. 1947
France ¹	13. 1. 1932	
Hungary	3. 2. 1931	
India	14. 1. 1928	11. 12. 1947
Ireland	5. 7. 1930	25. 10. 1947
Japan	8. 10. 1928	
Luxembourg	16. 4. 1928	9. 10. 1947
Mexico	9. 3. 1938	17. 1. 1948
Netherlands	13. 9. 1927	8. 12. 1947
New Zealand	29. 3. 1938	4. 3. 1948
Nicaragua	12. 4. 1934	
Pakistan ²	14. 1. 1928	
Sweden ¹	15. 10. 1929	
United Kingdom ¹	16. 9. 1927	
Uruguay	6. 6. 1933	
Venezuela	20. 11. 1944	
* * *	* * *	* * *
Burma ³	14. 1. 1928	13. 12. 1947

¹ Conditional ratification.

² See footnote 2 to Convention No. 1.

³ See footnote 3 to Convention No. 1.

INTRODUCTORY NOTE

The Government of *Australia* stated in its previous reports that it had not been found necessary to adopt legislation or issue administrative regulations for the application of the provisions of the Convention.

The Government of *Austria* states that there are no legislative provisions relating to the subject covered by the Convention. Austria possesses no vessels engaged in maritime navigation.

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.

In 1947 the Government stated that the situation remained unchanged. There has been a considerable reduction in tonnage and the few emigrants who leave or return to Finland travel on ships belonging to other countries.

The Government of *India* states that no official system introduced by the Government exists in India for the inspection of emigrants during the voyage. It points out, however, that the Indian Emigration Act, 1922, as amended by Act No. XXVII of 1927, empowers the Governor-General in Council to make rules for the appointment of inspectors for this purpose should circumstances arise requiring such action. The Government adds that "the provisions of the Convention have not so far been practically applied, as the conditions which would justify their application to emigration from India have not arisen".

The Government of *Ireland* refers to previous reports. In its report for 1937-1938, the Government stated that there were no regulations in force regarding inspectors on board emigrant ships. The regulations governing emigrant ships are those laid down in the Merchant Shipping Act of 1894, as amended by the Merchant Shipping Act of 1906. They provide for an effective inspection of emigrants before the departure of the ship. Consolidated merchant shipping legislation is in course of preparation, and, by the ratification of the Convention, the Government has undertaken that the provisions regarding emigrant ships in the new legislation will not be out of harmony with the Convention.

The Government of *Luxembourg* states that the Convention was ratified in a spirit of international solidarity, but that, in view of the subject covered, it does not call for practical application in the Grand Duchy.

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

Australia.

See introductory note.

Austria.

See introductory note.

Belgium.

Act of 14 December 1876 regulating the transport of emigrants, supplemented by the Act of 7 January 1890 and by the Royal Order of 25 February 1924.

Bulgaria.

See introductory note.

Czechoslovakia.

Act No. 71 of 15 February 1922 respecting emigration (L.S. 1922, Cz. 1).
Order No. 170 of 8 June 1922 respecting the enforcement of the Act of 15 February 1922.

Finland.

See introductory note.

India.

Indian Emigration Act No. VII of 1922 (L.S. 1922, Ind. 2), as amended by Act No. XXVII of 1927 (L.S. 1927, Ind. 1), and by the Indian Independence (Miscellaneous Transitional Provisions) Order, 1947.
See also introductory note.

Ireland.

See introductory note.

Luxembourg.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).
See also introductory note.

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.

New Zealand.

See below.

Burma.

* * *

Burma Emigration Act, as adapted from the Indian Emigration Act No. VII of 1922 (L.S. 1922, Ind. 2).

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

The Government of *Australia* states that there has been no emigrant traffic between Australia and other countries.

See also introductory note.

The Government of *Austria* states that there is no official inspection of emigrants. It adds, however, that concessions granted to foreign shipping companies include a clause requiring the latter to allow a maximum of three return journeys in the year

to an observer of emigrants appointed by the Federal Government. Because of the lack of the required information, it has not yet been possible to establish statistics concerning the number of Austrians shipped as emigrants by foreign vessels during the period under review. Up to date, only one foreign shipping company has been authorised in Austria, but it has not yet started to function. No decisions were given by courts of law or other courts and no observations have been made by employers' or workers' organisations.

See also introductory note.

The Government of *Belgium* again states that the legislation in force complies with the requirements of the Convention, and adds that the Government Commissioner for Emigration, in co-operation with the competent medical service, exercises a permanent control over all ships carrying emigrants. The latter are also covered by the Act of 25 August 1920 concerning the safety of ships. During 1946, 151 ships leaving the port of Antwerp were submitted to a rigorous inspection. As no breaches of the regulations were reported, proceedings were not instituted during the period under review.

Bulgaria. See introductory note.

The Government of *Czechoslovakia* states that the country has no seagoing vessels and there is no system of emigration. With regard to the appointment of an official inspector on board emigrant ships carrying a foreign flag, the Government states that it is not necessary to make special arrangements in this connection since the shipping companies authorised to carry emigrants are bound to observe the relevant provisions. The Government has the authority to make and apply agreements with other countries to ensure mutual observance of the legislative provisions concerning emigration. The Ministry of Social Welfare is entrusted both with the application of the legislative and administrative measures and with the control of the authorised shipping companies. Diplomatic representatives abroad are responsible for supervision in the ports. Under §§ 33 and 38 of the Act of 15 February 1922, the authorised shipping companies may be subject to the following penalties in the event of breaches of the legislation: loss of the fee deposited in return for the permit to carry emigrants, withdrawal of the permit and, in some cases, penal sanctions. During the period under review, no decisions were given by the civil courts. The Government adds that there has been no difficulty with regard to the application of the Convention.

The Government of *Finland* refers to its previous reports and supplies figures concerning the volume of emigration during the years 1938-1946.

See also introductory note.

The Government of *India* repeats the information given in its previous reports

concerning the authorities entrusted with the application of the legislation. It adds that the emigration of unskilled workers to Burma and Ceylon is still prohibited except in the case of refugees having come to India as a result of the war and, in the case of Burma, on condition that their families are still living there. A total of 526 emigrants and 97,242 non-emigrant unskilled workers went to Ceylon during 1946 and 57,334 unskilled workers in the period up to 30 September 1947. The number of emigrants amongst this last figure is not known. These passengers travel on ordinary passenger ships which are subject to a close inspection at the ports of embarkation and disembarkation. Since the journeys involved are of too short a duration to require any special arrangements, there has been no necessity for a general inspection of emigrants aboard.

See also introductory note.

The Government of *Ireland* refers to its report for the period 1 October 1940 to 30 September 1941 in which it stated that emigrant trade (i.e., trade to places beyond Europe and not within the Mediterranean) had practically ceased.

See also introductory note.

Luxembourg. See introductory note.

The Government of *Mexico* repeats the information given in previous reports and adds that no decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The *Netherlands* Government states that it has nothing special to report regarding the application of the Convention.

The Government of *New Zealand* repeats the information given in its report for 1945-1946 in which it stated that emigration as envisaged in the terms of the Convention does not take place from New Zealand nor in any of its possessions or mandated territories. No definition of an emigrant vessel has been made. The

Imperial Conference of representatives of the United Kingdom, the Dominions, and India in 1920 accepted a definition of "emigrant" as applying only to movements to countries outside the Empire.

The Government adds that the number of permanent residents departing permanently from New Zealand in 1946-1947 was 6,051, as compared with 4,635 in the preceding year. Very few can be considered as "emigrants" in the strict sense of the term. In view of the small extent of emigration from the country, no inspection service has been set up and no detailed report is furnished regarding the application of Articles 2 to 7 of the Convention. No decisions were given by courts of law. No observations have been received from organisations of employers or workers.

* * *

The Government of *Burma* states that the post of Protector of Emigrants has been revived as from 4 January 1947. In accordance with the Emigration Act, the Governor may declare by Notification in the *Burma Gazette* that ships conveying emigrants to any specified port shall not be deemed to be emigrant ships. No arrangements have been made for official inspection aboard emigrant vessels, in pursuance of Article 2 of the Convention, and no official inspector of emigrants was placed on board ships.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The *Belgian* Government states that the ratification of the Convention is not extended to the *Belgian Congo* or to mandated territories.

The Government of *New Zealand* states that emigration as envisaged in the terms of the Convention does not take place in any of its possessions or mandated territories.

NINTH SESSION (GENEVA, 1926)

22. Convention concerning seamen's articles of agreement

This Convention came into force on 4 April 1928

Countries	Date of registration of ratification	Reports received
Australia	1. 4. 1935	17. 11. 1947
Belgium	3. 10. 1927	29. 11. 1947
Bulgaria	29. 11. 1929	2. 2. 1948
Canada	30. 6. 1938	5. 11. 1947
Chile	18. 10. 1935	25. 2. 1948
China	2. 12. 1936	3. 3. 1948
Colombia	20. 6. 1933	
Cuba	7. 7. 1928	19. 2. 1948
Estonia	10. 5. 1929	
Finland	8. 4. 1947	
France	4. 4. 1928	16. 1. 1948
Germany	20. 9. 1930	
India	31. 10. 1932	11. 12. 1947
Ireland	5. 7. 1930	11. 11. 1947
Italy	10. 10. 1929	
Luxembourg	16. 4. 1928	9. 10. 1947
Mexico	12. 5. 1934	17. 1. 1948
Netherlands	15. 12. 1937	8. 12. 1947
New Zealand	29. 3. 1938	
Nicaragua	12. 4. 1934	
Norway	29. 3. 1940	7. 1. 1948
Pakistan ¹	31. 10. 1932	
Poland	8. 8. 1931	6. 1. 1948
Spain	23. 2. 1931	
United Kingdom	14. 6. 1929	10. 1. 1948
Uruguay	6. 6. 1933	
Venezuela	20. 11. 1944	2. 2. 1948
Yugoslavia	30. 9. 1929	
* * *	* * *	* * *
Burma ²	31. 10. 1932	13. 12. 1947

¹ See footnote 2 to Convention No. 1.

² See footnote 3 to Convention No. 1.

INTRODUCTORY NOTE

The Government of *Luxembourg* states that the Convention was ratified in a spirit of international solidarity, but that, in view of the subject covered, it does not call for practical application in the Grand Duchy.

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.

China.

Merchant Shipping Act of 30 December 1929 (L.S. 1929, China 3).

Provisional Measures for the Control of Seamen of 1 October 1931.

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).

India.

Indian Merchant Shipping Act, 1923 (L.S. 1923, Ind. 4).

Indian Merchant Shipping (Amendment) Act, 1931 (L.S. 1931, Ind. 1).

General Clauses Act, 1897.

Indian Contract Act, 1872.

Government of India (Commerce Department) Resolution No. II-(3)/31 of 21 May 1931.

Ireland.

Merchant Shipping Acts of 1894 and 1906.

Luxembourg.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927). See also introductory note.

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 (*Schepelingenbesluit*) 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 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 so far as the Commercial Code as amended does not expressly provide otherwise.

Norway.

Seamen's Act of 16 February 1923 (L.S. 1923, Nor. 1), as amended by the Acts of 19 June 1931, 7 June 1935 and 16 June 1939.

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, Pol. 4).

United Kingdom.

Merchant Shipping Acts of 1894 and 1906 (International Labour Office: Studies and Reports, Series P, No. 1, pp. 2 and 56 (Extracts)).

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 of 16 July 1936.
 Navigation Act of 18 July 1941.
 Act of 23 July 1941 concerning certificates of competency in the National Mercantile Marine.
 Commercial Code of 29 June 1919, amended by the Acts of 30 July 1938 and 19 September 1945.

Burma.

Burma Shipping Act.

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

The Government of *Australia* states that there has been no change in the position since it furnished its report for the year ending 30 September 1946, and adds that the number of individual seamen who signed on during the twelve months ending

30 June 1947 was 8,782. These seamen made 27,964 engagements.

The Government of *Belgium* states that the Act of 5 June 1928 covers all the provisions of the Convention. The articles of agreement do not acquire force of law until the register of the crew has been closed. Before drawing up the register the maritime superintendent must ascertain that the provisions of the legislation have been strictly observed. The number of seamen protected by the legislation is approximately 3,000. This figure represents the strength of crews of all Belgian commercial vessels in service during the period under review. Some disputes of minor importance were settled by conciliation before the maritime superintendent.

The Government of *Bulgaria* repeats the information given in its report for 1945-1946, and adds that no decisions were given by courts of law. No special information can be supplied regarding the recruitment of seamen.

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 were received from employers' or workers' organisations.

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 period under review, no copies of such decisions have been received by the General Directorate of Labour. The reports of the maritime labour inspection services show that the provisions of the Convention are applied satisfactorily. The strength of the crews of merchant vessels is at present 3,693 men. The number of seafarers covered by the legislation is 5,195. No breaches of the legislation have been reported. No observations have been received from employers' or workers' organisations.

The Government of *China* states that the Merchant Shipping Act (promulgated and enforced on 1 January 1931) and the Provisional Measures for the Control of Seamen (promulgated and enforced on 1 October 1931) are in harmony with the principles of the Convention.

§ 17 of the Provisional Measures and § 2 of Part III of the Merchant Shipping Act provide that the articles of agreement shall be drawn up in triplicate and signed by both the shipowner and the seaman, each of whom shall keep one copy; the third copy shall be submitted to the Shipping Office for approval, with the register containing the name and age of the seaman, etc. The articles must contain the following

particulars : (a) valid period of the contract ; (b) voyage or voyages to be undertaken ; (c) provision for the seaman's occupation ; (d) amount of the seaman's wages ; etc. The legislation has been observed carefully by the parties concerned. The Ministry of Communications and the local shipping offices are responsible for the application of the Convention. No decisions have been given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Cuba* repeats the information given in its report for 1935-1936, and adds that no decisions were given by courts of law. No observations were received from employers' or workers' organisations.

The Government of *France* refers to its detailed report for 1933-1934, and adds that the services of the mercantile marine have no knowledge of any decisions by courts of law. No breaches of the relevant Articles of the Maritime Labour Code have been notified to the services of the mercantile marine, and no observations have been received from employers' or workers' organisations.

The Government adds that the crews of the mercantile marine have been subjected to the system of collective and individual direction of labour since the outbreak of the last war, and consequently no seaman can be engaged on or leave a vessel without the consent of the maritime authorities.

The Government of *India* states that the existing law and practice are in conformity with Article 10 of the Convention, and that Articles 11 and 12 are covered by the national legislation. No decisions by courts of law or other courts have come to its notice, and no contraventions have been reported. No observations have been received from employers' or workers' organisations.

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 1947 was 4,092.

Luxembourg. See introductory note.

The Government of *Mexico* repeats the detailed information given in its previous reports, and adds that the Marine Department, the Secretariat of Labour, the Conciliation and Arbitration Boards, the harbour-masters and Mexican consuls in foreign countries are responsible for the supervision of the application of the legislative provisions.

There is in each port a federal labour inspector who carries out an inspection visit for each voyage, with the object of ensuring compliance with the provisions of the appropriate regulations, and reports any infringements thereof to the Secretariat of Labour. Infringements are always punished by fines. No statistics are available nor have any observations been made by employers' or workers' organisations.

The Secretariat of Labour has established direct contact with the Marine Department with a view to securing more appropriate co-ordination between provisions of the national legislation and those of the Convention, and has informed the Marine Department of the observations made by the Committee of Experts in 1939 and 1947.

The *Netherlands* Government states that it has nothing special to report with regard to the application of the Convention.

The Government of *Norway* refers to its previous reports and adds that no decisions of importance have been given by courts of law, and no observations have been received from employers' or workers' organisations.

The Government of *Poland* repeats the detailed information given in its report for 1945-1946, and adds that the authorities responsible for securing compliance with the provisions of the Convention are the Ministry of Navigation (Maritime and Fishery Boards) and the Ministry of Labour and Social Welfare (labour inspection services) and the Polish consuls abroad.

The Government of the *United Kingdom* gives a detailed analysis of the application of each Article of the Convention under the Merchant Shipping Acts, 1894 and 1906, and adds that the Ministry of Transport is the department generally responsible for the administration of all Acts of Parliament relating to merchant shipping and seamen. The enforcement of the legislative provisions is secured by the detention of ships which do not comply with these provisions and by legal proceedings, where necessary, under the relevant sections of the Merchant Shipping Acts. The Government is not aware of any decision by a court of law since the date of ratification of the Convention. Full statistics regarding the number of seamen engaged on British ships during the year under review are not available. No observations have been received from the organisations of employers or workers concerned.

The Government of *Venezuela* gives a detailed account of the application of the Convention under the relative articles of the national legislation.

Under Article 4 of the Convention, the Government states that § 294 of the Regulations issued under the Labour Act stipulates that the harbour-masters, who sometimes act as special permanent commissioners attached to the various labour inspectorates, are responsible for all matters relating to employment at sea. Any matters in dispute are settled by the harbour-masters, and eventually by the Ministry of War and Shipping.

In virtue of § 294 of the Regulations issued under the Labour Act, the harbour-masters are responsible for ensuring compliance with the provisions of the Convention. No decisions were given by courts

of law, and no observations have been submitted to the Ministry of Labour by employers' or workers' organisations or by individual employers or workers.

See also under Convention No. 1 for information relating to the inspection services, etc.

* * *

The Government of *Burma* repeats the detailed information given in its report for 1945-1946, and adds that the number of seamen engaged was 1,161. The Convention has been fully applied throughout the country, and no contraventions have been reported. No observations have been received from employers' or workers' organisations.

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 continue to be applied to Natives in ports of the *Belgian Congo*.

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

Bahamas.

Merchant Service Act, 1929 edition, Cap. 140.

Barbados.

Merchant Shipping Act No. 2 of 1898.

Ceylon.

Order in Council of 18 March 1937. This Order applied the provisions of the Merchant Shipping (International Labour Conventions) Act of 1925, which gives effect to this Convention in the United Kingdom.

Cyprus.

Imperial Order in Council of 25 June 1927.

Gambia.

Navigation and Pilotage (Consolidation) Ordinance, 1916, § 13.

Gibraltar.

Merchant Shipping Ordinance No. 9 of 1935.

Gold Coast.

United Kingdom Merchant Shipping (International Labour Conventions) Act, 1925.

Hong Kong.

Merchant Shipping Ordinance No. 10 of 1899.

Kenya.

Employment of Servants Ordinance, 1938.

(Under this Ordinance, all Africans earning less than 100 shillings per month engaged as seamen for service on vessels calling at ports other than those of Kenya, Tanganyika and Zanzibar are required to enter into a foreign contract of service which closely defines the obligations of both parties and binds the employer by means of a bond of surety, if desired, to return the seaman to the place of engagement. In the case of vessels calling at distant ports, seamen's articles of agreement are entered into in addition to the foreign contract.)

Leeward Islands.

Merchant Shipping Agreements Act, Chapter 1943, as amended by Ordinance No. 17 of 1932.

Malta.

Merchant Shipping Act, 1894, § 113.

Mauritius.

Ordinances Nos. 35 of 1932 and 31 of 1937. (These Ordinances provide for the repatriation of distressed seamen.)

St. Helena.

Interpretation and General Law Ordinance, 1895, § 24.

Sarawak.

Order XV of 1913, as amended by Gazette Notification No. 30 of 23 December 1930.

Singapore.

Merchant Shipping Ordinance (Chapter 150).

Western Pacific.

British Solomon Islands : There is no specific legislation, but Regulation No. 5 of 1947, Part VI, is of general application.

In the *Malayan Union*, no seagoing vessels are registered in the ports of Penang, Port Swettenham and Malacca, now within the area of the Malayan Union. The Merchant Shipping Ordinance of the Straits Settlements, Cap. 150, which applies to the ports of Penang and Malacca, does, however, cover the majority of the provisions required by this Convention.

For *Palestine*, see under Convention No. 15.

In *Trinidad*, the few ships registered in the territory engaged in inter-colonial trade carry articles conforming with the provisions of this Convention, though no compelling legislation exists. Consideration of draft legislation postponed during the war has now been resumed.

23. Convention concerning the repatriation of seamen

This Convention came into force on 16 April 1928

Countries	Date of registration of ratification	Reports received
Belgium	3.10.1927	29.11.1947
Bulgaria	29.11.1929	2. 2.1948
China	2.12.1936	3. 3.1948
Colombia	20. 6.1933	
Cuba	7. 7.1928	19. 2.1948
Estonia	9. 7.1928	
France	4. 3.1929	16. 1.1948
Germany	14. 3.1930	
Ireland	5. 7.1930	10.12.1947
Italy	10.10.1929	
Luxembourg	16. 4.1928	9.10.1947
Mexico	12. 5.1934	17. 1.1948
Nicaragua	12. 4.1934	
Poland	8. 8.1931	6. 1.1948
Spain	23. 2.1931	
Uruguay	6. 6.1933	
Yugoslavia	30. 9.1929	

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.

The Government of *Luxembourg* states that the Convention was ratified in a spirit of international solidarity, but that, in view of the subject covered, it does not call for practical application in the Grand Duchy.

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.

China.

Merchant Shipping Act of 30 December 1929 (L.S. 1929, China 3).

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)).

Luxembourg.

Act of 5 March 1928 approving the Conventions adopted by the International Labour Conference at its first ten sessions (1919-1927).
See also introductory note.

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.
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).

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

The Government of *Belgium* states that the Act of 5 June 1928 covers the different cases provided for by the Convention.

The Belgian consul in ports abroad or the maritime superintendent in Belgian ports is responsible for the repatriation of seamen from Belgian vessels. Repatriation expenses are borne by the vessel. The number of cases of repatriation registered during the period under review was approximately 30. No decisions were given by courts of law.

Bulgaria. See introductory note.

The Government of *China* repeats the information supplied in its report for 1945-1946, in which it stated that the Merchant Shipping Act became effective as from 1 January 1931. § 66 of this Act is in complete harmony with the principles of the Convention. During the period 1945-1946, shipping companies were actively engaged in post-war reconstruction work, and consequently there was a heavy demand for the services of seamen. During the period under review, the provisions of the Merchant Shipping Act were carefully observed by employers. No contraventions of the Act were reported in any cases of the repatriation of seamen. The Ministry of Communications and the local shipping offices are responsible for the application of the Convention. No decisions were given by courts of law. No observations have been received from employers' or workers' organisations.

The Government of *Cuba* states that § VI of Legislative Decree No. 660 of 6 November 1934 reproduces the principle contained in Article 6 of the Convention, but that this Decree does not specify whether the Customs Administration or the harbour-masters (or any other single authority) are responsible for repatriation expenses; this depends on the manner in which repatriation is carried out.

No decisions were given by courts of law. No seamen were repatriated during the period under review and no observations were received from employers' or workers' organisations.

The Government of *France* refers to its previous report and adds that no decisions by courts of law have come to its notice since the Convention has been applied in France.

It has not been possible to compile statistics showing the number of seamen repatriated, as repatriation takes place by mutual agreement when a seaman leaves a vessel as a result of illness or injury, for disciplinary reasons or for court proceedings. No observations were received by the services of the mercantile marine from employers' or workers' organisations.

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

Luxembourg. See introductory note.

The Government of *Mexico* repeats the detailed information supplied in its previous reports and adds that the Marine Department, the Secretariat of Labour and Social Welfare, the Conciliation and Arbitration Boards, the labour inspectors, the consuls, and the personnel of the Directorate of Population in Mexican ports are the authorities responsible for supervising the application of the legislative provisions.

The Government of *Poland* repeats the detailed information supplied in its report for 1945-1946 and adds that no decisions were given by courts of law and no observations were received from industrial organisations.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* states that the *Belgian Congo* is still excluded from the scope of the Convention. However, the Act of 5 June 1928 provides that Natives of the colony recruited in a port of the colony must be signed on in the same port. If a seaman is absent when the vessel leaves another port he is repatriated *ex officio*.

The Government of *France* refers to its report for 1937-1938.

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

Countries	Date of registration of ratification	Reports received
Austria	18. 2.1929	
Bulgaria	1.11.1930	2. 2.1948
Chile	8.10.1931	25. 2.1948
Colombia	20. 6.1933	
Czechoslovakia	17. 1.1929	6. 3.1948
Germany	23. 1.1928	
Hungary	19. 4.1928	4. 2.1948
Latvia	29.11.1929	
Lithuania	19. 6.1931	
Luxembourg	16. 4.1928	8.12.1947
Nicaragua	12. 4.1934	
Peru	8.11.1945	
Rumania	28. 6.1929	
Spain	29. 9.1932	
United Kingdom	20. 2.1931	10. 1.1948
Uruguay	6. 6.1933	
Yugoslavia	30. 9.1929	

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 for the Compulsory Insurance Fund for Workers.

Act No. 5937 of 29 September 1936 amending § 1 of Act No. 4054.

Act No. 6174 of 31 January 1938 establishing a preventive medicine service (L.S. 1938, Chile 1), as amended and supplemented by Decrees Nos. 360 of 9 May 1938 and 806 of 30 April 1947.

Act No. 6172 of 31 January 1938 increasing the rate of the employer's contribution.

Act No. 6236 of 25 August 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 23 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) as amended and supplemented 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. 1, A).

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 certain drawbacks, and concerning certain protective measures 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.

Hungary.

Act No. XXI of 1927 concerning compulsory insurance against sickness and accidents (L.S. 1927, Hung. 1), as 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 Act 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.
 Order No. 10,700 of 12 September 1947, amending and supplementing certain provisions relating to sickness insurance, based on Act No. XXI of 1927.

Luxembourg.

Act of 17 December 1925 concerning the social insurance code (L.S. 1925, Lux. 2 A), as amended by the Acts of 31 December 1925 (L.S. 1925, Lux. 2 B) and 6 September 1933 (L.S. 1933, Lux. 3).
 Grand-Ducal Order of 23 October 1944, to establish an Inspectorate of Social Institutions (L.S. 1944, Lux. 1).
 Ministerial Order of 8 December 1944 relative to the internal service regulations concerning the administration of sickness insurance funds by the central committees.
 Grand-Ducal Order of 12 December 1944, to bring temporarily into force the regulations concerning sickness insurance imposed by the occupying power, as amended by the Grand-Ducal Orders of 24 May 1945 and 13 August 1945.
 Grand-Ducal Orders of 23 July 1945 and 4 March 1946 to establish a new maximum normal wage as regards sickness insurance, and of the annual remuneration fixed as a limit in respect of compulsory sickness insurance for employees.
 Grand-Ducal Order of 13 October 1945, to establish the seat, competence and organisation of the Arbitration Council and of the Superior Council for Social Insurance, and the rules of procedure for these councils, as amended by the Grand-Ducal Order of 30 May 1947.
 Order of 25 February 1946, to establish the average value of remuneration in kind in respect to 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. 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 concerning National Health Insurance dating from 1938 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.

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

The Government of *Bulgaria* repeats the information given in its report for 1945-1946 and adds that the number of compulsorily insured persons was 350,000. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

The Government of *Chile* refers to previous reports and adds, in response to the observation made by the Committee of Experts in 1947, that the Bill to amend Act No. 4054, dated 8 September 1924, in order to bring Chilean legislation relating to social insurance into complete harmony with the Convention, is still awaiting decision by the National Congress.

The labour courts are responsible for applying the decisions of the Compulsory Insurance Fund concerning the imposition of fines for breaches of the relevant regulations or for delay in the payment of contributions. The decisions of the Insurance Fund deal only with normal cases and the courts generally restrict their action to the issuing of the necessary executive orders. No copies of decisions relating to the application of the Convention were received during the period under review. Application of the regulations is undertaken by the Insurance Fund itself, which employs a staff of inspectors for this purpose. This does not, however, affect the general powers and responsibilities of the Directorate General of Labour.

The Government appends to its report statistical and other information compiled by the Central Compulsory Insurance Fund for the financial year 1946, together with

insured persons (two-thirds) and of the employers (one-third). The State contributes one-half of the wages and pensions of employees of regional funds, as well as the expenses of administration; it also shares in the expenses relating to sickness insurance of beneficiaries of pensions.

The report contains statistical information relating to the number of industrial and agricultural workers covered, the number of insured persons, the amount of benefits in cash and in kind, contributions and State payments. No decisions were given by courts of law regarding the application of the Convention.

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 1945 and for *Northern Ireland* for the year ended 31 December 1946.

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.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of the *United Kingdom* states that no legislation has been enacted applying this Convention. In most territories, free or assisted medical attention or hospital treatment is provided by the Government in needy cases.

In *Bermuda*, provision is made in the Social Security Bill now under consideration by a Select Committee of the Legislative Council.

In *Ceylon*, employers are required to provide their labourers and servants with free medical aid and attendance (Service Contracts Ordinance, Chapter 59).

In *Cyprus*, a Government (Regular Employees) Social Insurance Fund has been established. The scheme is voluntary and experimental. If successful, it is intended to extend it to workers in non-government employment.

In *Seychelles*, Ordinances Nos. 25 and 26 of 1946 are not yet in operation.

In *Singapore*, employers are required to provide medical aid and treatment for employees on their estates (Labour Ordinance of 1923, §§ 145 and 161). In addition, many commercial employers voluntarily provide their employees with free medical attention and hospital treatment.

In *Uganda*, employers are required to provide their employees free of charge with medicine, medical treatment or hospital treatment (Employment Rules, 1946).

The General Federation of Jewish Labour has drawn attention to the fact that the question of applying Conventions Nos. 2, 24, 25, 35, 36, 37 and 38 to *Palestine* was raised in the Committee on the Application of Conventions at the 30th Session of the International Labour Conference. It was submitted that His Majesty's Government, who are a party to these Conventions, should, under Article 35 of the Constitution of the International Labour Organisation, apply them to Palestine, on the ground that the conditions in Palestine are such as to make these Conventions applicable to Palestine. The following arguments were advanced in support of this submission:

(i) The country has been considerably developed and industrialised, and numerous voluntary social insurance services exist in the Jewish sector and are beginning to emerge in the Arab sector as well. This shows that Palestine's industry and commerce can maintain a system of social insurance of a reasonable standard.

(ii) The Palestine Government is definitely in a position to make its own contribution to the social services of the country, if only from the excess of revenue accumulated by it in recent years.

(iii) The introduction in 1941 of a comprehensive system of income tax, including wage and salary earners whose income tax payments are deductible at source, is a clear indication of the advanced state of Palestine's economy and of the fact that employers and workers are capable of operating a system of payments requiring monthly contributions and deductions from wages and salaries.

(iv) In 1946 the Workmen's Compensation Committee, consisting of Palestine Government officials and representatives of Jewish and Arab workers and employers, unanimously recommended the introduction of an appropriate system of injury insurance under government direction, covering both cash payments and medical aid. This shows that all sections of the population consider that the country is ripe for the initiation of social insurance on modern accepted lines.

(v) The unsettled political conditions in the country are not a valid ground for continued government inaction in the matter. During the last war, Great Britain undertook the most thorough and comprehensive examination of its social services, and the plan then formulated is now being carried through in a period of great economic difficulties.

The views of His Majesty's Government are that it would not be practicable at the present juncture, when the future of Palestine is being considered by the General Assembly of the United Nations and the early withdrawal of the British adminis-

a survey of the more important questions which have arisen in connection with the application of the relevant provisions of Act No. 4054 of 8 September 1924.

No observations were received from employers' or workers' organisations.

The Government of *Czechoslovakia* refers to its report for the period 1945-1946.

See under Convention No. 25 for statistical information relating to the number of persons insured and benefits paid.

The Government of *Hungary* states that Order No. 10,700 of 12 September 1947, extends the scope of sickness insurance to include victims of industrial accidents whose working capacity has been reduced by two-thirds in the case of industrial workers, and by at least 50 per cent. in the case of mine-workers. Sickness insurance also covers the beneficiaries of old-age or disability pensions, or survivors, and is payable by the social insurance institution or by the fund of an undertaking.

The insured person is entitled to 75 per cent. of his sickness benefit during treatment in hospital. This is reduced to 25 per cent. for persons without families. The average period of treatment in hospital for workers suffering from tuberculosis has been extended to two years. Members of an insured person's family are granted a period of sixty days' treatment in hospital, and are entitled to a maximum of six months' treatment in the event of tuberculosis. The above-mentioned Order has also increased the numbers of the family who are entitled to insurance benefits.

During the period under review, 560,000 industrial workers, 60,000 commercial employees and 60,000 domestic servants were covered by sickness insurance.

In its first detailed report since 1939, the Government of *Luxembourg* states that sickness insurance covers workers, employees and apprentices in industrial and commercial establishments, domestic servants, servants and journeymen in agriculture and forestry, workers in homeworking trades and persons in receipt of pensions. With the exception of apprentices and pensioners, the insurance of the above-mentioned persons is subject to their being gainfully employed. In the case of private employees, the annual remuneration, excluding family allowances, must not exceed 60,000 francs. Temporary, subsidiary casual or seasonal employment for less than a week is not subject to sickness insurance. With regard to subsidiary employment, earnings must represent an important part of the total income. Neither sex, age nor nationality is taken into account. Exemption from sickness insurance is authorised for the officials and employees of public authorities, for members of religious institutions and assimilated persons, and for persons following a course of scientific training. Private employees, entitled in the event of sickness to benefits equivalent to those laid down

in the legislation, may be exempted from the scheme at the request of their employer.

Sickness benefit up to 50 per cent. of the average wage is granted for each working day from the fourth day of incapacity for a maximum period of twenty-six weeks. The right to compulsory insurance benefits accrues from the first day of membership. The statutes of the funds may increase sickness benefits to 75 per cent. of the wages from the first day of incapacity and for a period of fifty-two weeks if the incapacity lasts for more than eight days and is due to an industrial accident or an occupational disease, or results in death. Benefits are reduced if the insured person also receives cash relief as the result of being insured with another fund; the total amount of relief payments must not exceed his average earnings. No benefits are paid as long as the sick person continues to receive his wages. An insured person having family responsibilities is paid half the sickness benefit in the event of his admission into hospital; he may be ordered to hospital if he has several times contravened the orders of the fund or of the doctor, or if his condition requires constant supervision. Benefit may be refused in whole or in part if the insured person has caused his illness intentionally or has taken part in a riot. Right to benefit may be suspended for a year if the insured person has prejudiced the sickness fund by an act liable to entail the loss of civil rights.

Medical care, which is granted from the first day of membership and the beginning of the illness, and for an unlimited period, includes medical and dental treatment as well as the supply of medicine and curative treatment. The contribution of the insured person towards medical care consists of a small fixed sum for each consultation, visit or doctor's prescription. The fund may provide treatment and maintenance in the place of medical care and sickness benefits.

The members of the insured person's family are entitled to medical care for an unlimited period and to 50 per cent. of chemists' bills. The statutes of the fund may authorise treatment and maintenance in a hospital for a maximum period of twenty-six weeks and may refund 80 per cent. of the amount of chemists' bills.

The insurance carriers are the regional funds and the employers' funds, which are public autonomous institutions. The administration of the funds is entrusted to the central committee and the general assembly, where the workers hold two-thirds of the votes and the employers one-third. Supervision is entrusted to the Inspectorate of Social Institutions under the control of the Government.

Disputes concerning the granting of benefits are settled by the Social Insurance Inspectorate or its representative; decisions may be brought before the Arbitration Council for social insurance.

The assets of sickness insurance funds are made up from the contributions of the

tration is contemplated, to proceed with the introduction of comprehensive schemes of social insurance of the nature covered by these Conventions, and further, that the early introduction of such schemes would

in any case be made very difficult by the differences in conditions of employment and standards of living of the Arab and Jewish communities, and by the high rate of illiteracy among the Arab working population.

25. Convention concerning sickness insurance for agricultural workers

This Convention came into force on 15 July 1928

Countries	Date of registration of ratification	Reports received
Austria	18. 2.1929	
Bulgaria	1.11.1930	2. 2.1948
Chile	8.10.1931	25. 2.1948
Colombia	20. 6.1933	
Czechoslovakia	17. 1.1929	6. 3.1948
Germany	23. 1.1928	
Luxembourg	16. 4.1928	8.12.1947
Nicaragua	12. 4.1934	
Spain	29. 9.1932	
United Kingdom	20. 2.1931	10. 1.1948
Uruguay	6. 6.1933	

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 29 September 1936 increasing the maximum income compatible with liability to insurance.

Act No. 6174 of 31 January 1938 establishing a preventive medicine service (L.S. 1938, Chile 1), as amended and supplemented by Decrees Nos. 360 of 9 May 1938 and 806 of 30 April 1947.

Act No. 6172 of 31 January 1938 increasing the rate of the employer's contribution in order to finance workers' housing.

Act No. 6236 of 25 August 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 23 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), as 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. 1, A).

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 measures 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.

Luxembourg.

Act of 17 December 1925 concerning the social insurance code (L.S. 1925, Lux. 2 A), amended by the Acts of 31 December 1925 (L.S. 1925, Lux. 2 B) and 6 September 1933 (L.S. 1933, Lux. 3).

Grand-Ducal Order of 23 October 1944, to establish an Inspectorate of Social Institutions (L.S. 1944, Lux. 1).

Ministerial Order of 8 December 1944 relative to the internal service regulations concerning the administration of sickness insurance funds by the central committees.

Grand-Ducal Order of 12 December 1944, to bring temporarily into force the regulations concerning sickness insurance imposed by the occupying power, as amended by the Grand-Ducal Orders of 24 May 1945 and 13 August 1945.

Grand-Ducal Orders of 23 July 1945 and 4 March 1946 to establish a new maximum normal wage as regards sickness insurance, and of the annual remuneration fixed as a limit in respect of compulsory sickness insurance for employees.

Grand-Ducal Order of 13 October 1945, to establish the seat, competence and organisation of the Arbitration Council and of the Superior Council for Social Insurance, and the rules of procedure for these councils, as amended by the Grand-Ducal Order of 30 May 1947.

Order of 25 February 1946, to establish the average value of remuneration in kind in respect to 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. 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 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.

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

The Government of *Bulgaria* repeats the information supplied in the report for 1945-1946 and adds that no decisions were given by courts of law and no observations were made by employers' or workers' organisations.

The Government of *Chile* refers to previous reports and adds that the labour courts are responsible for applying the decisions of the Compulsory Insurance Fund concerning the imposition of fines for breaches of the relevant regulations or for delay in the payment of contributions. The decisions of the Insurance Fund deal only with normal cases and the courts generally restrict their action to the issuing of the necessary executive orders. Application of the regulations is undertaken by the Insurance Fund itself, which employs a staff of inspectors for this purpose. This does not, however, affect the general powers and responsibilities of the Directorate General of Labour.

The Government appends to its report statistical and other information compiled by the Central Compulsory Insurance Fund for the financial year 1946. No observations were received from employers' or workers' organisations.

The Government of *Czechoslovakia* refers to its report for 1945-1946 and supplies, among other items, statistics relating to the number of persons employed in agriculture and forestry and benefits paid to insured persons in the two branches.

The Government of *Luxembourg*, in a detailed report, states that compulsory sickness insurance for agricultural workers has been in force since 1 October 1940. It covers workers, employees, domestic servants, apprentices employed in agricultural undertakings and persons employed in subsidiary agricultural undertakings, or in agricultural undertakings attached to an industrial undertaking who are not insured as industrial workers.

See under Convention No. 24 for detailed information regarding the provisions of the legislation which apply the Convention. No decisions were given by courts of law.

The Government of the *United Kingdom* refers to its previous reports and adds that no decisions have been given by courts of law. Statistical information is supplied both for *Great Britain* and *Northern Ireland*. No observations have been received from employers' or workers' organisations.

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

Countries	Date of registration of ratification	Reports received
Australia	9. 3.1931	11. 2.1948
Belgium	11. 8.1937	29.11.1947
Bulgaria	4. 6.1935	2. 2.1948
Canada	25. 4.1935	24.11.1947
Chile	31. 5.1933	25. 2.1948
China	5. 5.1930	3. 3.1948
Colombia	20. 6.1933	
Cuba	24. 2.1936	19. 2.1948
France	18. 9.1930	12. 3.1948
Germany	30. 5.1929	
Hungary	30. 7.1932	4.12.1947
Ireland	3. 6.1930	16.12.1947
Italy	9. 9.1930	22.12.1947
Mexico	12. 5.1934	17. 1.1948
Netherlands	10.11.1936	8.12.1947
New Zealand	29. 3.1938	
Nicaragua	12. 4.1934	
Norway	7. 7.1933	7. 1.1948
Spain	8. 4.1930	
Switzerland	2. 5.1947	
Union of South Africa	28.12.1932	26.11.1947
United Kingdom	14. 6.1929	10. 1.1948
Uruguay	6. 6.1933	
Venezuela	20.11.1944	2. 2.1948

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

Australia :

Commonwealth.

Commonwealth Conciliation and Arbitration Act, 1904, as subsequently amended in 1928 (L.S. 1928, Austral. 2), 1930 (L.S. 1930, Austral. 11), and on 17 December 1934 and 20 May 1947.

Arbitration (Public Services) Act, 1920-1934.

Industrial Board Ordinance, 1936-1940 (A.C.T.).

Women's Employment Act, 1942, and Regulations issued thereunder.

Coal Industry Act, 1946.

National Security (Industrial Peace) Regulations.

National Security (Coal Mining Industry Employment) Regulations.

National Security (Female Minimum Rates) Regulations.

National Security (Shipping Co-ordination) Regulations, Part V.

New South Wales.

Industrial Arbitration Act, 1940-1947.

Queensland.

Industrial Conciliation and Arbitration Act of 1932, as amended in 1933, 1934 and 1935 (L.S. 1933, Austral. 1; L.S. 1934, Austral. 5; L.S. 1935, Austral. 7) and in 1945 and 1946.

Victoria.

Factories and Shops Act, 1928, as amended in 1929 (L.S. 1929, Austral. 13), 1934 (L.S. 1934, Austral. 11), 1936 and 1945.

South Australia.

Industrial Code, 1920-1943.

Tasmania.

Wages Board Act, as amended in 1924 (L.S. 1924, Austral. 1), 1929 (L.S. 1929, Austral. 1), 1933 (L.S. 1933, Austral. 3), 1934 (L.S. 1934, Austral. 8) and 1945.

Western Australia.

Industrial Arbitration Act, 1912-1925, as amended in 1925 (L.S. 1925, Austral. 12), 1930 (L.S. 1930, Austral. 7) and 1941.

Rules, Regulations and awards enacted in virtue of, or under, the above-mentioned legislation of the several States.

Belgium.

Legislative Order of 5 May 1944 [repealing the Orders and other administrative decisions issued during the period of enemy occupation].

Legislative Order of 14 April 1945 respecting the fixing of salaries and wages [amplified by Legislative Order of 23 July 1945].

Legislative Order of 14 September 1945 concerning increases in salaries and wages.

Legislative Order of 14 May 1946 respecting salaries and wages.

Legislative Order of 21 August 1946 to amend the Legislative Order of 14 May 1946 respecting salaries and wages.

Ministerial Order of 14 October 1946 to fix the new compulsory minimum salary rates for salaried employees.

Order of the Regent of 16 June 1947 to amend the provisions of § 4 *bis* of the Legislative Order of 14 May 1946 respecting salaries and wages.

Bulgaria.

Legislative Decree of 22 September 1936 respecting collective contracts and the settlement of labour disputes (L.S. 1936, Bulg. 5).

Canada :

Dominion.

Minimum Wages Act, 1935, ch. 44 (L.S. 1935, Can. 10).

See under Convention No. 1, introductory note.

*Provinces.**Alberta.*

Alberta Labour Act, 1947, ch. 8, Parts II and IV.

British Columbia.

Factories Act, Revised Statutes 1936, ch. 92, § 80.
 Female Minimum Wage Act, R.S. 1936, ch. 191, amended 1944, ch. 31; 1946, ch. 48; 1947, ch. 6.
 Male Minimum Wage Act, R.S. 1936, ch. 190, amended 1944, ch. 30; 1946, ch. 47; 1947, ch. 60.

Manitoba.

Fair Wage Act, R.S. 1940, ch. 71, as amended 1946, ch. 14.
 Minimum Wage Act, R.S. 1940, ch. 138, amended 1941-1942, ch. 35; 1944, ch. 38; 1945, ch. 39.

New Brunswick.

Industrial Standards Act, 1939, ch. 57, amended 1941, chs. 33, 49; 1944, ch. 39.
 Minimum Wage Act, 1945, ch. 42.

Nova Scotia.

Minimum Wage Act for Women, 1920, ch. 11, as amended 1924, ch. 57 (L.S. 1924, Can. 4); 1931, ch. 57 (L.S. 1931, Can. 8).
 Male Minimum Wage Act, 1945, ch. 21.

Ontario.

Minimum Wage Act, R.S. 1937, ch. 190 (L.S. 1937, Can. 8), amended 1946, ch. 54; Statute Law Amendment Act, 1947, § 14.
 Factory, Shop and Office Building Act, R.S. 1937, ch. 184, § 49 (7).
 Industrial Standards Act, R.S. 1937, ch. 191 (L.S. 1937, Can. 18), amended 1938, ch. 37.

Quebec.

Collective Agreement Act, R.S. 1941, ch. 163, as amended 1943, ch. 29; 1946, ch. 37.
 Minimum Wage Act, R.S. 1941, ch. 164, as amended 1946, ch. 39.

Saskatchewan.

Industrial Standards Act, R.S. 1940, ch. 305, as amended 1944, ch. 89; 1944, ch. 62 (2nd Sess.).
 Minimum Wage Act, R.S. 1940, ch. 310, as amended 1944, ch. 93; 1945, ch. 107; 1947, ch. 104.

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 (L.S. 1932, China 2).
 Minimum Wage Act of 28 December 1936 (L.S. 1939, China 3).
 Administrative Regulation of 13 January 1943 for the control of wages in wartime (L.S. 1943, China 2).
 Regulation of 22 October 1945 concerning the adjustment of wages in liberated areas.
 Regulations of April 1946 respecting the adjustment of wage rates in private undertakings during the period of reconversion.
 Regulations of 1 March 1947 concerning boards for fixing wages.
 Provision of Regulation of 1 May 1947 concerning the adjustment of wages in Shanghai.

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), 1940 (L.S. 1940, Cuba 1).
 Code of Social Defence (Article 575).
 Various Resolutions and Decrees concerning wage rates, etc., dating from 1940 to 1947.

Hungary.

Act No. XIX of 1932 to ratify the Convention.
 Ordinance No. 8620/1946 ME of 28 July 1946 respecting collective agreements, as supplemented by Ordinance No. 10,180/1946 ME of 5 September 1946.
 Order of the Supreme Economic Council, No. 6051/1947 of 31 July 1947 respecting the prolongation of the validity of collective contracts and the supplement on remuneration provisionally payable to workers.

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 smallholdings (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.

Legislative Decree No. 369 of the Lieutenant of the Realm, of 23 November 1944, to abolish the fascist industrial associations and to liquidate their property.

Mexico.

Constitution of the United States of Mexico, 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.

Decree of 5 October 1945 to issue the Extraordinary (Employment Relations) Decree, 1945 (L.S. 1945, Neth. 1).

Norway.

Act of 15 February 1918 respecting industrial homework (B.B., Vol. XIII, 1918, p. 55), as amended by Acts of 6 July 1923 (L.S. 1923, Nor. 4), 15 June 1928 (L.S. 1928, Nor. 1), 24 March 1933 and 20 May 1939.

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).

Wage Determinations Validation Act, No. 16 of 1935 (L.S. 1935, S.A. 1).

Various Awards, Determinations and Agreements issued under the above Acts.

United Kingdom :

Great Britain.

The Road Haulage Act, 1938 (L.S. 1938, U.K. 8).

The Catering Wages Act, 1943.

The Wages Councils Act, 1945 (L.S. 1945, U.K. 1), and Regulations S.R. and O. Nos. 3,483 and 3,484, 1945.

Various Orders under the Trade Boards Acts, 1909-1918, the Wages Councils Act, 1945, and the Road Haulage Act, 1938, and the Catering Wages Act, 1943.

Northern Ireland.

The Wages Councils Act (Northern Ireland), 1945, to re-enact with modifications the Trade Boards Acts (Northern Ireland), 1923-1944.

Various Orders and Regulations issued under the Trade Boards Acts (Northern Ireland), 1923-1944, and the Wages Councils Act (Northern Ireland), 1945.

Venezuela.

Act of 4 May 1945 (L.S. 1945, Ven. 1), to amend, in certain respects, the Labour Act of 16 July 1936 (L.S. 1936, Ven. 2).

Regulations of 30 November 1938 issued under the Labour Act.

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

The Government of *Australia* refers to its report for 1945-1946, in which it stated that minimum wages are determined mainly by the system of compulsory arbitration or registered agreements. Thus the awards, determinations or orders of the various industrial authorities set up under the legislation prescribe rates for the classifications of work concerned which operate as minimum rates. Registered agreements have the same effect as industrial awards. Consultation with the various employers' and workers' organisations usually takes place in the event of any substantial amendment to the existing system. Such consultation took place in 1946 in connection with amendments to the Commonwealth conciliation and arbitration system.

Whilst in most cases awards are determined by tribunals consisting of persons appointed with the status of judges, in Western Australia and Queensland the authority consists of a chairman who sits with a representative of the employers and a representative of the employees in the State. In the States of Victoria and Tasmania, wages boards are in operation on which there are an equal number of representatives of the workers and employers concerned, with a neutral chairman. In the other States, even where there is provision for an industrial court, conciliation committees representative of the parties are also provided for. In the Commonwealth jurisdiction, awards and determinations are made by judges of the Commonwealth Court of Conciliation and Arbitration or by conciliation commissioners. Industrial agreements may also be made by the parties themselves and registered in the Court, and thereupon operate as awards of that Court.

In its report for 1946-1947, the Government states that the industrial wage-fixing machinery covers practically all the principal industrial and commercial occupations. While the Commonwealth jurisdiction arises from interstate disputes, under war-time powers (still operative during the period of the report) intrastate as well as interstate disputes could be brought before the Commonwealth Court.

The principal occupations not covered by awards or orders prescribing minimum rates are rural ones, though even here there has been, of recent years, considerable extension of the activities of the industrial authorities.

The Commonwealth Conciliation and Arbitration Act is administered by the Commonwealth Attorney-General's Department. The Coal Industry Act, 1946, and the

Stevedoring Industry Act, 1947, are under the administration of the Commonwealth Minister for Supply and Shipping. The four series of National Security Regulations, together with the Women's Employment Act, are administered by the Commonwealth Department of Labour. There is close association between all the departments concerned and the Arbitration Court. In the case of State legislation, the various Acts are administered by or through the State Departments of Labour. Supervision of the application of awards and determinations is the responsibility of inspectors attached to the Commonwealth Court and to the State Labour Departments. In connection with the organisation and working of inspection, reference is made to the answers of the Australian Government to the questionnaire on labour inspection sent out prior to the 30th Session of the International Labour Conference.¹

Wage rates fixed by awards, determinations and industrial agreements are recoverable under the legislation by Court process. For instance, § 63 of the Commonwealth Conciliation and Arbitration Act, 1904-1947, provides that: "An employee entitled to the benefit of an award may at any time within twelve months from any payment by way of wages in accordance with the award becoming due to him, but not later, sue for the same in any Court of competent jurisdiction." In addition, penalties may be fixed for the non-observance of the terms of any order or award and may be recovered by any party or organisation concerned, labour inspector or Registrar of the Court.

In most cases in the States, provision is made for enforcement of awards and recovery of penalties by application to industrial magistrates or to the industrial court concerned.

No court decisions have been given involving the interpretation of the Convention. This arises from the fact that minimum wage-fixing legislation was in operation prior to the Convention. The main decision affecting the principle of the minimum wage during the period of this report came from the Commonwealth Arbitration Court at the end of 1946 and altered the basis of adjustment of the Commonwealth basic wage, resulting in an interim increase in that wage of approximately 7s. 0d. per week.

While employers' and workers' organisations have not specifically commented on the Convention, workers' organisations have recently made representations to the Prime Minister for the establishment of an advisory committee consisting of employers and workers to review the methods of computing the minimum wage.

The Government of *Belgium* states that the minimum wage rates fixed by the Legislative Order of 14 September 1945

(see preceding report) are still maintained. In August 1946, however, wage rates one-fourth higher (i.e., 9 francs per hour for women not less than twenty-one years of age, 12 francs for unskilled manual workers, 15 francs for skilled workers) were adopted as desirable minima, and since that date the new minima, though not legally enforceable, have come into general operation. The emphasis on a minimum wage policy within the framework of a comprehensive anti-inflationary policy of wage and price control has had the effect, since the liberation of Belgium, of enhancing the position of unskilled workers and of women at the expense of skilled workers, in as much as the formerly existing hierarchy of wages has been to a certain extent "flattened out". The most recent measures, taking due account of this trend, have authorised the adjustment of anomalous rates even where the present rates already exceed the statutory or agreed minima. With regard to salaried employees, the Legislative Order of 14 September 1945, though still in force, has been adjusted similarly to permit the introduction of higher minima ranging from 2,900 to 2,400 francs per month, according to the region, in the case of male employees not less than twenty-one years of age, and fixed at 80 per cent. of the above rates for adult female employees.

With respect to penal sanctions and supervisory authorities, the Government refers to its report for 1944-1945. No decisions by courts of law have come to the notice of the inspection services; no special observations have been received from employers' or workers' organisations.

The Government of *Bulgaria* states that minimum wages are fixed by collective labour agreements, Ministerial decisions, wage scales or arbitration. Collective agreements are concluded directly between representatives of employers' and workers' organisations and submitted for registration to the competent labour inspectorate. No use has been made of the right of abatement under Article 3 of the Convention. The General Directorate of Labour and departments thereof, and the arbitration boards attached to the Directorate of Labour, are responsible for the application of the Convention. Disputes are settled by the Central Arbitration Board. No decisions in this connection were given by courts of law; no observations have been received from workers' or employers' organisations.

The Government of *Canada* points out (see introductory note under Convention No. 1) that, under the present division of the legislative powers in Canada, the Convention can be implemented only by the legislatures of the Provinces.

In a letter dated 20 June 1947, the Minister of Labour asked the Ministers of Labour of eight of the nine Provinces, and also the Premier of Prince Edward Island, to what extent the provincial legislation

¹ International Labour Conference, 30th Session, Geneva, 1947, Report IV (Supplement): *The Organisation of Labour Inspection in Industrial and Commercial Undertakings* (Geneva, I.L.O., 1947).

gives effect to the Convention and whether consideration could be given, where necessary, to bringing the law into line with the Convention. The report of the Government is based on the replies to the above letter and on the texts of the Acts of eight Provinces. Minimum-wage legislation exists in every Province except Prince Edward Island. The legislation of Quebec, Alberta, Manitoba, Nova Scotia, Ontario, Saskatchewan and British Columbia applies to homeworkers, though only the Quebec Minimum Wage Act contains express provision to that effect.

As to trades in which there is no effective regulation of wages by collective agreement or otherwise and in which wages are exceptionally low, the Quebec Act specifically declares that it shall not apply to workpeople governed by the terms of a collective agreement which has been extended to non-parties under the Collective Agreement Act. In the other Provinces, and in Quebec, save as above, the Minimum Wage Act may be applied in most branches of industry and commerce, irrespective of the degree of union organisation or the existence of collective agreements. The Canadian Acts dealing with minimum wages, which applied at first only to women, provided for the establishment of minimum rates by governmental boards, as distinct from joint boards composed of representatives of employers and workers in the trades or industries concerned. Until the late 'thirties, the Acts applied chiefly to unorganised workers; since then, however, the position has undergone some alteration. The various Industrial Standards Acts (in the case of Manitoba, the Fair Wage Act, Part II), according to which hours and rates agreed on by representatives of employers and workers in a conference called by the Minister of Labour could be declared legally binding on the trade concerned, have been used by organised workers to have the wage-and-hour terms of their collective agreement extended to bind non-parties to the agreement; these Acts cannot be said, therefore, to apply to any appreciable extent to trades "in which no arrangements exist for the effective regulation of wages by collective agreement or otherwise and wages are exceptionally low".

As regards the obligation under Article 2 of the Convention to consult with the organisations, if any, of workers and employers in the trades concerned before deciding to what trades or parts of trade the minimum wage-fixing machinery shall be applied, the Government explained that wage-fixing legislation was introduced (to some extent, it is true, at the instance of the Trades and Labour Congress of Canada and of certain provincial unions) to cover the employment of women in factories, shops, hotels, restaurants, laundries, etc., i.e. in establishments in which employers' and workers' organisations were, with certain exceptions, non-existent or embryonic. The legislation was extended to include male

workers only when it was revealed that the Acts were being evaded by the employment of men to replace women or at lower rates than women performing the same work.

No compulsory provision is made in any existing law for consultation with the employers and workers concerned, or with their organisations, before the Act is applied in a given occupation, unless it be the statutory requirements in British Columbia, Manitoba and New Brunswick that the minimum wage-fixing boards shall be composed of representatives of employers and employees (in British Columbia, of organised groups) and of the public, in equal numbers. Representation of employers and workers on Minimum Wage Boards is the practice in certain other provinces where it is not required by law.

In the fixing of rates, consultation is at the discretion of the Board in most Provinces. The Alberta Acts give the Board of Industrial Relations, subject to the approval of the Government, power to fix rates, after enquiry or without enquiry; the British Columbia statutes, after such enquiry as the Board deems adequate; the Nova Scotia Act (for women), "after due enquiry"; in Ontario the Board may call a conference of employers and employees. In Quebec, too, the Board may call a conference representing equally employers, workers and the public, or in the case of particular industries may convene a "conciliation board" of the two sides. In Manitoba, Saskatchewan and New Brunswick the law makes no provision for consultation with employers and employees; in fact, however, the Manitoba and Saskatchewan Boards are representative, while the New Brunswick Act requires the appointment of such a representative board. In the Provinces, the practice is to give the employers and workers concerned an opportunity to express their opinions in public hearings or otherwise. In all cases, the laws stipulate that minimum rates shall not be subject to abatement as a result of individual agreements. In New Brunswick, Ontario and Quebec the law forbids the conclusion of individual agreements for wages lower than the statutory minima. In Alberta and British Columbia, it is an offence to be a party in such an agreement; in these two Provinces, as in Manitoba and Saskatchewan, any such agreement is deemed to be an agreement for the minimum. Collective agreements upon rates less than minimum rates are likewise prohibited by the New Brunswick Act, save with the authorisation of the Minister. Except for the Quebec Act (see above), the other Minimum Wage Acts do not refer expressly to collective agreements in this connection, but since the terms of a collective agreement become part of the individual contracts of service of the employees governed by the agreement it is doubtful whether any Province (save Quebec as specified above) could fix rates lower than the statutory minimum.

The Minimum Wage Acts are administered in each Province by the Provincial Minister of Labour (in Alberta, of Trade and Industry) through a Minimum Wage Board (in Alberta and British Columbia, Board of Industrial Relations; in Ontario, Industry and Labour Board). Each department maintains a staff of inspectors to enforce wage orders; in each Province wage orders must be posted in the workplaces to which they apply. Each of the Minimum Wage Acts makes provision for the recovery by the worker (subject to certain limitations of time) of amounts by which he has been underpaid.

The Government of *Chile* refers to its reports covering the period 1934-1938, in which the minimum wage-fixing machinery is described, and adds that, during the period under review, fourteen joint minimum wage boards, set up in pursuance of § 44 of the Labour Code, were functioning.

The report contains tables showing the minimum wages fixed by the joint boards for the various industries and processes and the hourly, daily and monthly wage rates in force and the minimum monthly salaries fixed by joint boards of employers and salaried employees for the year 1947.

In reply to the request of the Committee of Experts in 1947, the Government states that it regrets that it is not at present possible to give information respecting certain branches of the working of inspection, for example, the number of inspections carried out, the number of prosecutions and convictions, and the amount of arrears in wages collected, but that it will collect the necessary data in time for inclusion in its next annual report.

Decisions are given fairly frequently by courts of law, but no copy of such decisions was received by the General Directorate of Labour during the year under review. No observations have been received from employers' or workers' organisations.

The Government of *China* states that the Minimum Wage Act of 1936 is in accord with the principles of the Convention. The Act provides for action by the competent municipal or district authorities in cases where the workers engaged in an industry or branch of an industry have not provided for any method of fixing wages by means of collective agreements or otherwise, and are in receipt of exceptionally low wages.

The minimum wage of an adult worker should be sufficient to ensure him a living and to admit of a sufficiently high standard of living for two members of his family who are incapable of work; the wage for a young person shall not be less than one-half of the minimum wage for an adult worker. If the competent local authority decides that it is necessary to fix minimum wage rates for all or any of the workers in a particular industry, it must consult the employers and the workers concerned and make recommendations through a minimum wage board, which will fix the minimum

rates. Employers' and workers' organisations are represented on the board. Provision is made for the posting up of notices giving the rates of wages and for penalties.

Although enforcement of the Minimum Wage Act was prevented by the Sino-Japanese War and the resulting price fluctuations in the interior, it was nevertheless the policy of the Government that wages for workers should be kept in line with prevailing prices, adjustments being made from time to time.

In accordance with the intention of the Minimum Wage Act, the Government promulgated, and put into force on 28 January 1943, "Administrative Regulations for the Control of Wages in Wartime", § 4 of which provides that wage controls shall be set up simultaneously with price controls in the locality concerned. On 22 October 1945, the Government promulgated another regulation concerning the adjustment of wages in liberated areas, § 4 of which stipulates that "the adjustment of wages in various localities shall be duly made subject to the local indices for the cost of living". The Government adds that, by fixing the indices for the cost of living, a minimum standard of living was ensured to the workers.

Regulations issued in April 1946 provide that all factories, mines, transport and public utility undertakings shall constantly adjust the wages of their employees to changes in the cost-of-living indices as announced by the competent authority. The Government is of the opinion that all these requirements comply with the principles of the Convention. Specific Provisional Regulations dated 1 May 1947 apply to factories in Shanghai. The result of the above-mentioned Regulations is satisfactory, and the workers have been safeguarded against the results of price fluctuation.

The Government appends to its report a table showing the average minimum rates of wages in the principal cities of China during the period under review. The Ministry of Social Affairs and the local social affairs institutions are entrusted with 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 *Cuba* states that the provisions of the Legislative Decree of 1934 reproduce the methods laid down in the Convention. The Act of 1935 provides that the minimum wage shall be payable not only in industrial, commercial and agricultural undertakings, but also in every undertaking, establishment or service which is carried on for purposes of gain, or from which the persons on whose account they are carried on derive any material advantage whatever. The Government forwards copies of the Agreements and Resolutions governing minimum wages approved during the period under review. The fixing of wages is always preceded by consultations with the competent organisations.

All the wage determinations during this period consisted of increases, owing to the rising cost of living. For this reason, the Ministry of Labour refrained from referring cases to the National Minimum Wage Board, which, because it is bound by fixed rules and procedures, would not have been able to deal with all the cases with the speed required. Nevertheless, the authorities concerned were always consulted directly and in advance. The wage-fixing machinery makes no distinction between industrial and other activities, and the competent authorities have not determined the number of workers to whom the minimum wages apply. No distinction is made between the remuneration fixed for men and women, or for adults and young persons, and for that reason no separate statistics have been compiled.

In accordance with § XI of the Legislative Decree of 1934, the minimum rates are published in the Official Gazette, or in notices to the workers which are posted at the workplaces. They are also published in the press and in the Official Review of the Ministry of Labour. § XI of the above-mentioned Decree prohibits the payment of wages at less than the legal rates. Apart from the sanctions to which the employer is liable, the differences may be claimed by civil proceedings.

The Ministry of Labour, its provincial branches, the General Director of the National Labour Inspectorate, the criminal and civil courts, each within their respective sphere of competence, deal with infringements of the legislation. No decisions were given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Hungary* states that there has been no change in wage-fixing machinery, but that in practice all categories of workers in industry and commerce are now covered by a fine network of collective agreements, so that in general the National Wage-Fixing Board is called upon to intervene only rarely, and only with respect to questions of interpretation or in order to remedy any deficiencies. The procedure for adoption and approval of collective agreements (which are extended to apply to all employers and workers in the occupational branch concerned, irrespective of their affiliation to the occupational organisations which concluded the agreement) is outlined in the report for the period 1945-1946. Pending the promulgation of the Hungarian three-year plan and the announcement of harvest statistics, which would have a substantial influence on prices and wages, it was decided by an Order of 31 July 1947 to maintain provisionally in force the existing agreements, with a supplement of 15 per cent. on wages and of 10 per cent. for persons occupying posts of management whose salaries are under 1,500 florins per month; salaries above 1,500 florins a month remained

unchanged except in special cases approved by an authority set up for the purpose. On 29 September 1947 a new basic agreement was reached for the manufacturing trades. Statistics for September 1947 show that about 820,000 industrial and 135,000 commercial workers were covered by collective agreements.

The Government of *Italy*, after outlining the institution, under fascist administration, of collective agreements binding upon all concerned, irrespective of registration with the organisations parties to the agreements, recalls the fact that the fascist organisations were abolished by Legislative Decree of 23 November 1944, at which time the principle of freedom of association was established. By § 43 of the above Decree the various collective labour agreements enforced under liquidated fascist organisations for all members of the occupational categories concerned have been maintained in force; the legislative provisions under which the abolished system was instituted and modified, and those which regulated the actual elaboration of such agreements, are, however, no longer effective.

The new associations of employers and workers undertake the conclusion of collective agreements and the fixing of minimum wage rates at the national level, with the necessary variations according to occupational groups and to the regions into which Italy is divided for this purpose. The post-war organisations have developed to a sufficient extent to ensure the practical observance of the minimum wage rates at present fixed for most classes of workers. Homeworkers and employees in the offices of professional men are, however, not covered by such minimum wage rates. In connection with minimum wage rates by collective agreement, a Wage Supplement Fund for Industrial Workers has been instituted, which ensures supplementary payments to employees in respect of hours not worked (from 24 to 40 in the week) in the case of suspension or reduction of work in an undertaking.

The Government states that the fundamental principles respecting labour questions to be included in the new Constitutional Charter will probably have an influence on the new methods for fixing minimum wages. Where it is decided to establish new minimum wage rates for workers not yet covered, the Government calls together representatives of employers' and workers' interests at the Ministry of Labour and Social Welfare for consultation. No abatements of minimum wage rates have been authorised.

With regard to Article 5 of the Convention, the Government states that the collective wages agreements concluded are in general observed even by non-members of the organisations which are parties to the agreements, so that such agreements are at present in force *de facto*, though not *de jure*, for the majority of the working population in industry and commerce. Within this nation-wide framework, it has in some

cases been found useful to group together certain occupations and certain areas in which conditions are substantially similar. In this way it is possible to state the minimum wage of an unskilled worker in the occupational group with the lowest wage level in the zone with the lowest cost of living and industrially least advanced. This was fixed on 30 May 1947 at 34.75 lire per hour for adult males; for females over eighteen and males between eighteen and twenty years of age having similar occupational qualifications, the above figure is reduced by 30 per cent. and 10 per cent. respectively. In addition to the basic rates, there are family allowances and cost-of-living allowances, the latter varying from province to province and according to age and sex.

The enforcement of the relevant legislation is entrusted to the labour inspectorates, which are under the direct supervision of the Ministry of Labour and Social Welfare. Disputes may be settled by direct negotiation between the organisations concerned or by reference to the provincial or regional labour office. Individual workers seeking redress may also institute legal proceedings in the ordinary way. The return to freedom of occupational association has revived the question of the legal force of collective agreements, and, in particular, of the extent to which the provisions of collective agreements are binding on persons who are not members of the organisations which enter into such agreements. In this connection it is indicated, with due reserve, that the trend of opinion is in favour of limiting the legally binding character of a collective agreement to the members of the organisations which are parties to it.

No noteworthy observations have been received from employers' or workers' organisations with respect to the implementation of the Convention.

The Government of *Mexico* reproduces the essential information contained in its report for the period 1943-1944 (see *Supplement to Report on the Application of Conventions, 1945*, page 27) and indicates that there have again been no relevant court decisions and no observations from workers' or employers' organisations.

Chapter VII of Part VIII of the Federal Labour Act establishes the labour inspection system, which has two branches: local and federal. Inspectors are responsible, *inter alia*, for the application of the minimum wage. It is also the task of the Director of Social Welfare of the Secretariat of Labour to supervise the application of the minimum wage and to take measures against violations of the regulations. The Government is unable to indicate the number of workers covered by minimum wage-fixing machinery. Minimum wages are binding on employers throughout the republic at rates determined for each district or each category of worker within the district. In general, minimum wages are separately determined for three categories of workers: rural, urban and

special cases; classification varies according to local conditions.

The Government of the *Netherlands* states that it has nothing special to report in connection with the application of this Convention.

The Government of *Norway* refers to its previous reports, and states that no decisions of importance have been made by courts of law and no observations have been received from employers' or workers' organisations.

The Government of the *Union of South Africa* refers to its report for 1942-1943, and states that the position remained unchanged during the period under review, except as indicated below.

The Wage Board was consulted during the period in respect of three trades. The report also contains a list of the trades and industries in which collective agreements were substituted for Wage Act Determinations during the year under review.

Detailed statistical information is given concerning inspections, prosecutions, convictions, the arrears of wages recovered and the minimum weekly rates of pay in certain trades, as well as a statement showing the method of wage regulation in effect in each industry during the year ending 30 September 1947 and indicating the number of employers and employees covered in each case. The wage rates in effect are in almost all cases "associated with the ratio designed to prevent an exploitation of those receiving the lower and learnership scales of pay".

The *United Kingdom* Government reports that in *Great Britain* no new regulations were made concerning the constitution and proceedings of wages boards or councils during the period under review.

Orders were made bringing the constitution of the following wages councils, which had hitherto been constituted as trade boards, into accord with the provisions of the Wages Councils Act: the Baking Wages Council (England and Wales); the Ostrich and Fancy Feather and Artificial Flower Wages Council (Great Britain); and the Paper Box Wages Council (Great Britain). The Commission of Enquiry referred to in last year's report recommended the establishment of a number of wages councils in various branches of the retail trades. In consequence, Wages Councils Orders were made for the retail food trades, in the retail news agency, tobacco and confectionery trades in England and Wales, and for hair-dressing establishments in Great Britain. The Furniture Manufacturing Wages Council (Great Britain) was abolished on the grounds that there was now adequate voluntary machinery in this industry.

Forty-three Orders were made under the Wages Councils Act, 1945, for the fixing or variation of the minimum remuneration, two Orders for the exclusion of trainees

under the government vocational training schemes from the application of the statutory remuneration, and two Orders provided for guaranteed weekly remuneration.

One Wages Order was made under the Road Haulage Wages Act, 1938. It provided, *inter alia*, for a reduction of the normal working week of 48 hours to 44 hours, without change in the existing rates of remuneration, and for special rates for workers employed in the carriage of indivisible loads. Five Wages Regulation Orders in respect of remuneration were made under the Catering Wages Act, 1943.

The Catering Wages Commission submitted a report on the problems affecting the remuneration of catering workers which result from the practice of giving tips.

The scope of the Catering Wages Boards was modified in regard to canteens provided by dock authorities. The Industrial and Staff Canteens Wages Board and the Unlicensed Places of Refreshment Wages Board were reconstituted during the period under review on the expiry of the original period of appointment.

The Government refers to its earlier reports in connection with the methods adopted to consult the organisations of workers and employers, the participation of these organisations in wage-fixing machinery and the binding character of the minimum wages approved.

The number of councils in which homeworkers were represented was reduced to seven, consequent on the reconstruction of the Paper Box Wages Council.

District Trade Committees of the Baking Wages Council (England and Wales) were abolished. These Committees continue to exist in four trades, but their full pre-war activity has not been resumed. The report gives particulars regarding the issue of certificates to learners and to indentured apprentices authorising wages below the minimum fixed, as well as the number of permits of exemption issued.

The number of establishments on the Wages Councils list at 30 September 1947 was 95,466 and on the road haulage list 34,805. The list of employers within the purview of the Industrial and Staff Canteens Wages Board, the Licensed Non-Residential Establishment Board and the Unlicensed Places of Refreshment Wages Board was compiled, with a total of 121,417. Particulars of the number of establishments covered by the other Catering Wages Boards are not yet available.

Particulars are also given of the minimum remuneration in operation under each of the Acts mentioned for the lowest grade of adult workers employed on time work, and of the number of inspections carried out, the number of workers whose wage records were examined and the amounts of wages arrears collected. There was one criminal prosecution during the year, under the Road Haulage Act of 1938; it resulted in a conviction.

No decisions were given by courts of law

or other courts in Great Britain. No observations have been received from the organisations of employers or workers.

In *Northern Ireland*, twenty-seven Wage Regulations Orders or Orders prescribing statutory minimum remuneration were made during the year, affecting fourteen trades. The report contains particulars regarding the certificates of learnership and permits of exemption issued by Wages Councils. The total number of workers holding exemption permits on 30 September 1947 was four. Particulars are also given of the number of employers and the approximate number of workers in each of the trades under the Wages Councils Act (*Northern Ireland*), 1945. The total number of employers on the Wages Councils list on 30 September 1947 was 2,389, estimated to employ 50,681 workers, 69.5 per cent. of whom were female.

The general minimum rates in operation for the lowest grade of adult workers were given, as well as detailed information regarding inspection and enforcement.

The Government of *Venezuela* states that the fixing of minimum wages is governed by § 71 of the Labour Act, which reads as follows: "The Federal Executive, whenever it considers this necessary, may appoint boards to fix a compulsory minimum wage for specified industries or branches of industry, both for persons who are employed at a fixed wage and for those who are employed at job or piece rates. The interests of the employers and of the employees shall be represented as far as possible on the said boards." In respect of other matters, the Government refers to its reports for 1944-1945 and 1945-1946.

In reply to the observations made by the Committee of Experts on the report for the period ending 30 September 1945, the Government states that all the duties which, according to the provisions of the Labour Act and the Regulations issued thereunder, used to be the responsibility of the former National Labour Office now devolve on the Ministry of Labour, in virtue of the Decree of the Federal Executive suppressing the National Labour Office.

In view of the reorganisation of the statistical services concerned, which is now under way, the Government is unable to submit precise statistics as requested.

During the period covering the report, the Ministry of Labour has received no observations from organisations of employers or workers or from any individual employer or worker regarding the practical application of the Convention.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Australia* states that the minimum wage-fixing machinery which operates in Australia does not cover the native peoples of *Papua* and *New Guinea*,

and that extension to these areas would not at present be practicable because of the entirely different circumstances of development of the native peoples and of the limited degree of industrial development. A comprehensive review of the conditions of Natives in the territories preceded the passing of the Papua-New Guinea Provisional Administration Act in 1945, and implementation of the government policy then announced is proceeding. Pursuant to this policy, an immediate increase in minimum wages from 5s. a month in New Guinea and 10s. a month in Papua to a minimum in both territories of 15s. a month, together with rations, issues, housing and medical care, was made in 1945. The amount of 15s. a month was a tentative figure to apply until a competent investigating authority could be appointed to examine the question and report.

The Government of the *United Kingdom* states that the following measures have been taken :

Aden.

Order in Council No. 35 of 1943.

Barbados.

Rules of 1 June 1939.

British Guiana.

Licensed Premises (Amendment) Ordinance No. 11 of 1947.

Fair Wages Rules, 1946.

These rules make provision for rates of wages, hours and conditions of labour, which must be observed by employers engaged on government and public contracts.

British Honduras.

Statutory Rules and Orders No. 49 of 1947 (revoking Proclamation No. 65 of 1945 declaring the minimum rates of wages for persons employed in the collection of chicle).

Ceylon.

Wages Boards have been set up in the following trades : tea growing and manufacturing ; rubber growing and manufacturing (the Boards' decisions are also applicable to cocoa, cardamon, and pepper growing and manufacturing ; coconut ; engineering ; printing ; plum-bago, tea export ; rubber export ; cigar manufacturing ; toddy ; arack and vinegar ; motor transport ; match manufacturing).

Cyprus.

Minimum Wage Orders (Shop and Office Employees), 1944, and (Cyprus Mines Corporation), 1945, apply the provisions of Minimum Wage Law No. 17 of 1941 to office and errand boys, clerks, shop assistants and employees in certain mines.

Fiji.

Labour Ordinance, No. 23 of 1947, Part IV, now reproduces Ordinance No. 14 of 1935.

Conditions justifying the putting into operation of the machinery of minimum wage fixing have not yet arisen.

Gambia.

Ordinance No. 21 of 1944, §§ 17-26. Order No. 5 of 1947.

Kenya.

Minimum Wage Ordinance, No. 55 of 1946. (In 1947 minimum wages were prescribed by Order for all Africans employed in Mombasa Island, Nairobi Municipality and Kisumu Municipality.)

Leeward Islands.

Ordinance No. 5 of 1944 (Statutory Rules and Orders, No. 1 of 1944) amending Labour (Minimum Wage) Act of 1937.

Malayan Union.

Children and Young Persons Ordinance No. 33 of 1947, § 9.

Wages Councils Ordinance No. 41 of 1947.

Malta.

Orders fixing minimum rates are operative in the following trades : shops (wholesale and retail) ; hotels and clubs ; transport ; factories and workshops.

Mauritius.

Government Notice No. 159 of 1947 (Regulation under Minimum Wages Ordinance, 1934).

This Notice prescribes minimum rates of wages payable to the workers employed on sugar estates. Minimum rates have also been fixed for shops, bakeries and printing.

Nigeria.

Minimum rates have been fixed for the following trades : tailoring and shirt-making ; industrial workers employed in the rubber plantations of Benin Province ; printing ; minesfield labour in Plateau Province ; employees in retail trade in Lagos ; motor drivers and mechanics employed in Lagos.

Northern Rhodesia.

Government Notice No. 99 of 1947. This Notice prescribes a minimum wage for Africans employed in building, civil engineering and allied trades in districts of Kitwe, Mufulira, Chingola, Luanshya and an area in Ndola District. A Bill to amend the existing Ordinance and to establish minimum wage boards will shortly be introduced.

Nyasaland.

Government Notice No. 61 of 1947.

Palestine.

Trade Boards Ordinance, 1945.

St. Lucia.

Labour (Minimum Wage) (Shop Assistants) (Amendment) Order, 1946.

Minimum rates of wages have been prescribed for agricultural workers, shop assistants and persons engaged in the coaling industry.

St. Vincent.

Minimum rates of wages have been fixed for agricultural workers and persons engaged in agricultural factories and on estate work generally.

Seychelles.

Proclamation No. 6 of 1945.

This Proclamation fixes minimum wages for agricultural labour.

Singapore.

Labour Ordinance (Cap. 69), § 129.

Tanganyika.

Minimum Wages Ordinance No. 19 of 1939.

Minimum Wage (Amendment) Ordinance No. 14 of 1947.

Uganda.

Legal Notice No. 15 of 1947.

This appoints a Standing Central Advisory Board and Provincial Boards. Minimum rates of wages have been fixed for unskilled labour employed by Government.

Western Pacific.

British Solomon Islands : Regulation No. 5 of 1947, Part IV.

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

Countries	Date of registration of ratification	Reports received
Australia	9. 3.1931	13.11.1947
Austria	16. 8.1935	16.12.1947
Belgium	6. 6.1934	29.11.1947
Bulgaria	4. 6.1935	2. 2.1948
Canada	30. 6.1938	5.11.1947
Chile	31. 5.1933	25. 2.1948
China	24. 6.1931	3. 3.1948
Czechoslovakia	26. 3.1934	
Denmark ¹	18. 1.1933	
Estonia	18. 1.1932	
Finland	8. 8.1932	10.11.1947
France	29. 7.1935	
Germany	5. 7.1933	
Greece	30. 5.1936	19. 1.1948
Hungary	6.12.1937	
India	7. 9.1931	11.12.1947
Ireland	5. 7.1930	11.11.1947
Italy	18. 7.1933	
Japan	16. 3.1931	
Lithuania	28. 9.1934	
Luxembourg	1. 4.1931	9.10.1947
Mexico	12. 5.1934	17. 1.1948
Netherlands	4. 1.1933	8.12.1947
Nicaragua	12. 4.1934	
Norway	1. 7.1932	7. 1.1948
Pakistan ²	7. 9.1931	
Poland	18. 6.1932	6. 1.1948
Portugal	1. 3.1932	30.12.1947
Rumania	7.12.1932	
Spain	29. 8.1932	
Sweden	11. 4.1932	28.11.1947
Switzerland	8.11.1934	17.11.1947
Union of South Africa ¹	21. 2.1933	
Uruguay	6. 6.1933	
Venezuela	17.12.1932	2. 2.1948
Yugoslavia	22. 4.1933	
* * *	* * *	* * *
Burma ³	7. 9.1931	13.12.1947

¹ Conditional ratification.

² See footnote 2 to Convention No. 1.

³ See footnote 3 to Convention No. 1.

INTRODUCTORY NOTE

The Government of *Luxembourg* states that the Convention was ratified in a spirit of international solidarity, but that, in view of the subject covered, it does not call for practical application in the Grand Duchy.

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

Australia :

Commonwealth.

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. 4, A).

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. 4, B).

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. 4, C).

Austria.

Act No. 380/1935 to ratify the Convention (*Bundesgesetzblatt*, No. 104 of 27 September 1935, p. 1592).

Federal Act No. 64/1936 concerning the marking of the weight on heavy packages transported by vessels (*Bundesgesetzblatt*, No. 10 of 5 March 1936, p. 59).

Belgium.

General Regulations concerning the protection of labour, Book III, § 7, Par. 2, Articles 549 and 550, which includes the Royal Order of 31 December 1932 requiring the marking of the weight on heavy packages transported by vessels (L.S. 1932, Belg. 7).

See also summary below.

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), § 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 concerning the marking of the weight on heavy packages transported by vessels, put into force on 23 November 1933, amended 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 1927, 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.

India.

Various measures taken by the competent authorities for the ports of Bombay, Karachi, Aden, Tuticorin, Madras, Calcutta and Chittagong.

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. 876 of 8 March 1933 implementing the Convention throughout the Kingdom.

Luxembourg.

Act of 24 February 1931 to ratify the Conventions adopted by the International Labour Conference during its Twelfth Session (L.S. 1931, Lux. 1).

See also introductory note.

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, C).

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).

Norway.

Act of 22 April 1932 concerning the marking of the weight on heavy packages transported by vessels (L.S. 1932, Nor. 1).

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.

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.

* * *

Burma.

Bye-law No. 32 (c) issued by the Commissioner of the port of Rangoon.

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

The Government of *Australia* refers to its report for 1945-1946 and adds that, in connection with the comments made by the Committee of Experts on that report, it should be noted that the Navigation (Loading and Unloading) Regulations (Statutory Rule No. 41-164 of 16 July 1941) are applied irrespective of whether or not the goods are loaded by the ship's crew.

The Government of *Austria* states that the obligation set forth in paragraph 1 of Article 1 of the Convention is reproduced in § 1 (i) of the Federal Act. The latitude allowed under paragraph 2 of Article 1 of the Convention is also provided for under § 1 of the Act. As to the provisions contained in paragraph 4, § 1 (i) of the Federal Act stipulates that responsibility for marking the weight rests on the consignor.

The general administrative authorities are entrusted with the application of the Convention and the enforcement of the relevant Federal Act, whilst the federal police authorities are responsible for any matters falling within their jurisdiction. In the last resort, supervision over the enforcement of the provisions rests upon the Federal Ministry of Transport.

Under § 3 of the Act, offences against the relevant provisions are subject to administrative penalties and are punishable by a fine up to 1,000 schillings or imprisonment up to three months. The Government adds that the Ministry of Transport has instructed the shipping undertakings, when accepting heavy packages, to inform the consignors of the obligation to indicate the weight and of the penalties for failing to do so. No breaches of the provisions and no difficulties in enforcing them have been reported to the authorities.

The Government points out that freight traffic on Austrian ships did not begin until late summer of 1947, and that, during the period under review, there was hardly any transport of pieces of freight weighing over 1,000 kg. No decisions concerning the application of the Convention were given by courts of law and no observations were made by employers', workers' or any other organisations.

The Government of *Belgium* refers to its communication of 21 June 1947, sent in answer to the observations of the Committee

of Experts, and according to which it proposes to re-insert the word "object" in § 1 of the Royal Order of 31 December 1932, but with the reservation that it will maintain certain exceptions for loose goods which may be considered as neither packages nor objects within the meaning of the Convention. Enforcement of the regulations is entrusted to the technical inspectorate, which includes engineering inspectors and technical examiners. Two of the latter are more especially concerned with supervising work in ports, and make frequent visits to the yards.

During the period under review no breaches have come to the notice of the technical labour inspection service and no observations have been submitted by workers' or employers' organisations to the technical inspectorate.

The Government of *Bulgaria* states that there is no special legislation regarding 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 Convention forms part of the Canada Shipping Act and its provisions are observed by ship operators and stevedores engaged in work connected with maritime navigation.

No contraventions or difficulties, or court action, regarding the application of the Convention were reported during the period under review. No observations or representations were received from employers' or workers' organisations.

The Government of *Chile* refers to its reports covering the periods 1934-1937 and 1940-1942. The present report is accompanied by a judgment given by the Labour Court at Iquique in which a farmer was fined \$100 for having two cases of fruit weighing each 110 kg. loaded by hand, whereas the Chilean regulations require loads exceeding 80 kg. to be handled by machinery. No breaches of the relevant legislation have been reported; all heavy packages transported by vessels bear a clear indication of their gross weight. No observations were made by the employers' or workers' organisations on the enforcement of the relevant regulations.

The Government of *China* states that the navigation authorities and the customs officers are responsible for the application of the Convention. No decisions were given by courts of law.

During the period under review, the regulations were maintained in force. However, as Chinese seaports had only recently been taken over from the Japanese authorities, or in some special cases were not under Chinese direction, facilities of transportation by sea were not fully in operation. In addition, the inland waterways which had normally carried the bulk of transported goods had recently been subjected to internal disturbances, with the consequences that

goods, packages, etc., were often transported from one part of the country to another by air.

No breaches of the regulations were reported, and no observations were received from employers' or workers' organisations.

The Government of *Czechoslovakia* refers to its report for 1945-1946.

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.

The Government of *India* states that the administration of the Convention is entrusted to the trustees of the ports of Aden, Bombay, Karachi, Madras and Tuticorin, to the commissioners for the ports of Calcutta and to the agent of the Bengal and Assam Railway for the port of Chittagong. No legal decisions have come to the notice of the Government and no observations have been received from the employers' or workers' organisations.

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

Luxembourg. See introductory note.

The Government of *Mexico* repeats the information supplied in its previous reports, and adds that the Ministry of Finance and the Marine Department have circulated instructions to the port authorities subordinate to them with the object of securing compliance with the legal provisions in force. No legal decisions were given by the courts.

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.

The Government of *Norway* refers to its previous reports, and adds that no important decisions were given by courts of law and no observations were received from the employers' or workers' organisations.

The Government of *Poland* repeats the information supplied in its report for 1945-1946, and adds that no breaches of the legislative provisions were noted and that the Maritime Offices gave no decisions on this matter. No observations were submitted

to the Maritime Office by the employers' or workers' organisations.

The Government of *Portugal* refers to its report for 1945-1946, and adds that a margin of 10 per cent. of the marked weight is always allowed. No legal decisions were given and no observations were received from employers' or workers' organisations concerning the application of the Convention and of the relevant legislation.

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 decisions for 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* refers to information supplied in its previous reports and adds that no observations were received from employers' or workers' organisations.

See under Convention No. 1 for information concerning the authorities entrusted with the supervision of the application of the legislation.

* * *

The Government of *Burma* states that, according to the regulations, "no owner may bring or send to the harbour commissariat any package or object weighing one ton or more intended for shipment unless the English standard weight is clearly marked on it". The Government states that the Convention has been applied in full and that the Commissariat for the port of Rangoon superintends the application of the regulations in force. The secretariat of the Commissariat points out that, though as far as can be observed the weight is always marked on the large packages, it is impossible to check these weights because of the temporary lack of the required material.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

No information.

28. Convention concerning the protection against accidents of workers employed in loading or unloading ships

This Convention came into force on 1 April 1932

Countries	Date of registration of ratification	Reports received
Ireland	5. 7. 1930	25.10.1947
Luxembourg	1. 4. 1931	9.10.1947
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.

INTRODUCTORY NOTE .

The Government of *Luxembourg* states that the Convention was ratified in a spirit of international solidarity, but that, in view of the subject covered, it does not call for practical application in the Grand Duchy.

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

Ireland.

See below.

Luxembourg.

See introductory note.

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

The Government of *Ireland* states that there is no change in the position outlined in the letter of 15 November 1939 from the Department of Industry and Commerce, which indicated the protective methods 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.

Luxembourg. See introductory note.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

Does not apply to reporting countries.

FOURTEENTH SESSION (GENEVA, 1930)

29. Convention concerning forced or compulsory labour

This Convention came into force on 1 May 1932

Countries	Date of registration of ratification	Reports received
Australia	2. 1.1932	
Belgium	20. 1.1944	15.12.1947
Bulgaria	22. 9.1932	2. 2.1948
Chile	31. 5.1933	25. 2.1948
Denmark	11. 2.1932	15.11.1947
Finland	13. 1.1936	10.11.1947
France	24. 6.1937	
Ireland	2. 3.1931	25.10.1947
Italy	18. 6.1934	22.12.1947
Japan	21.11.1932	
Liberia	1. 5.1931	
Mexico	12. 5.1934	17. 1.1948
Netherlands	31. 3.1933	
New Zealand	29. 3.1938	4. 3.1948
Nicaragua	12. 4.1934	
Norway	1. 7.1932	7. 1.1948
Spain	29. 8.1932	
Sweden	22.12.1931	28.11.1947
Switzerland	23. 5.1940	17.11.1947
United Kingdom	3. 6.1931	17. 1.1948
Venezuela	20.11.1944	2. 2.1948
Yugoslavia	4. 3.1933	
Anglo-Egyptian Sudan (voluntary) ¹		5.12.1947

¹ A voluntary report for the period under review (the first since that for the period 1939-1940) has been submitted by the Government of the Anglo-Egyptian Sudan, although the Anglo-Egyptian Sudan is not a contracting party.

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 in the Convention is non-existent in Chile.

The Government of *Denmark* refers to its last report, in which it stated that forced or compulsory labour within the meaning of the Convention is non-existent in Denmark and the Danish possession of Greenland.

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.

The Government of *Mexico* refers to its report for 1943-1944, in which it stated that under § V of the Constitution "no person shall be compelled to render personal services without fair remuneration and without his full consent, unless the work is imposed by the judicial authority, in which case it shall be subject to the provisions of the Federal Labour Act".

The Government of *New Zealand* states that forced or compulsory labour within the terms of the definition of Article 2 of the Convention does not exist in New Zealand; neither is there any prospect of its 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 relating to the Convention 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 than contemplated. These practices are now considered to be within the exemptions contained in paragraphs (d) and (e) of Article 2.

The Government of *Norway* refers to its report for the period 1945-1946, in which

it stated that forced labour is non-existent in Norway, and that in consequence it has not been necessary to take any special legislative or administrative measures in connection with ratification of the Convention.

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 of 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 as those which led it to adhere to the Slavery Convention signed at Geneva in 1926.

The Government of *Venezuela* states that the principle of free labour is proclaimed in § 73 of the new Constitution, which affirms, *inter alia*, that "the State shall ensure that every able-bodied person shall have an opportunity to obtain a livelihood by his work, and shall prevent the establishment of conditions in any way diminishing the dignity and liberty of the individual".

In a voluntary report (the first since that for the period 1939-1940), the *Anglo-Egyptian Sudan* states that, though it is still not a signatory, its legislation is in harmony with the provisions of the Convention.

I

LIST OF LEGISLATION, ETC., APPLYING THE PROVISIONS OF THE CONVENTION

Belgium. 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 :

- § 2 of the Colonial Charter.
- Act of 18 October 1908 respecting the Government of the Belgian Congo.
- Decree of 16 March 1922 respecting labour contracts.
- Decree of 5 December 1933 respecting Native Districts (§§ 45 and 46).
- Ordinance 137 *bis* of 25 September 1935, to issue administrative regulations under (*h*) of § 45 of the Decree of 5 December 1933 respecting Native Districts.
- Circular of 20 March 1936 respecting the Sunday rest of Natives subjected to forced labour.
- Legislative Order of 11 June 1940 respecting civil requisitions.
- Ordinance No. 212 of 2 August 1940.
- Legislative Order of 8 December 1940 respecting the health and safety of labourers.
- Legislative Decree of 20 May 1943, to approve the international Convention on forced labour (L.S. 1943, Bel. 2).

Legislative Order of 13 October 1944, to amend the Decree of 5 December 1933 respecting Native Districts (§ 49).

Bulgaria. See introductory note.

Chile. See introductory note.

Denmark. See introductory note.

Finland. See introductory note.

Ireland. See introductory note.

Mexico.

Political Constitution of the United States of Mexico, 1917.

New Zealand. See introductory note.

Sweden. See introductory note.

Switzerland. 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 dependencies in which forced or compulsory labour is allowed by law :

Gold Coast.

- Criminal Code (Cap. 29), § 449 (7).
- Criminal Code Amendment and Extension Ordinance (No. 17 of 1935), § 16.
- Roads Ordinance (Cap. 149) as amended by Ordinance No. 22 of 1935.
- 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).
- Towns Ordinance (Cap. 170), § 38 (1), as amended by Ordinance No. 23 of 1935.
- Northern Territories Native Authority Ordinance (No. 43 of 1936), § 9.
- 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 (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 (Consolidated) Ordinance, 1937.
- Government Notices Nos. 406 of 1926, 595 of 1928, 657 and 756 of 1933.
- Circulars of Department of Native Affairs Nos. 33/24, 9/25, 21/28, 30/28, 44/29, 1/31, 9/31, 28/31, 16/32.

Nigeria.

Labour Code Ordinance, No. 54 of 1945 (§§ 108-123, 248) as amended by Ordinance No. 8 of 1946 (L.S. 1946, Nig. 1 A, B). (Repeals and substantially re-enacts the Forced Labour Ordinance, 1933.)

Various Regulations under the Forced Labour Ordinance, 1933. (These Regulations remain in force in so far as they are not inconsistent with the provisions of the Labour Code Ordinance, and until replaced.)

Regulations with regard to the forced labour of persons as carriers (under § 114 of the Labour Code Ordinance; published as First Schedule to the said Ordinance — L.S. 1946, Nig. 1 B).

North Borneo.

Indian Penal Code (adopted as law in North Borneo under the Procedure Ordinance, 1926), § 374.

Land Ordinance (No. 9 of 1930), § 66.

Village Administration Ordinance (No. 5 of 1931), § 9 (ii), as amended by Notifications Nos. 95 of 1931 and 37 of 1933.

Prohibition of Forced Labour Ordinance (No. 4 of 1933) (L.S. 1933, N.B. 1), as amended by Notification No. 66 of 1938.

Native Administration Ordinance (No. 2 of 1937), §§ 6, 7, 15.

Native Rice Cultivation Ordinance (No. 1 of 1939), § 5.

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.

§ 223 of the Penal Code.

District Administration (Native) Ordinance, 1924, as amended by the District Administration (Native) Amendment Ordinance, 1926.

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), as 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 Nos. 40 of 24 January and 52 of 9 September 1933.

Tanganyika Territory.

Penal Code of 1945, §§ 256 and 35.

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).

Native Administration Tax Ordinance, 1938 (No. 16 of 1938).

Poll Tax Ordinance, 1939 (No. 13 of 1939).

Luwalo Law, 1939 (Kingdom of Buganda).

Regulations and General Instructions for the control of compulsory labour, 1932.

II

ARTICLE 26 OF THE CONVENTION

Belgium. The Government states that the competent bodies are at present examining the possibility of withdrawing the reservations which it was found necessary to make at the time of ratification. It is, however, too early as yet to make any statement in this connection.

United Kingdom. The Government states that the provisions of the Convention have been applied, without modification, to all non-self-governing colonies, protectorates and mandated territories. The question of re-examination accordingly does not arise.

III

PROVISIONS OF LEGISLATION, ETC., UNDER WHICH THE ARTICLES OF THE CONVENTION ARE APPLIED

Articles 1-21

Belgium. With reference to Article 2, the Government states that such compulsory labour as exists is to be regarded as coming under the head of "normal civic obligations", with the exception of the cultivation of produce for export imposed for training purposes. Consultation with the Native authorities and councils of notables as to the fairness of the task exacted is compulsory. As to Article 7, the Government states that chiefs and notables continue to be entitled to the customary statute labour. This right is so regulated as to prevent abuses, and such labour may be commuted by the payment of a fixed charge. As to Article 18, the Government states that recourse is had less frequently to the labour of porters and boatmen as a result of the development of the road network. Such labour is utilised only by a part of the administrative personnel, for visits to small villages remote from roads.

United Kingdom. The Government 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 and Uganda.*

Anglo-Egyptian Sudan. The Government reports the issue, under the Defence of the Sudan (War Emergency) legislation, of the Sudan (Unskilled Labour Control) Regulations, 1943, which gave powers to the governors of provinces to move surplus labour to other areas where it could be more usefully employed, and states that these Regulations, which were applicable solely to Khartoum Province and have never been invoked, will shortly be repealed. The amount of labour exacted under the Locust Destruction Ordinance, 1907, in the period was negligible. Under § 10 (j) of the Local Government (Rural Areas)

Ordinance, 1937, however, it was found necessary to exact labour on a large scale in the northern riverain provinces to protect life and property from the ravages of an unprecedentedly high Nile flood, which caused severe damage to property and necessitated extensive relief measures. In every case, however, exacted labour has been employed locally by members of the community served, and this service was recognised as an essential part of their civic obligations. Convict labour is not hired out, nor is it placed at the disposal of private individuals or bodies; wherever practicable, convicts have been taught trades to fit them for employment on completion of their sentence. Forced labour exacted administratively on road maintenance is on a paid basis, and is regarded as a civic responsibility. In the southern areas, where the bulk of this labour is employed, improved methods of individual payments have materially increased the number of volunteers for this work, and so reduced the volume of exacted labour.

Bulgaria, Chile, Denmark, Finland, Ireland, Mexico, New Zealand, Norway, Sweden, Switzerland, Venezuela. See introductory note.

Article 22

Belgium. Of the maximum of 60 days' forced labour in the year, about 45 days on an average are spent in agricultural work, the remainder being devoted to the upkeep of roads, building work, sanitary duties, etc.

United Kingdom. No forced or compulsory labour within the meaning of the Convention was exacted during the period under review in the *Gold Coast, Nigeria* or *Nyasaland*. In the Machakos district of *Kenya* recourse has been had to compulsory labour for bush clearing under the control of the African Settlement and Land Utilisation Board; this is the first occasion since 1933 on which compulsory labour has been employed in *Kenya* for a purpose other than the transfer of Government officers and stores. Government Notice No. 878 of 26 August 1947, by which the above-mentioned compulsory labour was imposed, expressly states that the Acting Governor had satisfied himself on the points specified in Article 9 of the Convention.

Statistical information concerning the incidence of forced or compulsory labour during the period under review is given in the reports for *Kenya, Nigeria, North Borneo, Sierra Leone, Tanganyika* and *Uganda*.

Bulgaria, Chile, Denmark, Finland, Ireland, Mexico, New Zealand, Norway, Sweden, Switzerland, Venezuela, Anglo-Egyptian Sudan. See introductory note.

Articles 23-25

Anglo-Egyptian Sudan. The Government states that two cases of alleged slavery to nomad Arab masters have been reported.

The two persons who lodged the complaint have received "freedom papers". A district investigation is proceeding, and a further report will be submitted to the International Labour Office in due course. No convictions have been reported under § 311 of the Penal Code, which prescribed penalties for the illegal exaction of labour.

Bulgaria, Chile, Denmark, Finland, Ireland, Mexico, New Zealand, Norway, Sweden, Switzerland, Venezuela. See introductory note.

IV

GENERAL APPRECIATION OF MANNER IN WHICH THE CONVENTION IS APPLIED

Belgium. The Government states that, "owing to the still backward condition of the populations of the interior, it will be necessary to maintain the existing legislation for several more years", but that in certain regions (e.g., the Lower Congo), which have evolved more rapidly, compulsory labour has already been suppressed in whole or in part. The compulsory labour programmes are in all cases drawn up by the Provincial Governors.

Italy. The Government has nothing to add to its preceding reports.

Venezuela. The Government refers, with reference to the authorities responsible for the application of the national legislation, to its report on Convention 1.

Anglo-Egyptian Sudan. The Government states that the general situation continues to be satisfactory.

Bulgaria, Chile, Denmark, Finland, Ireland, Mexico, New Zealand, Norway, Sweden, Switzerland, Venezuela. See introductory note.

V

DECISIONS GIVEN BY COURTS OF LAW, ETC.

Belgium. No decisions were given by courts of law, and no observations have been received from employers' organisations or native unions.

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.

Norway. No relevant decisions have been given in courts of law, and no observations have been received from employers' or workers' organisations.

United Kingdom. The reports supplied by the Government 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.

Anglo-Egyptian Sudan. The Government states that works committees have been set up in a number of Government departments and elsewhere with a view to affording the workers every opportunity for submitting

their views and recommendations, and at the same time giving them more insight into the policy and problems of their particular departments or trade. Though in the case of railway workers initial difficulties were experienced, these committees have in general been "singularly successful". In a number of local strikes of secondary importance every endeavour has been made to meet reasonable demands.

30. Convention concerning the regulation of hours of work in commerce and offices

This Convention came into force on 29 August 1933

Countries	Date of registration of ratification	Reports received
Austria ¹	16. 2.1933	
Bulgaria	22. 6.1932	2. 2.1948
Chile	18.10.1935	25. 2.1948
Cuba	24. 2.1936	19. 2.1948
Finland	13. 1.1936	10.11.1947
Mexico	12. 5.1934	17. 1.1948
New Zealand	29. 3.1938	
Nicaragua	12. 4.1934	
Spain	29. 8.1932	
Uruguay	6. 6.1933	

¹ Conditional ratification.

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.

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, as 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. 2513 of 19 October 1933, to issue general Regulations regarding the 8-hour day (L.S. 1933, Cuba 4).

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

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).

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

The Government of *Bulgaria* repeats the information supplied in its report for 1945-1946, and adds that no legal decisions were given. Statistical data concerning the application of the Convention have not been compiled. No observations were made by employers' or workers' organisations.

The Government of *Chile* refers to its previous reports, and adds that a number of decisions were given by courts of law; the texts of three of these decisions are appended to the report. According to the reports of the labour inspection services, the relevant legislative provisions are applied in a more or less satisfactory manner. The number of workers protected by the legislation is approximately 180,000; no other statistical information is available. No observations were made by employers' or workers' organisations.

The Government of *Cuba* states that the fundamental measure applying the Convention is § 66 of the Constitution of 1940, which limits working hours to eight per day and forty-four per week. This Article of the Constitution applies to all occupations without distinction, with the single exception of domestic service. The Constitution in no case authorises overtime, and the above-mentioned limits allow for no exceptions. No use has been made of the exceptions authorised during the war. With regard to Article 10 of the Convention, the Government

states that it has become the practice to grant higher wages, not in respect of overtime, but for work performed outside the normal hours or those regularly established by the employer.

According to the provisions of Decree No. 798 of 1938, individual contracts and collective agreements must specify hours of work, their distribution, time-tables, rest periods, etc. Breaches of the legislation are subject to penalties under § 575 of the Social Code. Moreover, § XIII of Decree No. 2513 of 1933 compels workers and employees to return any wages earned for work performed during the hours forbidden by the legislation. The Ministry of Labour and its provincial offices and the Directorate-General of Inspection supervise compliance with the provisions of the Constitution and relevant legislation. No decisions were given by courts of law. A number of changes in the system of inspection makes it impossible for the Government to supply any statistical information. No observations were made by employers' or workers' organisations.

The Government of *Finland* states that the number of worker inspectors has been

increased from twelve to fourteen. According to the report of the labour inspectorate for 1946, there were in that year 20,395 commercial establishments and offices, with 69,010 employees. During the year under review, no proceedings were instituted for breaches of the relevant legislation. The employers' and workers' organisations have made observations with regard to the application of the Convention and of the relevant legislation.

The Government of *Mexico* repeats the information supplied in previous reports, and adds that no decisions concerning the application of the Convention have been given, although, naturally, many decisions were given on the basis of the relevant Mexican legislation. No statistical information on these questions is available. Some observations were received from employers' and workers' organisations but they do not justify an amendment of the legislation.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

No information.

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

Countries	Date of registration of ratification	Reports received
Canada	6. 4. 1946	5. 11. 1947
Chile	18. 10. 1935	25. 2. 1948
China	30. 11. 1935	3. 3. 1948
India	10. 2. 1947	
Italy	30. 10. 1933	
Mexico	12. 5. 1934	17. 1. 1948
New Zealand	29. 3. 1938	4. 3. 1948
Pakistan ¹	10. 2. 1947	
Spain	28. 7. 1934	
Sweden	3. 8. 1938	28. 11. 1947
United Kingdom	10. 1. 1935	10. 1. 1948
Uruguay	6. 6. 1933	

¹ See footnote 2 to Convention No. 1.

INTRODUCTORY NOTE

The Government of *Mexico* states that the Department of Labour has delegated one of its officials to collaborate with the Departments of Communications, Public Works and the Marine in a study of the amendments required to bring the Act respecting general means of communication and the regulations made thereunder into conformity with the provisions of certain Conventions of the International Labour Organisation. In the meantime, the recommendation made to the authorities to comply with the provisions of this Convention continues in force.

The Government of *New Zealand* states that the differences existing between national law and the provisions of the Convention are so slight that it has not been judged necessary to introduce any special amendments to ensure absolute harmony.

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

Canada.

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

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.

Mexico.

Decree of 2-31 July 1935, to promulgate the Convention (*Diario Oficial*, No. 39, 14 August 1935).

See also introductory note.

New Zealand.

Harbours Act, 1923 (No. 40), as amended by the Acts of 1925 and 1933.

General Harbour Regulations, 9 January 1935.

General Harbour (Safe Working Load) Regulations, 3 July 1935.

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 Författningssamling*, 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 Författningssamling*, 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 Författningssamling*, Nos. 321-322, 28 June 1946).

United Kingdom.

Factories Act, 1937.

Explosives Act of 14 June 1875.

Petroleum (Consolidation) Act of 3 August 1928.

Docks Regulations of 6 March 1925 (Regulations 18, 19, 20 and 46 only) (in Northern Ireland 1926) (L.S. 1925, G.B. 1).

Docks Regulations of 5 March 1934 (in Northern Ireland also 1934) (L.S. 1934, G.B. 1), as 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 Bye-laws under the Explosives Act of 1875 and the Petroleum (Consolidation) Act, 1928.

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

The Government of *Canada*, in its first report, states that the Convention is covered by the Canada Shipping Act, 1934, and that its provisions are being observed by ship operators and stevedores. No contraventions, difficulties or judicial decisions were reported during the period under review. No observations have been received from employers' or workers' organisations.

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 fairly satisfactorily.

The number of workers protected by the legislation is 14,390, and the total number of accidents which occurred to dock workers in 1946 was 1,111, of which 1,063 were slight, 43 serious and 5 fatal. No observations have been received from employers' or workers' organisations concerning the enforcement of the provisions of the Convention or of national legislation.

With regard to the observations of the Committee of Experts to the effect that some of the provisions of the Convention have not been taken into account in the Industrial Hygiene and Safety Regulations of 25 November 1940, the Government states that the safety measures laid down in Articles 2 and 6 of the Convention are to be found in §§ 52, 53 and 59 of the Regulations. It is the intention of the General Directorate of Labour to examine the matter and to propose suitable amendments so as to bring the Regulations into still closer conformity with the provisions of the Convention.

The Government of *China* states that the competent authorities for the application of the Convention are the bodies responsible for shipping administration. No judicial decisions were given and no contraventions reported. No observations were received from employers' or workers' organisations.

Mexico. See introductory note.

The Government of *New Zealand* states that there are no statistics available regarding the number of workers covered by the relevant legislation, but that the annual

report of the Department of Labour in 1947 indicates that 6,706 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 workers.

See also introductory note.

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

The Government of the *United Kingdom* states that there has been no change in the legislation in general or in the specific measures under which each Article of the Convention is applied. The provisions of the Convention have been embodied in the established industrial law of the United Kingdom and a high standard of observance is secured.

In 1947 there were 6,832 accidents at docks, wharves and quays in *Great Britain*, of which 61 were fatal. The principal causes of these accidents were the handling of goods in manufacturing, etc., processes (2,050 accidents, including 2 fatal); blows from falling objects (1,093 accidents, including 5 fatal); lifting machinery (1,086 accidents, including 26 fatal); persons falling (955 accidents, including 14 fatal); use of hand tools (378 accidents, including 2 fatal); stepping on or striking against objects (356, none fatal); railway locomotives and rolling stock (329 accidents, including 6 fatal). Fifty-five dangerous occurrences at docks were reported during the period from October 1946 to September 1947, and, of these, 52 were ascribed to the collapse, etc., of lifting appliances, two to electric short-circuiting, etc., and one to fire.

In 1947 legal proceedings for breaches of the docks regulations were instituted against employers in seven cases and convictions were secured in four. Proceedings were also instituted on three occasions against workers; one case was withdrawn and the other two were dismissed, one on payment of costs. No observations were received from employers' or workers' organisations.

In *Northern Ireland* 166 non-fatal accidents involving three or more days' absence from work were reported.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

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

Cyprus.

Dock Regulations Law, No. 8 of 1939, and Regulations of 1939. (No provision is made for testing and inspecting lifting machinery and gear.)

Gambia.

Regulations No. 21 of 1938.

Jamaica.

Factories Law, No. 43 of 1940 ; Factories Regulations, 1943. (These affect docks, wharves, quays or similar places where steam, electric, water or other mechanical power is used.)

Kenya.

Harbour Regulation No. 9 of 1945.

Malayan Union.

The Bye-laws of the Harbour Boards under § 76 of Cap. 149 (Ports) of the *Straits Settlements* (which apply to the port of Penang, now in the Malayan Union) apply some of the requirements of the Convention.

Enactment No. 13 of 1941 of *Kelantan* also refers.

Nigeria.

General Port Regulations of 1917, as amended by Regulations No. 41 of 1939.

Palestine.

Factories (Docks) Rules, 1947.

St. Helena.

Interpretation and General Law Ordinance, 1895, § 24.

Singapore.

Protection of Workers Ordinance, 1939. (No rules under this Ordinance have yet been made.)

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

Countries	Date of registration of ratification	Reports received
Austria	26. 2. 1936	16. 12. 1947
Belgium	6. 6. 1934	29. 11. 1947
Cuba	24. 2. 1936	19. 2. 1948
France	29. 4. 1939	16. 1. 1948
Netherlands	12. 7. 1935	8. 12. 1947
Spain	22. 7. 1934	
Uruguay	6. 6. 1933	

INTRODUCTORY NOTE

The Government of *Austria* states that the employment of children in activities covered by the Convention is generally regulated by the German provisions. These provisions remain temporarily in force in virtue of the Federal Act covering the transitional period until the new Austrian legislation is enacted.

As the German Act does not extend to household work, the provisions of the Federal Act of 1935 respecting the employment of children and young persons, exclusive of the employment of children in agriculture and forestry, have been maintained in force.

The Government draft for the new Act on the protection of young persons is now before Parliament (see under Convention No. 5, introductory note) and takes into account the obligations laid down in the Convention.

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

Austria.

Federal Act No. 298 of 13 July 1935, respecting the employment of children and young

persons, exclusive of the employment of children in agriculture and forestry (L.S. 1935, Aus. 4 B).

German Act of 30 April 1938, respecting the employment of children and the hours of work of young persons (Protection of Young Persons Act) (L.S. 1938, Ger. 5).

Ordinance of 12 December 1938, bringing into force the Protection of Young Persons Act. See also introductory note.

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).

Act No. 53 of 29 March 1935 respecting employment of young persons in commercial and agricultural establishments (L.S. 1935, Cuba 2).

France.

Code of Labour and Social Welfare, Book II.

Act of 30 June 1928, to amend various Articles of Book II of the Labour Code (L.S. 1928, Fr. 13).

Act of 9 August 1936, to amend the Act of 28 March 1882 respecting compulsory elementary education (amends § 2 of Book II of the Labour Code (L.S. 1936, Fr. 10)).

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 the employment of women and young persons (L.S. 1933, Neth. 4).

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

The Government of *Austria* states, under Article 1 of the Convention, that the German Act respecting the protection of young persons regulates in general the work of children and young persons in industrial and non-industrial employment. Certain exceptions are provided for under the Act (household work, agriculture and forestry, maritime and inland navigation, timber floating, air navigation, etc.). As the German Act respecting the protection of young persons does not cover household work, § 12 of the Austrian Act of 1935 remains in force.

A special line of division in connection with the application of Conventions dealing with the employment of children is not necessary in Austria, especially as the national legislation defines explicitly the terms "agriculture" and "forestry".

The provisions regarding primary schools do not allow for the admission of children to technical and occupational schools in Austria.

Under § 2, paragraph 3, of the German Act, children under fourteen years of age are not excluded in the case of family undertakings.

Under Article 2 of the Convention, the Government states that, in virtue of the German Act respecting the protection of young persons, only children under fourteen years of age are subject to the provisions respecting the employment of children. The Bill for the new Austrian Act relating to youth protection defines "child" in the same terms as the Convention.

With regard to Article 3 of the Convention, the Government states that § 5, paragraph 2, of the German Act authorises the employment of children under obligation to attend school and over twelve years of age on light work in commerce, in the delivery of goods and other errands and in minor duties in connection with games and sports; the daily hours of work authorised for these children correspond to those laid down in the Convention. Moreover, the child must have an uninterrupted rest period of at least two hours after morning school and one hour after afternoon school. Children under fourteen years of age who are no longer under obligation to attend school may be employed for not more than six hours daily. If they are serving under a contract of apprenticeship they may be employed according to the provisions relating to the employment of young persons (*i.e.*, persons over fourteen but under eighteen years of age.)

In so far as the German provisions do not correspond to the provisions of the Convention, the divergencies will be eliminated in the Bill for the new Act which is now before the National Council.

The German Act reproduces the terms of Article 3, paragraph 2 (*a*), of the Convention, but allows for an exception in the case of the employment of children on light work in connection with games or sports on Sundays and public holidays, but not for more than four hours.

Children may be employed on light work between 8 a.m. and 7 p.m.; they may not be employed before morning school, and the time required for going to and returning from work must be included in the above hours.

An employment card must be obtained before taking up employment. This provision applies to children who are members of the family as well as children outside the family. However, an employment card is not required for children over twelve years of age who are employed on occasional work authorised in § 5, paragraph 2, of the German Act. Further, an employment card is not necessary for children occasionally employed in connection with musical, theatrical or other performances and productions as well as in connection with the taking of cinematograph films. In the latter case, however, previous authorisation must be obtained. An employment card is delivered only if the nature of the work is not such as to prejudice the education, health or morals of the child and entails no other disadvantages. The employment card may be refused, for example, if the distance between the child's home and place of work is unusually great, or for other reasons connected with the employer or the nature of the work in question.

Under § 5, paragraph 3 (4), of the Act, during school holidays children must not be employed for at least fifteen working days. Hours of work during school holidays must not exceed four a day.

The New Act relating to the protection of young workers, which is at present before the National Council, takes into account the provisions of the Convention in this respect.

§ 6, paragraph 2, of the German Act corresponds to Article 4 of the Convention and stipulates that, by way of exception, the employment of children in connection with musical, theatrical or other performances, entertainments or amusements and also in connection with the taking of cinematograph films is only authorised subject to the consent of the labour inspection office. The above-mentioned provision of the German Act contains detailed provisions respecting the place and duration of the employment, the breaks, and Sunday work (if any).

Under Article 5 of the Convention, the Government states that § 20 of the Act respecting the protection of young workers stipulates that the Federal Minister for Social Administration may, by a general Order, prohibit altogether, or subject to

certain conditions, the employment of young persons in particular kinds of undertakings or processes which involve special danger to health or morals. On the other hand, the labour inspection services may, in certain cases, prohibit the employment of young children in dangerous work or subject it to certain conditions. The general authorisations allowed under § 20 of the German Act also apply to the processes mentioned in Article 6 of the Convention.

See under Convention No. 4 for information relating to the system of inspection and the officials entrusted with supervision (Article 7 (a) of the Convention). Under Article 7 (b) of the Convention, the Government states that a register must be kept of all young persons covered by § 23 of the German Act. This register must indicate, *inter alia*, the date and the year of birth. Under Article 7 (c) of the Convention, the Government states that § 24 of the German Act respecting the protection of young persons provides for penalties in the event of contraventions of the legislation. No decisions were given by courts of law and no observations were received from employers' or workers' organisations.

See also under Convention No. 4 for information relating to statistics and reports supplied by the inspection services.

The Government of *Belgium* refers to previous reports and adds that, during the period under review, only 84 exceptions were authorised under Article 4 of the Convention, all with the customary safeguards. The Administration does not possess the texts of any decisions given by courts of law regarding the application of the relevant legislative provisions, which have been applied satisfactorily. No breaches of the legislation were reported by the labour inspectorate and no observations were received from employers' or workers' organisations.

The Government of *Cuba* states that Articles 1-4 of the Convention are applied by § 66 of the Constitution, which strictly prohibits the employment of children under fourteen years of age in all categories of work as apprentices. Exception is made, however, in the case of domestic service. Under Article 5 of the Convention, the Government states that the employment of young persons under eighteen years of age is not usual in Cuba, since attendance at school is compulsory, and since Act No. 53 of 29 March 1935 establishes the working day of young persons at seven hours in commercial undertakings without allowing a corresponding reduction in wages.

With regard to Articles 6 and 8 of the Convention, the Government states that the Regulations issued under Legislative Decree No. 647 of 1934 have not yet been approved. The Ministry of Labour, the provincial offices and the Directorate-General of the national inspection service supervise any breaches of the legislation. The Justices of summary jurisdiction apply the penalties

provided for under § 575 of the Penal Code. During the period under review, no breaches of the legislation were reported as a result of inspection visits. No decisions were given by courts of law and no observations were made by employers' or workers' organisations.

The Government of *France*, in its first report, states that, under § 2 of Book II of the Labour Code, no child under fourteen years of age may be employed or apprenticed in commercial establishments of whatever nature. An exception is made in the case of establishments in which only members of the family are employed under the supervision of the father, mother or guardian of the child. All establishments wishing to employ children under eighteen years of age must first inform the labour inspector in a registered letter.

Book II of the Labour Code also contains special provisions relating to theatres and to other occupations covered by Article 5 of the Convention: children of both sexes under thirteen years of age may not be employed as actors, supernumeraries, etc., in public performances given in theatres and in concerts in cafés (§ 58). The Government points out, however, that the minimum age for the admission of children to employment in theatres was raised to fourteen years as a result of the application of the Act of 9 August 1936, which fixed this as the uniform age for admission to employment in all commercial and industrial establishments, including public entertainments (Circular of the Minister for National Education dated 6 August 1937). The Minister for Public Education and Fine Arts in Paris and the Departmental Prefects may authorise the employment of one or several children by way of exception for the performance of specific plays in theatres (§ 59).

§ 168 of Book II of the Labour Code lays down penalties for all persons employing children under sixteen years of age in dangerous feats of strength or in dislocation exercises, and for all persons other than the father and mother, engaged in the profession of acrobat, tumbler, charlatan, exhibitor of animals or circus director, who employ children under sixteen years of age in these performances. Parents employing their own children under twelve years of age in such performances are liable to similar penalties (§ 60).

Penalties are also laid down in § 168 of Book II of the Labour Code for a father, mother, guardian or employer and, in general, any persons who exercise authority over or are responsible for the care of children and who, either gratuitously or for a sum of money, surrender children in their care or apprentices under sixteen years of age to persons engaged in any of the above-mentioned professions, or who place such children with vagabonds, persons with no profession, or persons who engage in begging as a profession. The same penalties are

also applicable to intermediaries or agents who surrender such children or cause them to be surrendered, and to any persons who induce children under sixteen years of age to leave the home of their parents or guardians and follow any persons in the above-named professions (§ 61).

Any person who employs a child under sixteen years of age in habitual begging, either openly or under cover of a profession, is considered a perpetrator or accomplice of the offence of public begging under § 276 of the Penal Code (§ 62). Persons engaged in one of the professions enumerated in § 60 of the Act of 9 August 1936 must possess a copy of the birth certificate and the identity card or passport of the children in their care in order to prove the country of origin and the identity of such children (§ 92).

Any breaches of the provisions of §§ 58-62 and § 92 of the above-mentioned Act which are committed abroad in respect of French children must be notified at once by the consular agents to the French authorities or to the local authorities if such breaches are prohibited in the legislation of the country in question. The necessary steps

for the repatriation to France of children of French origin must be taken by the above-mentioned authorities (§ 63).

The labour inspection services are entrusted with the supervision of the application of the legislative provisions. The above-mentioned Articles of Book II of the Labour Code provide for special sanctions to ensure the application of the provisions contained therein.

No decisions by courts of law were recorded in the case-books for the period under review and no observations were received from employers' or workers' organisations.

See also under Convention No. 5 for information supplied by the inspection services regarding the application of the legislation.

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* and *Ruanda Urundi*.

SEVENTEENTH SESSION (GENEVA, 1933)

34. Convention concerning fee-charging employment agencies

This Convention came into force on 18 October 1936

Countries	Date of registration of ratification	Reports received
Chile	18. 10. 1935	25. 2. 1948
Finland	13. 1. 1936	10. 11. 1947
Mexico	21. 2. 1938	17. 1. 1948
Spain	27. 4. 1935	
Sweden	1. 1. 1936	28. 11. 1947
Turkey	8. 7. 1946	

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.
Ordinance of 2 November 1945 respecting the local and regional administration of manpower.
Decision of the Council of Ministers of 2 November 1945 respecting the temporary organisation of employment services.

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.

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 provisions of the legislation are satisfactorily applied. No statistical information is available and no observations have been received from employers' or workers' organisations.

The Government of *Finland* repeats the information given in its report for the period 1945-1946, and adds that no decisions by courts of law have come to its notice. No observations have been received from employers' or workers' organisations.

The Government of *Mexico* repeats the information supplied in its previous reports, and adds that no decisions have been given by courts of law.

The Government of *Sweden* refers to its report for 1936-1937, as supplemented by subsequent communications, and adds that at the beginning of 1946 permits were granted to sixty-nine private employment agencies (under the provisions of the Act of 18 April 1935) to operate until the end of 1946. At the beginning of 1946, sixty-one of these agencies were carrying on their activities after having obtained the necessary authorisations.

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 outworkers and domestic servants

This Convention came into force on 18 July 1937

Countries	Date of registration of ratification	Reports received
Chile	18.10.1935	25. 2.1948
France	23. 8.1939	23. 2.1948
Italy	22.10.1947	
Peru	8.11.1945	
United Kingdom	18. 7.1936	23.12.1947

INTRODUCTORY NOTE

The Government of the *United Kingdom* 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 20 February 1932 concerning the inspection service of the Compulsory Insurance Fund.
- Act No. 5937 of 29 September 1937 increasing the maximum income compatible with liability to insurance.
- Act No. 6172 of 31 January 1938 increasing the rate of the employer's contribution in order to finance workers' housing.
- Act No. 6236 of 25 August 1938 increasing the rate of the State contribution, in order to finance maternal and infant welfare services.
- Act No. 6174 of 31 January 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 23 June 1944, to abolish the maximum salary limit of workers covered by the Compulsory Sickness and Invalidity Insurance Fund.

France.

- 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 employees and persons placed on the same footing 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), amended by the Decree of 14 June 1947.
- Act of 22 May 1946 respecting generalisation of the social security system (L.S. 1946, Fr. 1, C).
- 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.
- Act of 7 October 1946, to increase the rates of allowances to aged employees, revised old-age pensions and invalidity pensions, as fixed by the Act of 3 January 1946, and to amend the Ordinances of 2 February 1945, 4 October 1945, and 19 October 1945 respecting social security.
- Act of 30 October 1946, to prescribe rules for the election of the members of the administrative boards of social security carriers (L.S. 1946, Fr. 1, G).
- Act of 25 June 1947 respecting the effecting of economies and the husbanding of resources and to increase allowances to aged workers.
- Act of 8 July 1947 to annul § 1 of the Act of 1 September 1946.
- Act of 4 September 1947, to continue the temporary allowances to aged persons during the third quarter of 1947.
- Decrees of 27 November 1946 and 23 December 1946, to supplement the provisions of the Decree of 8 June 1946, which issued public administrative regulations for the application of the Ordinance of 4 October 1945 respecting the organisation of social security.
- Public administrative regulations of 28 December 1946, to apply the Ordinance of 30 October 1946, prescribing rules for the election of the members of the administrative boards of social security carriers.
- Decree of 13 March 1947, to apply §§ 2 to 6 of Part I of the Act of 13 September 1946.
- Decree of 29 April 1947, to lay down rules to govern the accountancy of social security funds.
- Decree of 21 July 1947 respecting the regional old-age insurance fund for employees.
- Decree of 24 September 1947, to increase the maximum remuneration to be taken into account for the computation of social security contributions.

*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 1947.

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 1947.

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

The Government of *Chile* refers to its previous reports and adds that no decisions by the labour courts have been brought to its notice. The Government appends to its report statistical information for the year 1946, compiled by the Central Compulsory Insurance Fund. No observations were received from employers' or workers' organisations.

The Government of *France* states that the provisions of the Act of 22 May 1946 have not yet been implemented in respect of the extension of the benefit of the social security legislation to all French nationals resident in metropolitan France. § 1 of the Act of 13 September 1946, which fixed 1 January 1947 as the date of the above extension as regards old-age insurance, was annulled by the Act of 8 July 1947. Draft amendments, relating to old-age insurance, are being prepared at the present time to the Ordinance of 19 October 1945 prescribing the social insurance system applicable to employees and persons placed on the same footing in non-agricultural occupations.

Certain modifications were made during the period under review to the measures applying the Convention.

As the minimum for the revised pensions granted at the age of sixty-five years to former members of the compulsory social insurance scheme and to beneficiaries under

the wage-earners and agricultural workers retirement pension system is almost invariably equal to the amount of the allowance to aged workers, the increase in the rate of the said allowance under the Act of 25 June 1947 has given rise to a parallel increase in the said minimum. The maximum amount taken into account for the computation of contributions has been increased from 150,000 francs to 204,000 francs. The contribution, which covers all risks (sickness, maternity, invalidity, old age and death) amounts to 16 per cent. of the remuneration, including a special contribution of 4 per cent. to the fund for allowances to aged workers.

The management of the old-age insurance system has been entrusted to sixteen regional old-age insurance funds, the administrative boards of which comprise experts and representatives of employers' and workers' interests. The number of persons covered by old-age insurance legislation rose from 7,500,000 in 1945 to 8,000,000 on 31 December 1946.

A new convention concluded between France and Belgium on 17 January 1948 (*i.e.*, after the expiration of the period under review) is accompanied by supplementary agreements one of which deals with frontier workers.

The temporary allowance to aged persons (employees and others) was maintained and increased during the period under review; the report gives statistics relating to these allowances.

No judicial or administrative decisions were given affecting the application of the Convention.

The Government of the *United Kingdom* refers to its previous reports and adds, under Article 2 of the Convention, that the granting of certificates of exemption, otherwise than by way of the renewal of certificates granted before 3 September 1939, was suspended as from that date.

Under Article 6 of the Convention, the Government states that, if during the free insurance period an insured person is again insurably employed, for however short a time, his rights are not terminated until the expiry of a further period of not less than eighteen months after insurable employment has again ceased.

Under Article 9 of the Convention, the Government states that insured persons and their employers are required to pay contributions towards the cost of the pensions payable under a combined contributory scheme for widows', orphans' and old-age pensions. The employer is required to pay in the first instance the contributions payable both by himself and by the employee, and is entitled to recover from the employee, by deduction from his wages or otherwise the amount of the employee's contribution.

Information is given for *Great Britain* regarding the existing rates of contributions for all contributory pensions payable in respect of compulsorily insured men under

the age of sixty-five years and of women under the age of sixty years.

The report contains statistical information regarding contributions made by the State towards the cost of the contributory scheme for widows', orphans' and old-age pensions, together with information regarding the estimated number of persons compulsorily insured under the scheme at 31 December 1946, the number of pensioners on 1 January 1947 and the total estimated expenditure and receipts in respect of the year ended 31 December 1947.

No administrative decisions or decisions by courts of law were given during the period under review.

For *Northern Ireland* statistical information is given regarding the estimated number of persons insured at 31 December 1946, the number of pensioners on 1 January 1947, pensions awarded, pensions which ceased to be paid during 1946, and the total estimated expenditure and receipts.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that an Act of 17 October 1947 provided for the

organisation of social security in the Departments of *Martinique*, *Guadeloupe*, *French Guiana* and *Reunion*, and that the various social security laws will be extended to these areas by subsequent measures.

The Government of the *United Kingdom* states that no further legislation has been enacted in the colonies in the period under review. In the very large majority of cases the application of the Convention would not be practicable in the present state of development.

In *Gibraltar*, pending the introduction of legislation, with a view to which statistics are being compiled, an *ad hoc* system of financial assistance to persons who would otherwise be eligible for old-age pensions has been brought into operation.

In *Malta*, the second reading of the Widows', Orphans' and Old-Age Pensions Bill was deferred, pending consideration by the Maltese Government after it entered into office under the new Constitution in November 1947.

For *Palestine*, see under Convention No. 24.

36. Convention concerning compulsory old-age insurance for persons employed in agricultural undertakings

This Convention came into force on 18 July 1937

Countries	Date of registration of ratification	Reports received
Chile	18.10.1935	25. 2.1948
France	23. 8.1939	16. 1.1948
Italy	22.10.1947	
United Kingdom	18. 7.1936	23.12.1947

INTRODUCTORY NOTE

The Government of the *United Kingdom* 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 20 February 1932 concerning the inspection service of the Compulsory Insurance Fund.

Act No. 5937 of 29 September 1937 increasing the maximum income compatible with liability to insurance.

Act No. 6172 of 31 January 1938 increasing the rate of the employer's contribution in order to finance workers' housing.

Act No. 6236 of 25 August 1938 increasing the rate of the State contribution in order to finance maternal and infant welfare services.

Act No. 6174 of 31 January 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 23 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 No. 45-170 of 2 February 1945 to organise on a national basis the system of old-age allowances for employees and to amend the social insurance, old-age and invalidity system (L.S. 1945, Fr. 1, A).

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 (L.S. 1946, Fr. 1, C).

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 (L.S. 1946, Fr. 1, D).

Act of 7 October 1946 to increase the rate of old-age allowances and pensions to employees (L.S. 1946, Fr. 1, E).

Act of 24 October 1946 respecting the legal departments of the mutual benefit societies.

Act No. 47-1127 of 25 June 1947 amending the rates of old-age allowances for employees.

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 (L.S. 1946, U.K. 3).

Various Orders and Regulations covering Contributory Pensions and National Health Insurance, dating from 1937 to 1947.

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.

National Insurance Act (Northern Ireland), 1946.

Various Orders and Regulations concerning Contributory Pensions and National Health Insurance, dating from 1937 to 1947.

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

The Government of *Chile* refers to its previous reports, and adds that no decisions by labour courts have been brought to its notice. The Government appends to its report statistical and other information for the year 1946 compiled by the Central Compulsory Insurance Fund.

The administrative decisions of the Compulsory Insurance Fund deal only with normal cases and, generally speaking, do not relate to questions of general principle. No observations were received from employers' or workers' organisations.

The Government of *France* states, under Article 11 of the Convention, that, apart from disputes of a technical nature, disputes between insured persons and social insurance carriers for agriculture are now submitted to the judicial authorities set up under the Act of 24 October 1946. Information is given regarding the procedure for the submission and examination of disputes and appeals against decisions given.

A person entitled to a pension under the scheme for persons employed in agricultural undertakings may, instead of a pension, claim the old-age allowance for employees over the age of sixty-five years not covered by social insurance (Ordinance of 2 February 1945) if the latter allowance is greater than his pension. The old-age allowance for such workers was fixed at 18,000 francs by the Act of 25 June 1947.

No decisions were given by courts of law or other courts. The report contains statistical information for 1946, showing the amounts paid in pensions and contributions, the number of beneficiaries, etc.

The Government of the *United Kingdom* refers to previous reports, and adds that, as regards Article 9 of the Convention, the existing rate of contributions for all contributory pensions, payable in respect of compulsorily insured men under sixty-five years of age, is 3s. 1d. a week; half of this is payable by the employer and half by the employee. The contributions payable in respect of women under sixty years of age are 2s. 5½d. per week, the employer paying 1s. 2½d. and the employee 1s. 3d. With regard to Article 6 of the Convention, the Government states that if, during a free insurance period, an insured person is again

insurably employed for however short a time, his rights are not terminated until the expiry of a further period of not less than eighteen months after insurable employment has again ceased.

Statistical information is given for Great Britain and Northern Ireland. No decisions of courts of law or administrative decisions were given during the period under review.

See also introductory note.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that the Act of 19 March 1946 has recognised *Guadeloupe, Martinique, French Guiana and Reunion* as Departments of France. The general legislation on social security was made applicable to these Departments by Decree No. 47-2032 of 17 October 1947.

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 outworkers and domestic servants

This Convention came into force on 18 July 1937

Countries	Date of registration of ratification	Reports received
Chile	18.10.1935	25. 2.1948
France	23. 8.1939	23. 2.1948
Italy	22.10.1947	
Peru	8.11.1945	
United Kingdom	18. 7.1936	23.12.1947

INTRODUCTORY NOTE

The Government of the *United Kingdom* 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 20 February 1932 concerning the inspection service of the Compulsory Insurance Fund.

Act No. 5937 of 29 September 1937 increasing the maximum income compatible with liability to insurance.

Act No. 6172 of 31 January 1938 increasing the rate of the employer's contribution in order to finance workers' housing.

Act No. 6236 of 25 August 1938 increasing the rate of the State contribution in order to finance maternal and infant welfare services.

Act No. 6174 of 31 January 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 23 June 1944, to abolish the maximum salary limit of workers covered by the Compulsory Sickness and Invalidity Insurance Fund.

France.

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 (L.S. 1946, Fr. 1, C).

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 (L.S. 1946, Fr. 1, D).

Act of 24 October 1946 to reorganise the legal departments of the social security system and mutual benefit societies in agriculture.

Act of 7 October 1946 to increase the rate of allowances to aged employees, the revised old-age pensions and the invalidity pensions established under the Act of 3 January 1946, and to amend the Ordinances of 2 February, 4 October and 19 October 1945 respecting social security.

Act of 30 October 1946, to fix rules to govern the election of members to the governing bodies of social security carriers (L.S. 1946, Fr. 1, G).

Decrees of 27 November and 28 December 1946, supplementing the provisions of the Decree of 8 June 1946 prescribing public administrative regulations with regard to the application of the Ordinance of 4 October 1945 respecting the organisation of social security (L.S. 1946, Fr. 14).

Decree of 28 December 1946 prescribing public administrative regulations with regard to the application of the provisions of the Act of 30 October 1946 to fix rules to govern the

election of members of the governing bodies of social security carriers (L.S. 1946, Fr. 1, G).
 Decree of 31 December 1946 establishing a social security system for officials.
 Act of 19 March 1947 to amend the Ordinance of 4 October 1945 concerning the administrative organisation of social security in the interests of the French mutual benefit societies.
 Order of 27 March 1947 concerning the composition and functions of regional commissions entrusted with questions concerning the degree of disablement under § 52 of the Ordinance of 19 October 1945.
 Act of 9 April 1947 to ratify the Decree of 31 December 1946 establishing a social security system for officials.
 Decree of 29 April 1947 to fix rules respecting the accountancy of social security funds.
 Decree of 14 June 1947 amending the Decree of 29 December 1945 prescribing public administrative regulations with regard to the application of the Ordinance of 19 October 1945 to establish the system of social insurance with regard to insured persons in non-agricultural occupations.
 Act of 25 June 1947 respecting the management and distribution of means and increasing the minimum of invalidity pensions.
 Act of 8 July 1947 wherein § 1 repeals § 1 of the Act of 13 September 1946 which brought into force the provisions of the Act of 22 May 1946 relating to old-age insurance.
 Act of 2 September 1947 granting the advantages, allowed for disabled persons under § 56, paragraph 3, of Ordinance No. 45.24.54 of 19 October 1945, to seriously disabled persons entitled to allowances or invalidity pensions liquidated before the coming into effect of the Ordinance of 19 October 1945.
 Decree of 24 September 1947 to increase the limited salary established for calculating social security contributions.

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* notes the following modifications to the information concerning the application of the various Articles of the Convention supplied in its report for 1945-1946 :

Under the provisions of the Act of 2 September 1947, disabled persons entitled to invalidity pensions or allowances liquidated under the regime prior to the Ordinance of 19 October 1945, and who may be classified as disabled persons of the third category, will benefit from the advantages granted to disabled persons in this category. The Act of 25 June 1947 increases to 18,000 francs the minimum invalidity pension, with effect as from 1 August 1947. This Act also increases to 4,500 francs per quarter the minimum below which an invalidity pension may not fall in the event of hospitalisation, and increases from 15,000 francs to 18,000 francs the minimum total income in the case of persons receiving both an army pension or compensation for an industrial accident together with an invalidity pension.

Under the Decree of 14 June 1947, regional social security funds may continue to pay a disabled person up to 50 per cent. of his pension for the duration of any treatment or occupational rehabilitation course, if his right to an invalidity pension has been suspended or discontinued under the provisions of §§ 58 and 59 of the Ordinance of 19 October 1945. Any payment so made may be continued for three years after the completion of the course or treatment.

The Decree of 24 September 1947 increases from 150,000 to 204,000 francs the maximum remuneration serving as the basis in calculating contributions ; this measure came into effect on 10 October 1947. The contribution of 16 per cent. covers all risks (sickness, maternity, invalidity, old age and death) ; 3.5 per cent. was assigned to the regional social security funds, which are mainly responsible for invalidity insurance.

The Government adds that, on 17 January 1948, France and Belgium signed a new convention concerning social security and certain supplementary agreements, one of which relates particularly to workers in frontier districts. The report contains statistical data concerning the total number of insured persons, the number of persons in receipt of invalidity pensions on 31 December 1946, and the amounts of receipts and expenses during the fiscal periods 1946 and 1947. 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 in particular to the report for 1944-1945 in regard to Article 11 of the Convention. It states that, during the period under review, no changes have taken place in *Great Britain*

regarding the application of the Convention.

Statistical information is given for Great Britain and Northern Ireland. No decisions were given by courts of law.

See also introductory note.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that, by the Decree of 17 October 1947, the text of which accompanies the report, the organisation of social security was laid down for the Departments of *Guadeloupe*, *French Guiana*, *Martinique* and *Reunion*. Subsequent legislation will be enacted extending

social security legislation to these Departments.

The Government of the *United Kingdom* states that no legislation has been enacted applying this Convention. In the very large majority of cases the provisions of the Convention would not be applicable in the present state of development.

In *Gibraltar*, pending the introduction of legislation, persons who would otherwise be eligible for invalidity pensions are granted financial assistance under an *ad hoc* system and are eligible for free medical attention and treatment.

For *Malta*, see under Convention 35.

For *Palestine*, see under Convention 24.

38. Convention concerning compulsory invalidity insurance for persons employed in agricultural undertakings

This Convention came into force on 18 July 1937

Countries	Date of registration of ratification	Reports received
Chile	18.10.1935	25. 2.1948
France	23. 8.1939	16. 1.1948
Italy	22.10.1947	
United Kingdom	18. 7.1936	23.12.1947

INTRODUCTORY NOTE

Northern Ireland.

See under Convention No. 37, introductory note.

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 to include illegitimate children among the heirs entitled to refund of the contributions paid by their deceased insured parent.

Act No. 5067 of 20 February 1932 concerning the inspection service of the Compulsory Insurance Fund.

Act No. 5937 of 29 September 1937 to increase the maximum income compatible with liability to insurance.

Act No. 6172 of 31 January 1938 to increase the rate of the employer's contribution in order to finance workers' housing.

Act No. 6236 of 25 August 1938 to increase the rate of the State contribution in order to finance maternal and infant welfare services.

Act No. 6174 of 31 January 1938 to establish 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 23 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.

Act No. 46-2153 of 7 October 1946 to increase the rates prescribed in Act No. 46-1 of 3 January 1946 for old-age allowances for employees, old-age pensions (as revised) and invalidity pensions, and to amend Ordinances Nos. 45-170 of 2 February 1945, 45-2250 of 4 October 1945 and 45-2454 of 19 October 1945 respecting social security (L.S. 1946, Fr. 1, E).

Act No. 46-2339 of 24 October 1946 concerning the reorganisation of the procedure for the settlement of disputes in social security and the mutual benefit movement for agricultural workers.

Act of 23 December 1946, § 7 concerning finance.

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 1944.

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

Chile. See under Convention No. 35.

The Government of *France*, in a detailed report, states under Article 7 of the Convention that the public authorities no longer contribute to the financial resources of the insurance fund and that, under the Act of 23 December 1947, with effect from 1 January 1947, the subsidy of 40 per cent, previously granted has been abolished. Disputes of a technical or medical nature may be referred to regional technical commissions concerned with invalidity and incapacity for work. Appeals may be brought before a national commission. The procedure for the settlement of all other disputes is the same as that described in Convention No. 36.

The report gives the minimum rates, varying from 12,000 to 15,000 francs, of invalidity pensions for five classes of insured persons and contains statistical information relating to the number of contributors, the amount paid in pensions, etc., for 1946. No judicial or administrative decisions were given regarding the application of the Convention.

United Kingdom. See under Convention No. 37.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

France. See under Convention No. 36.

United Kingdom. See under Convention No. 35.

39. Convention concerning compulsory widows' and orphans' insurance for persons employed in industrial or commercial undertakings, in the liberal professions, and for outworkers and domestic servants

This Convention came into force on 8 November 1947

Countries	Date of registration of ratification	Reports received
Peru	8.11.1945	
United Kingdom	18. 7.1936	23.12.1947

INTRODUCTORY NOTE

Northern Ireland. See under Convention No. 37, introductory note.

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

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 Act (Amendment), 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 (L.S. 1946, U.K. 3).
Various Orders and Regulations covering Contributory Pensions and National Health Insurance, dating from 1937 to 1947.

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.
 National Insurance Act (Northern Ireland), 1946.
 Various Orders and Regulations concerning Contributory Pensions and National Health Insurance, dating from 1937 to 1947.

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

The Government of the *United Kingdom* in its first report, which covers the period 1946-1947, states that when the Convention was ratified there had already been in force in *Great Britain* since 1926 a scheme of compulsory widows' and orphans' insurance under the Widows', Orphans' and Old-Age Contributory Pensions Act, 1925-1935. The provisions of these Acts (re-enacted in the Widows', Orphans' and Old-Age Contributory Pensions Act, 1936), are claimed to be at least equivalent to those contained in the Convention.

The scheme applies, with some exceptions, to manual and non-manual workers, including apprentices, employed in industrial or commercial undertakings or in the liberal professions, and to outworkers and domestic servants. Persons engaged in such employments who are excepted include non-manual workers earning more than £420 a year, teachers covered by superannuation laws, apprentices receiving no money payments, children under 16, men over 65 and women over 60 years of age, persons whose employment as outworkers is of a casual nature, unpaid family labour, casual workers, certain commission workers and employees of governmental units or public utilities receiving comparable insurance protection.

The right to pension is conditional upon the insurance being effective at the date of death of the person in respect of whose insurance the claim is based, and upon 104 weeks having elapsed and 104 contributions having been paid since entry into insurance, and, with certain exceptions, the payment (or excusal for incapacity or unemployment) of 78 contributions during the last three contribution years before the date of title. An insured person ceasing to be liable to insurance is granted a free period of insurance of at least 18 months. If during this period he is again insurably employed, his rights are not terminated until at least 18 months after his new employment ceases. A person who has been insured for at least 10 years has

his rights extended indefinitely so long as he is genuinely unemployed. Persons engaged in insurable employment for at least 104 weeks may maintain their rights, upon ceasing such employment, by becoming voluntary contributors; in this case, they must maintain a minimum annual credit of 26 contributions.

Pensions are payable to widows and children and to no other survivors; there is no funeral benefit or lump-sum refund of contributions. The right to pension is not restricted to widows who are invalid, and there is normally no restriction as to the age of the widow. Orphans' pensions cease at 14 years of age, or on the 31st day of July following the 16th birthday in the case of students.

From 30 September 1946, the rate of pension has been increased from the previous standard rate of 10s. per week to 26s. in the case of widows over 65 or of those between 60 and 65 years of age who have retired from gainful employment; widows between 60 and 65 who are employed have their pensions reduced on account of earnings in excess of 20s. per week. Otherwise, there is no condition as to means attached to pensions.

The rates of contribution under the combined contributory scheme of widows', orphans' and old-age pensions are 3s. 1d. in respect of insured men under 65 of which the employer pays one-half and the employee one-half; for women under 60 the rate is 2s. 5 1/2 d., of which the employer pays 1s. 2 1/2 d. and the employee 1s. 3d. A State contribution is also made by way of annual grants to the scheme. The scheme is administered by the Ministry of National Insurance.

Appeal machinery is provided in respect of questions concerning pension rights, liability to insurance and related matters. Foreign employed persons are treated in all respects on a footing of equality with nationals.

Statistical information is given for operation of the scheme in *Great Britain* and *Northern Ireland*. The Government states that the scheme of widows' and orphans' insurance has been in operation in *Great Britain* since 1926, and is not only generally acceptable to employers and employees, but is recognised as an indispensable contribution to the social services of the country.

No decisions of courts of law or administrative decisions have been given regarding the application of the Convention.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

No information.

EIGHTEENTH SESSION (GENEVA, 1934)

41. Convention concerning employment of women during the night (revised 1934)

This Convention came into force on 22 November 1936

Countries	Date of registration of ratification	Reports received
Afghanistan	12. 6.1939	
Belgium	4. 8.1937	29.11.1947
Brazil ¹	8. 6.1936	
Egypt	11. 7.1947	
Estonia	21.12.1935	
France ²	25. 1.1938	16. 1.1948
Greece ¹	30. 5.1936	19. 1.1948
Hungary	18.12.1936	4.12.1947
India ²	22.11.1935	11.12.1947
Iraq	28. 3.1938	17. 2.1948
Ireland	15. 3.1937	10.12.1947
Netherlands	9.12.1935	8.12.1947
New Zealand	29. 3.1938	
Pakistan ³	22.11.1935	
Peru	8.11.1945	
Switzerland	4. 6.1936	17.11.1947
Union of South Africa	28. 5.1935	4.11.1947
United Kingdom ⁴	25. 1.1937	10. 1.1948
Venezuela	20.11.1944	2. 2.1948
* * *	* * *	* * *
Burma ⁵	22.11.1935	13.12.1947

¹ Has denounced Convention No. 4.

² Has ratified this Convention but has not denounced Convention No. 4.

³ See footnote 2 to Convention No. 1.

⁴ Has denounced this Convention.

⁵ See footnote 3 to Convention No. 1.

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

Belgium.

Act of 28 February 1919 respecting 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).

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, B).

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 substitution 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.

Order of the Regent of 17 December 1946 authorising (under § 8 of the consolidated text of the Act of 28 February 1919) the variation of the night rest of women engaged in certain occupations in broadcasting.

France.

Code of Labour, Book II, Chapter 3, § 2.

Act of 24 January 1925 to amend §§ 20 (a)-28 and 96 of Book II of the Code of Labour and Social Welfare (L.S. 1925, Fr. 1).

Decree of 5 May 1928 to define the allowances and exceptions contained in §§ 17, 24, 25 and 26 of Book II of the Labour Code (L.S. 1928, Fr. 10).

Decree of 21 April 1939 respecting the regulation of employment (L.S. 1939, Fr. 5, A; French edition only).

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-works, 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.

India.

Factories Act No. XXV, 1934, as subsequently amended (L.S. 1946, Ind. 1).

Iraq.

Labour Law No. 72 (§ 5) (L.S. 1936, Iraq 2) as amended by Labour Law No. 36 (§ 5, para. 3) of 1942.
Law No. 11 of 1937 to ratify the Convention.

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).

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 watchmaking 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 (L.S. 1937, S.A. 4).
Industrial Conciliation Act, No. 36 of 1937 (L.S. 1937, S.A. 3).
Mines and Works Act, No. 12 of 1911 (L.S. 1931, S.A. 1, B).

*United Kingdom :**Great Britain.*

Hours of Employment (Conventions) Act, 1936 (L.S. 1936, G.B. 2).
Factories Act, 1937 (L.S. 1937, G.B. 2), which came into force on 1 July 1938, superseding the Factory and Workshop Act 1901.
Coal Mines Act, 1911 (Extracts, B.B., Vol. IX, 1914, p. 9).
Supplies and Services (Extended Purposes) Act, 1947.
Factories (Hours of Employment in Factories using Electricity) Order, 1947.

Northern Ireland.

Factories Act (Northern Ireland), 1938, which came into force on 1 July 1939, superseding the Factory and Workshop Act 1901.

Supplies and Services (Transitional Powers) Act, 1945.

Various Orders issued under the above Act and Regulation No. 59 of the Defence (General) Regulations, 1939.

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 holiday.

* * *

Burma.

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

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

The Government of *Belgium* states that the only change in the relevant legislation has been the issue of an Order to permit the substitution of the period 11 p.m. to 6 a.m. for the period 10 p.m. to 5 a.m., within the compulsory rest period of 11 hours, in the case of women over 18 years of age employed as announcers or typists in broadcast news services. This Order was issued in virtue of § 8 of the Consolidated Act respecting the employment of women and children, and after consultation with the organisations concerned. The general legislation respecting the prohibition of night work has been, in the main, strictly observed. Any court decisions which have been given have confirmed the proceedings instituted by the supervisory services. No observations have been received from employers' or workers' organisations.

The Government of *France*, in its first report since that covering the period 1938-1939, states that the legislation prohibiting the night work of women may be taken as covering all women employed in "industrial undertakings", as defined in Article 1 of the Convention. § 22 (a) of Book II of the Labour Code empowers labour inspectors, by way of exception, to authorise exemptions from the prohibition of night work in the case of women employed in shift-working undertakings engaged in work for the national defence. § 24 of the Labour Code provides, furthermore, that temporary exemptions may be authorised in respect of certain industries dealing with perishable goods. No observations have been received from employers' or workers' organisations.

See also under Convention No. 5 for information relating to the authorities responsible for the application of the legislation and for data to be furnished in connection with the working of the inspection services.

The Government of *Greece* refers to previous reports and adds that it has still not been possible to define the line of division which separates industry from commerce and agriculture. No use was made of the exceptions provided under sub-paragraph 2 of Article 2 and under Article 6 of the Convention.

See under Convention No. 5 for information relating to the organisation of the labour inspection service.

The Government of *Hungary* states that no new measures have been taken during the period under review, and adds that no information is available regarding the application of the Convention.

The Government of *India* refers to its report on Convention No. 4.

The Government of *Iraq* states that Article 2 of the Convention is covered by the provisions of subsection (1) of § 5 of the Labour Law, as amended. Regulations may be issued to prescribe exceptions for the processing of raw materials where such materials are subject to rapid deterioration and night work is necessary to preserve them from loss. Article 7 is covered by the same subsection.

The Government of *Ireland* states that no exception was granted under sub-paragraph (a) of Article 4 of the Convention. Under sub-paragraph (b) of this Article, the Government states that 17 permits were granted to firms engaged in the killing, plucking and packing of fowl prior to Christmas. Three contraventions were reported and warning letters were issued.

The *Netherlands* Government states that no use was made in 1946 of § 50 of the Order of 1936 respecting hours of work in factories and workshops, which provides for the possibility of employing women at herring skewering between 10 p.m. and 2 a.m. In the case of a food preserving factory, 46 women (including 44 married women) were found to be employed at night. A fine of 2 gulden was inflicted in respect of each woman. Proceedings were also instituted in connection with the employment of women at night in a synthetic marble factory.

The Government of *Switzerland* refers to its previous reports and states that during the period under review no changes were made in the normal federal and cantonal legislation applying the Convention. The Federal Court has not been called upon to consider any appeal relating to noncompliance with the federal law respecting work in factories. In the favourable conditions prevailing there has been a considerable increase in the number of industrial and handicraft undertakings, and the scope of the Factories Act and the Act respecting the employment of young persons and women in industry has been correspondingly extended. No case of reduction of the nightly rest to ten hours by virtue

of § 66 of the Factories Act has come to the notice of the Government.

In view of the marked shortage of electric power, which recurs every winter, undertakings are frequently obliged to curtail or even suspend their operations for a certain time. By an Order of 1 October 1947 (i.e. issued after the close of the period under review), the Federal Office for Industry and Labour authorised factories to compensate the hours of work thus lost, either in advance or subsequently, during periods of plentiful electric supply. By virtue of this Order women on shift work may be employed between 5 a.m. and 11 p.m. Since, however, the early shift and the late shift do not comprise the same workers, there is a night rest of over eleven hours. Employers' and workers' organisations were consulted prior to the promulgation of the Order.

The Government appends to its report copies of the reports submitted by the federal factory inspectors on their activities during 1946. During the period 1945-1946, the federal authorities were notified of 19 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 legislation. Certain of the convictions were 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 1946, a copy of which is appended to the 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 occupational groups co-operate with the authorities.

See also, under Convention No. 5, for information respecting reinforcement of supervisory services.

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. Exemptions in conformity with Article 4 of the Convention were granted under § 54 (4) of the Factories, Machinery and Build-

ing Work Act of 1941, to permit the employment between 6 p.m. and 10 p.m. of 24 women for three months in the creamery process, 3 women for three months in a cheese factory and 30 women for three months in fruit packing, and the employment between 6 p.m. and 8 p.m. on two nights per week of 7 women for six months in the laundry process.

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. In a limited number of cases it has been found necessary to permit the continued employment of women at night under the emergency powers of the Minister of Labour and National Service, widened by the Supplies and Services (Extended Purposes) Act, 1947, while the Factories (Hours of Employment in Factories using Electricity) Order, 1947, also provides, among other relaxations, for the employment of women at night (see also under Convention No. 6).

The provisions of the Hours of Employment (Conventions) Act, 1936, are now administered by the Ministry of Labour and National Service, in so far as they concern employment in factories and other industrial undertakings within the scope of the Factories Acts, and by the Ministry of Fuel and Power in so far as they concern employment in mines and quarries. Application of the Act is enforced by these two Ministries through the Factory Inspectorate and the Mines Inspectorate respectively. The Act contains special provisions for enforcement by the Factory Inspectorate in the case of places not under the Factories or Mines and Quarries Acts.

No decisions were given by courts of law or other courts regarding the application of the Convention. In 1946 (the latest year for which figures are available) the number of women employed in factories in *Great Britain* was estimated at 1,850,000; 1,255 women aged 20 years or over (excluding clerks and salaried persons) were employed above ground at mines and 68 (excluding clerks and salaried persons) above ground at quarries.

During the period covered by the report there was one prosecution for a breach of the Convention, by which six women had been illegally employed.

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

In *Northern Ireland*, no decisions have been given in courts of law or other courts on the application of the Convention. No information is available regarding the number of workers covered by the relevant legislation. Previous Orders made under Regulation 59 of the Defence (General) Regulations, 1939, authorising the employment of women at night in factories engaged in work arising from war conditions

have been revoked. Previous Orders made under this Regulation and under the Supplies and Services (Transitional Powers) Act, 1945, to factories engaged on work essential to the well-being of the community have, with one exception, been revoked. During the period under review eight new Orders were issued under Regulation 59 of the Defence (General) Regulations, 1939, authorising night employment of women. Six of these Orders were for limited periods and are no longer in force. The two which remain in force apply to the processing of food.

The Government of *Venezuela* repeats the detailed information given in its report for 1945-1946, and states that no decisions were given by courts of law and no observations have been received from employers' or workers' organisations or from employers or workers.

See also under Convention No. 1 for information concerning the authorities entrusted with the application of the legislation.

* * *

The Government of *Burma* states that the term "industrial undertaking" is understood to apply to factories and mines. The term "night" is not defined by the legislation, but in factories women are allowed to work only between the hours of 6 a.m. and 7 p.m. With the approval of the Government they may be allowed to work for any span of 13 hours between 5 a.m. and 7.30 p.m. This provision does not apply to mines in respect of women working on the surface. The term "women" is interpreted to cover all women employed in factories and mines without distinction as to the nature of their duties. As to Article 8 of the Convention, the Government states that no definition has been adopted to determine what women shall be regarded as holding responsible posts of management. The Chief Inspector of Factories and the Chief Inspector of Mines are entrusted with the application of the legislation. Enforcement is carried out by frequent visits of inspectors to mines and factories. The application of the Convention is handicapped by shortage of staff, but steps are being taken to remedy this deficiency.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* states that the Convention has been extended to the territories of the *Belgian Congo* and *Ruanda Urundi*. The following legislation applies:

Ordinance No. 139/A.E. of 5 October 1935 respecting employment of certain classes of natives at night (L.S. 1935, Bel. 12), as amended by Ordinance No. 20/A.E. of 24 February 1937 and No. 504/A.E. of 20 November 1941.

§ 2 of the principal Ordinance reproduces the exact text of Article 1 of the Convention with the exception of the words "or telephonic" in sub-paragraph (c). The term "night" is defined in the legislation as the ten consecutive hours from 8 p.m. to 6 a.m. As night work by women is non-existent in the Belgian Congo the Convention remains without practical importance.

The Government of *France* reports that the provisions of the Labour Code applying the Convention were extended to *Martinique, Guadeloupe, French Guiana, Reunion* and *New Caledonia* by Decree of 2 March 1939. (It should be noted that of these territories all except the last are now French Departments.)

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

Fiji.

Labour Ordinance No. 23 of 1947, Part VIII.

Grenada.

Ordinance No. 9 of 1945.

Leeward Islands.

Employment of Women, Young Persons and Children Act, 1938, § 10.

Malayan Union.

Laws of the Federated Malay States (Labour), Cap. 154, § 65, and the following Enactments :

Johore.

No. 3 of 1932.

Kedah.

No. 19 of 1351 (Islamic Year).

Kelantan.

No. 2 of 1936.

Perlis.

No. 10 of 1351 (Islamic Year).

Trengganu.

Labour Enactment of 1352 (Islamic Year).

Brunei.

No. 4 of 1932.

Malta.

Ordinance No. 10 of 1940.

This Ordinance confers power to make regulations prohibiting employment of women by night. No regulations have yet been issued.

Mauritius.

Government Notice No. 137 of 1939 (where the expression "industrial association" appears to have been mistakenly used for that of "industrial undertaking").

Northern Rhodesia.

Ordinance No. 40 of 1938.

Seychelles.

Ordinance No. 7 of 1938.

Singapore.

Labour Ordinance of 1923, § 21.

Tanganyika.

Women and Young Persons (Amendment) Ordinance No. 10 of 1946.

Western Pacific.

British Solomon Islands.

Regulation. No. 5, Part VIII.

For *Hong Kong*, the exception granted to a local company (see report for 1945-1946) was not in fact put into effect and has since lapsed.

42. Convention concerning workmen's compensation for occupational diseases (revised 1934)

This Convention came into force on 17 June 1936

Countries	Date of registration of ratification	Reports received
Austria	26. 2.1936	
Brazil	8. 6.1936	
Cuba	22. 10.1936	19. 2.1948
Denmark	22. 6.1939	15.11.1947
Hungary	17. 6.1935	4. 2.1948
Iraq	25. 7.1941	17. 2.1948
Ireland	15. 3.1937	10.12.1947
Japan	6. 6.1936	
Mexico	20. 5.1937	17. 1.1948
Netherlands	1. 9.1939	8.12.1947
New Zealand	29. 3.1938	
Norway	21. 5.1935	7. 1.1948
Sweden	24. 2.1937	28.11.1947
Turkey	8. 7.1946	
United Kingdom	29. 4.1936	23.12.1947

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 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).

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 Regulations under the Act concerning industrial accidents, amended by 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).

Hungary.

Act No. XXII of 1935 incorporating the Convention in Hungary legislation.

Act No. XXI of 1927 respecting compulsory accident and sickness insurance (L.S. 1927, Hung. 1), as 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), as amended by Order No. 133,133 of 1939.

Decree No. 47880 NM of 10 January 1947, establishing the rate of pensions for industrial accidents.

Iraq.

Labour Law No. 72 of 1936 (L.S. 1936, Iraq 2), as amended by Labour Law No. 36 of 1942.

Law No. 28 of 1939 concerning the ratification of the Convention for the proportionate distribution of compensation to dependants of the deceased workers, No. 9 of 1937 as amended by Regulation No. 32 of 1937.

Regulation for Claiming and Depositing Compensation, No. 12 of 1937.

Regulation for Occupational Poisonings and Diseases, No. 15 of 1937 (L.S. 1937, Iraq 1).

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.

Emergency Powers (No. 274) Order, 1943 (Amendment) Order 1944.

Workmen's Compensation Act 34 (Transfer of Ministerial Functions) Order 1947.

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, as 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 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 Acts of 3 December 1937 (L.S. 1937, Neth. 5), 27 December 1946 (*Staatsblad* No. G.397), 8 March 1947 (*Staats-*

blad No. H84) and 1 August 1947 (*Staatsblad* No. H284).

Public Administrative Regulations (Chapter VIII).

Norway.

Act of 24 June 1931 respecting the accident insurance of industrial employees, etc. (L.S. 1931, Nor. 3).

Royal Decree of 7 December 1928 assimilating certain specified occupational diseases and accidents for the purposes of compensation.

Royal Decree of 11 January 1935 respecting occupational diseases.

Royal Decree of 16 October 1937 respecting the application of the Regulations concerning work in mines involving the risk of silicosis.

Royal Decree of 14 January 1939 assimilating occupational diseases to accidents for the purposes of the Seamen's Accident Insurance.

Act of 24 June 1924 and the Fishermen's Accident Insurance Act of 10 December 1920 (L.S. 1920, Nor. 2).

Act of 13 December 1946 (L.S. 1946, Nor. 4) to amend the Industrial Workers' Accident Insurance Act of 1931 (L.S. 1931, Nor. 3), the Seamen's Accident Insurance Act of 24 June 1924 and the Fishermen's Accident Insurance Act of 10 December 1920 (L.S. 1920, Nor. 2).

Sweden.

Act of 14 June 1929 respecting insurance for certain occupational diseases as amended by the Acts of 12 September 1930, 26 June 1936, 3 June 1938 and 19 May 1944.

Royal Decree of 24 November 1944 containing special provisions with regard to the application of the Act of 14 June 1929.

*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).

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 (Pneumoconiosis) Act, 1945.

Workmen's Compensation (Industrial Diseases) Order No. 349 of 12 March 1946, made under § 43 of the Workmen's Compensation Act, 1925.

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 Asbestosis) Act, 1930 and the Workmen's Compensation Act, 1943.

Shipping Industry (Pneumoconiosis) Compensation Scheme, 1946, dated 30 January 1946, made under the Workmen's Compensation Act, 1925, the Workmen's Compensation (Silicosis and Asbestosis) Act, 1930, and the Workmen's Compensation Act, 1943.

Metal-Grinding Industries (Silicosis) Amendment Scheme, 1946 (Statutory Rules and Orders, 1946, No. 594).

Sandstone Industry (Silicosis) Amendment Scheme, 1946 (Statutory Rules and Orders, 1946, No. 595).

Northern Ireland.

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.

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

The Government of *Cuba* repeats the information given in its previous reports and adds that no cases of occupational diseases have been reported. No decisions were given by courts of law and no observations were made by employers' or workers' organisations.

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

The Government of *Hungary* states that legislation introduced during the period under review did not modify the amounts of pensions to victims of industrial accidents. There are at present no statistical data relating to the application of the legislation on occupational diseases.

The Government of *Iraq* repeats the detailed information supplied in previous reports and adds that, during the period under review, 23,350 workers were employed in industrial undertakings; 1,117 cases of occupational diseases were reported, and the sum of I. D. 15,018 was paid by way of compensation as benefits in cash and in kind.

The Government of *Ireland* refers to its previous reports and adds that supplementary allowances are payable in addition to the rates of compensation in accordance with the provisions of the Emergency Powers Order No. 274 of 1943, as amended in 1944. The functions vested by virtue of the Workmen's Compensation Act, 1934, in the Ministry of Industry and Commerce were transferred to the Ministry of Social Welfare as from 6 May 1947. Certain provisions of the Workmen's Compensation Act continue to be enforced, however, by inspectors in the Department of Industry and Commerce.

The Government of *Mexico* repeats the detailed information supplied in its report for 1945-1946 and adds that, as the Industrial Hygiene Regulations of 1946 have been declared unconstitutional, the previous Regulations of 1934 remain in force. The texts of ten decisions given by courts of law accompany the report. The Government adds that the latest statistical information will be forwarded at a later date.

The *Netherlands* Government states that it has nothing to report regarding the application of the Convention.

The Government of *Norway* refers to its previous reports and adds that, during the period under review, considerable amendments have been made to the legislation concerning accident compensation, including compensation for occupational diseases. The amendments so made are effective as from 1 July 1946 and substantially raise the rate of compensation for insured persons. The Act of 13 December 1946 regulated compensation for persons in receipt of regular compensation before 1 July 1946 and benefiting under the legislation concerning accident insurance for industrial workers, seamen and fishermen.

The Government of *Sweden* repeats the detailed information supplied in its previous report and adds that, during the period under review, 3,371 cases of occupational diseases were reported. During the year 1944, for which detailed statistical information is available, there were 2,958 cases, 2,456 of which gave rise to compensation.

Decisions given by the Insurance Council are published in particular in *Arbetskyddet*, which is forwarded regularly to the International Labour Office. The application of the relevant legislation is entrusted to the National Insurance Office.

The Government of the *United Kingdom* refers to its previous reports and adds that, by the Workmen's Compensation (Pneumoconiosis) Act, 1945, power was taken to provide by scheme for the disregard of war service or war employment for purposes of the time limits within which a claim compensation for silicosis could be made. Under this power, such schemes were made during 1946 in the metal-grinding and sandstone industries and in a group of other industries. The Government appends to its report the texts of the Statutory Rules and Orders relating to these schemes.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

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

Ceylon.

Workmen's Compensation Ordinance, Chapter 117.

This Ordinance applies to the following diseases: anthrax, poisoning by lead, phosphorus, mercury, arsenic and benzene; chrome ulceration; compressed air illness; and diseases resulting from occupations which involve the handling of radio or X-ray apparatus or contracted from contact with radio-active substances. It is proposed to legislate shortly for inclusion of the additional diseases specified in this Convention.

Fiji.

Ordinance No. 16 of 1946.

Malayan Union.

The Malayan Union Ordinance, No. 23 of 1947.

Johore.

Government Gazette Notice No. 823 of 9 August 1939. Workmen's Compensation Enactment (Cap. 155 and Laws of the Federated Malay States, Section, and Schedule III apply to the following diseases: anthrax, poisoning by lead, arsenic, benzene and carbon monoxide gas).

Northern Rhodesia.

Silicosis (Temporary Arrangements) (Amendment) Ordinance No. 20 of 1946.

Palestine.

Workmen's Compensation Ordinance, 1947.

Singapore.

Workmen's Compensation Ordinance of 1933.

This Ordinance covers the following diseases: anthrax, poisoning by lead, carbon monoxide gas, benzene and arsenic.

In *Gibraltar* and *Hong Kong*, the provisions of this Convention are included in Workmen's Compensation Bills which have been drafted.

43. Convention for the regulation of hours of work in automatic sheet-glass works

This Convention came into force on 13 January 1938

Countries	Date of registration of ratification	Reports received
Belgium	4. 8. 1937	29. 11. 1947
Czechoslovakia	19. 9. 1938	6. 3. 1948
France	5. 2. 1938	16. 1. 1948
Ireland	15. 5. 1939	25. 10. 1947
Mexico	9. 3. 1938	17. 1. 1948
Norway	21. 5. 1935	7. 1. 1948
United Kingdom	13. 1. 1937	10. 1. 1948

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).

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.

Norway.

Workers' Protection Act of 19 June 1936 (L.S. 1936, Nor. 1).

United Kingdom.

The Hours of Employment (Convention) Act, 1936 (L.S. 1936, G.B. 2).

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

The Government of *Belgium* refers to its previous reports and adds that the inspection services have ensured compliance with the conditions required by the legislation, which is in conformity with the Convention. No breaches of the legislation were reported during the period under review. Any legal decisions given have merely confirmed the administrative precedents which constitute the basis of the work of the control service. The regulations concerning sheet-glass works have given rise to no observations from employers' or workers' organisations.

The Government of *Czechoslovakia* refers to its report for 1945-1946 and adds that, owing to the continued shortage of labour in glass works, it has still not been possible to apply the provisions of the Convention.

The Government of *France* repeats the information given in its report for 1945-

1946 and adds that, in the case of urgent work, the head of an undertaking may allow overtime to be worked for an unlimited period in any one day; overtime is limited to two hours on any following days.

No decisions by courts of law have been noted in the case-books for the period under review. The general inspection services are now in a position to resume the compilation of comprehensive documents relating to the application of the legislation on hours of work in sheet-glass works and will be able to furnish the required information for the period 1947-1948.

The Government of *Ireland* states that there is no change in the position outlined in its report for the period 1939-1940, as amplified in the statement dated 11 June 1947 from the Department of Industry and Commerce, in reply to the observation made by the Committee of Experts regarding changes in the established hours of work and the recording of overtime. According to this statement, the relevant provisions (Article 4 (b), (c)) of the Convention have been implemented by Regulation No. 193/1938, made under the Conditions of Employment Act and by § 53 of this Act. § 64 of the Act empowers the Minister to make regulations stipulating that records shall be kept if required.

The limits laid down in the Convention and in the regulations have not been exceeded by persons working in successive shifts in the industry. There is only one firm operating, and compensation for overtime is determined by agreement between employers and workers, as provided for in Article 3, paragraph 2, of the Convention.

The Government of *Mexico* repeats the information given in its report for 1943-1944 and adds that the insertion of any

provision of the Convention in a collective agreement, whether applied to a federal or to a local industry, definitely ensures compliance with such a provision. The texts of decisions given by the courts are not available. The Government does not possess any statistical information. No observations were made by employers' or workers' organisations.

The Government of *Norway*, referring to its report for 1945-1946, states that no important decisions were given by the courts and no observations were received from employers' or workers' organisations.

The Government of the *United Kingdom* repeats the information given in its previous reports and adds that no decisions have been given by courts of law or other courts concerning the application of the Convention. No observations were made by employers' or workers' organisations.

There are no automatic sheet-glass works in *Northern Ireland*.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* states that there is no legislation applying the provisions of the Decree of 13 February 1937 to French colonies, possessions or protectorates.

The Government of the *United Kingdom* states that in *Palestine* there is no legislation relating to the Convention.

In the remaining territories, there are no automatic sheet-glass works of the type referred to in Article 1 of the Convention. If works of this nature are set up in a colonial territory in the future, the Government will examine the possibility of applying the Convention to the territory in question.

44. Convention ensuring benefit or allowances to the involuntarily unemployed

This Convention came into force on 10 June 1938

Countries	Date of registration of ratification	Reports received
Ireland	10.6.1937	10.12.1947
New Zealand	29.3.1938	4. 3.1948
Switzerland	14.6.1939	17.11.1947
United Kingdom	29.4.1936	23.12.1947

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

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 Act, 1946.

New Zealand.

Social Security Act, 1938 (in particular, §§ 51-54 and 58) (L.S. 1938, N.Z. 1).
Social Security Contributory Regulations, 1939.
Social Security (Monetary Benefits) Regulations, 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, as amended by Executive Provisions of 18 September 1942, Resolutions of the Federal Council of 11 January 1944, 27 July 1945 and Orders of the Federal Department of Public Economy of 24 August 1945, 28 January 1946, 26 November 1946 and 10 December 1946.

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 22 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 20 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.

Federal Decree of 4 April 1946, to amend the sections (34 *ter*) of the Federal Constitution relating to economic matters.

United Kingdom :

Great Britain.

Unemployment Assistance Act, 1934 (L.S. 1934, G.B. 2).

Unemployment Insurance Acts, 1935-1938 (L.S. 1935, G.B. 1 ; L.S. 1936, G.B. 1).

Unemployment Insurance Act (Amendment), 1940.

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).

Determination of Needs Act, 1941.

Pensions and Determination of Needs Act, 1943.

Unemployment Insurance (Increase of Benefit) Act, 1944.

Ministry of National Insurance Act, 1944.

Family Allowances Act (paragraph 13) (L.S. 1945, U.K. 3).

National Insurance Act, 1946 (L.S. 1946, U.K. 3).

Unemployment Insurance (Eire Volunteers) Act, 1946.

Various Orders, Rules, and Regulations concerning unemployment insurance and assistance, national insurance, and family allowances, dating from 1921 to 1947.

Northern Ireland.

Unemployment Assistance Act (Northern Ireland), 1934.

Unemployment (Agreement) Act (Northern Ireland), 1936.

Unemployment Insurance Acts, 1936-1938.

Unemployment Insurance Act (Northern Ireland), 1939.

Unemployment Insurance Act (Northern Ireland), 1940.

Old-Age and Widows' Pensions Act (Northern Ireland), 1940.

Pensions and Determination of Needs Act (Northern Ireland), 1943.

Unemployment Insurance (Increase of Benefit) Act (Northern Ireland), 1944.

Family Allowances Act (Northern Ireland), 1945.

National Insurance Act (Northern Ireland), 1946.

Various Orders, Rules, and Regulations concerning unemployment insurance and assistance and national insurance, dating from 1921 to 1947.

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

The Government of *Ireland* states that, during the period under review, the Unemployment Insurance Act, 1946, was enacted and the Social Welfare Schemes (Cash Supplements) Order, 1947, was made. A copy of the Act and Order accompany the report.

The main purpose of the Unemployment Insurance Act, 1946, which implements an arrangement made with the Government of the United Kingdom, is to enable special benefit out of the British Unemployment Fund to be paid to certain discharged members of the Forces of the United Kingdom who were ordinarily resident in Ireland at any time before joining those forces and who are unemployed in Ireland.

Under the provisions of the Unemployment Insurance Act, 1946, (a) recipients of special benefit retain unimpaired any rights to unemployment benefit acquired before claiming special benefit; and (b) unemployed discharged members of the Defence Forces resident in Northern Ireland do not lose unemployment benefit or out-of-work benefit by reason of the non-payment of contributions in the insurance year following discharge. The Unemployment Insurance Act, 1946, enables unemployment benefit or out-of-work benefit under the Insurance Industry Unemployment Insurance Scheme to be paid in respect of contributions acquired under the Unemployment Insurance Act, 1945, to unemployed discharged members of the Defence Forces resident in Northern Ireland. The provisions of the Act relating to special benefit were brought into operation by Order on 27 February 1947.

Under the Social Welfare Schemes (Cash Supplements) Order, cash supplements to unemployment benefits have been payable from 1 April 1947.

Since 22 January 1947 the Unemployment Insurance Acts have been administered by the Minister of Social Welfare through the Department of Social Wel-

fare. Statistical data have been supplied. No observations have been received from organisations of employers or workers.

The Government of *New Zealand* repeats the detailed information given in its previous reports, 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 1947 was £36,121,034. The cost of administration of these payments was £704,193. 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, by Federal Decree of 4 April 1946 approved by popular referendum on 6 July 1947, the power to legislate on unemployment measures and assistance has been transferred from the cantons to the Confederation. The cantons will nevertheless retain the right to set up public funds and to make unemployment insurance generally compulsory. Pending Federal legislation in this field, however, the Order of the Federal Council of 14 July 1942, providing for the administration of unemployment assistance during the emergency period caused by the war, remains in force.

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 building industry, in shipping and on railways have been simplified and the waiting periods have been reduced.

Federal subsidies to relief works have been discontinued since 1 January 1947 and because of the favourable economic outlook and the increasing shortage of manpower, the inauguration of relief works is unnecessary. The vocational training of unemployed persons has been encouraged by Federal grants.

At the end of July 1947 the number of insured persons was 548,767, as compared with 540,838 at the end of September 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 1946. This report gives a general account of the application of the relevant legislation. No observations have been made by employers' or workers' organisations.

The Government of the *United Kingdom*, in a detailed report, refers to previous reports and adds that the law governing unemployment insurance and unemployment assistance was amended during the year under review by an Act and a number of Orders and

Regulations, copies of which are appended to the report.

The Unemployment Insurance (Eire Volunteers) Act, 1946, empowers the Minister of National Insurance to give effect to arrangements for paying unemployment benefit to persons ordinarily resident in Ireland (Eire) who served in the British forces during the war. The National Insurance (Extension of Unemployment Benefit) Regulations, made on 21 December 1946, authorised, during the period before benefit becomes payable under the National Insurance Act, 1946, continuance of the payment of unemployment benefits to persons who have exhausted their rights thereto under the Unemployment Insurance Acts, 1935 to 1944. The Regulations establish a system of extended benefit on the lines contemplated in the 1946 Act, and for this purpose modify certain of the contribution conditions of the present Acts so as to bring them into closer conformity with corresponding conditions of the 1946 Act. A person may now have his period of benefit extended, notwithstanding that he may be unable at the time of application to satisfy the normal statutory condition of 30 contributions in the two years preceding the date of claim, provided that he could satisfy the condition at some time on or after 1 January 1946.

The National Insurance (Waiting Days for Unemployment Benefit) Regulations, made on 17 February 1947, enable benefits to be paid in respect of the first three days of a continuous period of unemployment after 10 February 1947, where the claimant has a further nine days of unemployment in the same continuous period and within thirteen weeks from the first such waiting day. This rule is based on provisions of the National Insurance Act, 1946.

The report contains a detailed description of supplementary allowances, provided for under Article 13 of the Convention, which are now payable as training and maintenance grants to juveniles with special aptitudes for skilled occupations, to juveniles transferred away from home for underground work in coal mining, to adults for resettlement purposes, to trainees under the vocational training scheme or to unemployed persons transferred from one area to another in Northern Ireland. Weekly rates of unemployment benefit and of contributions for persons of different age, sex, and family status are shown in appendices to the report. The number of regional offices of the Ministry of Labour and National Service remains at 11. In addition, there are 1,044 employment exchanges, 131 branch employment offices, 174 local agencies, 196 juvenile employment bureaux, 35 district offices and 13 appointment offices. Enforcement of the payment of contributions is carried out by inspectors of the Ministry of Labour and National Service by means of periodical surveys of employers' establishments.

In *Northern Ireland* both the legislation relating to unemployment and the method of applying legislation continue to correspond in all essential respects with those in force in Great Britain.

Statistical information is given on the number of persons included in the scheme, classified by age and sex, and on the number of employment exchanges and other offices involved in administration. There are 28 employment exchanges, 37 paying offices and 3 local agencies.

No decisions have been given by any courts of law or other competent authorities in Great Britain or Northern Ireland regarding the application of the Convention. No observations have been received from organisations of employers or workers.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of the *United Kingdom* states that no legislation has been specially enacted in any of the colonial territories on this Convention.

In *Gibraltar*, pending the introduction of legislation, for which purpose employment and unemployment statistics are being compiled, an *ad hoc* system of financial assistance to persons who are involuntarily unemployed and who satisfy the conditions for the grant of such assistance has been brought into operation.

The Government of *New Zealand* repeats the information given in its report for 1945-1946.

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

Countries	Date of registration of ratification	Reports received
Afghanistan	14. 5.1937	
Austria	3. 7.1935	16.12.1947
Belgium	4. 8.1937	24.11.1947
Brazil	22. 9.1938	
Chile	16. 3.1946	25. 2.1948
China	2.12.1936	3. 3.1948
Cuba	14. 4.1936	19. 2.1948
Egypt	11. 7.1947	
Estonia	4. 6.1937	
Finland	3. 3.1938	10.11.1947
France	25. 1.1938	16. 1.1948
Greece	30. 5.1936	19. 1.1948
Hungary	19.12.1938	4.12.1947
India	25. 3.1938	11.12.1947
Ireland	20. 8.1936	25.10.1947
Mexico	21. 2.1938	13. 1.1948
Netherlands	20. 2.1937	8.12.1947
New Zealand	29. 3.1938	4. 3.1948
Pakistan ¹	25. 3.1938	
Peru	8.11.1945	
Portugal	18.10.1937	30.12.1947
Sweden	11. 7.1936	28.11.1947
Switzerland	23. 5.1940	17.11.1947
Turkey	21. 4.1938	
Union of South Africa	25. 6.1936	17.10.1947
United Kingdom	18. 7.1936	10. 1.1948
Venezuela	20.11.1944	2. 2.1948

¹ See under Convention No. 1, footnote 2.

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

Austria.

Federal Act of 13 March 1937 respecting the prohibition of the employment of women on underground work in mines (L.S. 1937, Aus. 2).

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 18 June 1937 to ratify the Convention.

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.

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.

Order of 6 May 1938 concerning the putting 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 Act of 4 March 1927 respecting industrial inspection (L.S. 1927, Fin. 1, B).

Mines Act of 24 March 1943, to replace the Act of 1 June 1937, which prohibited the employment of women in mines.

Order of 24 March 1943 respecting the implementation of the above-named Act.

Act and Order of 4 February 1944 respecting the control of work in certain categories of mines.

France.

Labour and Social Welfare Code, Book II.

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.

India.

Indian Mines Act, 1923 (L.S. 1923, Ind. 3).

Notification No. M-1055 of the Government of India (Labour Department): Regulations for prohibiting the employment of women underground in mines. Dated 1 February 1937 (L.S. 1937, Ind. 1).

Notification No. M-270 (1) (Labour Department) reimposing the ban on employment of women underground in coal mines, dated 1 November 1945.

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), as 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).

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 January 1937 respecting the employment of women in underground work.

Sweden.

Act of 29 June 1912 respecting the protection of workers, as amended by the Act of 12 June 1931 (No. 288) (L.S. 1931, Swe. 5, B).

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).
Order of the Federal Council of 8 April 1940 prohibiting the employment of women on underground work in mines.
Order of the Federal Council of 16 July 1943 respecting work in mines.
Order No. 1 of 16 July 1943 of the Federal Department of Public Economy respecting 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 respecting work in mines (temporary provisions regarding hours of work in mines in course of equipment).

Union of South Africa.

Mines and Works Act, 1911 (No. 12 of 1911) (L.S. 1931, S.A. 1 B).

United Kingdom.

Metalliferous Mines Regulation Act, 1872 (§ 4)
Coal Mines Act, 1911 (§ 91).

Venezuela.

Labour Act of 16 July 1936 (L.S. 1936, Ven. 2), as 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)

In its first report, the Government of *Austria* states that, by the terms of subsection (1) of § 1 of the Act of 13 March 1937, the prohibition upon employment underground extends to "mines of all kinds", i.e. to public as well as private undertakings, and to "females irrespective of age". By the terms of subsection (2) of the said section, exemptions may be made (by the Federal Minister of Trade and Reconstruction in the case of mines for reserved minerals, and by the Federal Minister of Social Administration in the case of other mines) in respect of the four categories of females specified in Article 3 of the Convention. Up to the present, however, the competent Ministers have not exercised their powers to grant either exemptions of wide applicability or individual exemptions. No authorisations have been requested in this connection.

By virtue of the provisions relating to the inspection of mines in the General Mining Act of 23 May 1854 and of the provisions of the German Order of 31 December 1942 (provisionally maintained in operation) concerning prospecting for and extraction of minerals, responsibility for supervision of the observance of the above prohibition in mines for reserved minerals devolves in the first instance upon the district mines offices and in final instance upon the chief mining authority of the Ministry of Trade and Reconstruction. This supervision is based on examination of the service regulations (which, in accordance with § 200 of the General Mining Act, must contain provisions relating to the employment of women and must have the approval of the competent authorities) and on visits of inspection to the mines; the General Mining Act stipulates that each mine shall be visited not less than once in every year.

Supervision of the observance of the Act of 13 March 1937 in respect of the employment of women in mines other than as mentioned above is carried out by the labour inspection service, which is empowered by the Labour Inspection Act, 1946, to require notification of all works regulations and nominal lists and to examine all employment rules before they are posted up in the undertaking. These measures and the visits of inspection carried out by the labour inspectors ensure the observance of the relevant protective provisions. The Works Councils Act, 1947, moreover, makes it incumbent on the Councils to supervise the observance of

the protective provisions and to invoke the enforcement authority (i.e. the district mines office or the labour inspection office) in the event of any infraction.

For information relating to the organisation of labour inspection, see also under Convention No. 4.

No violation of the provisions of the Convention has been noted since the restoration of Austrian independence. No decisions have been given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Belgium* refers to its report for 1945-1946 and adds that the Convention is strictly applied and no contraventions of the legal provisions of enforcement have been reported. No decisions were given by courts of law and no observations have been made by employers' or workers' organisations.

The Government of *Chile*, in its first report, states that the prohibition against the employment of women in underground work is implemented in the national legislation by § 49 of the Labour Code, which stipulates that "women shall not be employed in mining work underground or in work specified as beyond their strength or dangerous to their physical or moral welfare in view of their sex". In addition, § 229 of Decree No. 655 of 25 November 1940 provides that "women, even if over the age of 18 years, shall not engage in mining work, in underground work or in work beyond their strength or dangerous to their physical or moral welfare in view of their sex".

The national legislation does not provide expressly for the exceptions provided for under Article 3 of the Convention. As, however, § 49 of the Code is included in Part II of Book I, which deals with the contract of employment of wage-earning employees, the prohibition does not extend to women who are salaried employees, i.e. in whose work the intellectual effort predominates over the physical, and who come under the provisions of Part IV of Book I of the Code.

The control of the application of the provisions of the Labour Code, including § 49, is entrusted to the labour inspectorate. No decisions by courts of law have been brought to the notice of the Government.

According to information supplied by the inspection services, on the basis of the census of 1940, there are 1,007 women workers engaged in various mining undertakings, none of whom is employed in underground work. No observations have been made by the employers' or workers' organisations.

The Government of *China* states that the Mines Act, as well as the draft amendment to this Act, drawn up by the Government in 1947 and providing, in § 9, that "women and young persons shall be allowed to undertake only surface work of

light character", are in conformity with the principles of the Convention. According to the reports of the labour inspectors, no women are employed in underground work in mines.

In order that the Mines Act may be properly enforced, the Government has instituted a programme for the training of additional mining inspectors.

The Ministry of Social Affairs and the local institutions of social administration are responsible for 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 *Cuba* states that the national legislation is in complete harmony with the Convention and that it has therefore not been necessary to introduce any modifications. No decisions were given by courts of law. Women in Cuba traditionally have never worked in mines or in other work underground. No observations have been made by employers' or workers' organisations.

The Government of *Finland* states, further to its report for 1945-1946, that no decisions were given by courts of law and that no observations were made by employers' or workers' organisations.

The Government of *France*, in its first report since that for the period 1938-1939, states that the Convention is applied under § 55 of Book II (Chapter V, Division I) of the Labour Code, which stipulates that "girls and women shall not be employed in underground work in mines, diggings and quarries". No exception is made to this provision. By virtue of § 95 of Book II of the Labour Code, the supervision of the relevant legislation is exercised by the mining inspectors. § 94 provides, however, that "in the case of State undertakings in which the interests of national defence do not admit of the introduction of officials extraneous to the undertaking, the enforcement of the provisions of this Book shall be entrusted exclusively to the officials appointed for the purpose by the Ministers of War and of the Marine".

No court decisions relating to the application of the Convention are contained in the law reports for the period under review and no observations have been received from employers' or workers' organisations.

See also under Convention No. 5 with respect to the information to be furnished by the inspection services in connection with the application of the relevant legislation.

The Government of *Greece* refers to previous reports and adds that the Convention, the application of which is entrusted to the Inspectorate of Mines, continues to be fully implemented. The operating of the mines has still not been fully resumed.

The Government of *Hungary* states that no women were employed in mines in Hungary even before the adoption of the

Convention and that no legislative or other measures have been necessary for the purpose of implementing the Convention.

The Government of *India* states that the ban on the employment of women underground in coal mines, which had been lifted temporarily in 1943 in the provinces of Bengal, Bihar, Orissa, the Central Provinces and Berar, has been reimposed with effect from 1 February 1946.

The Indian Mines Act and the regulations made thereunder are administered by the Government of India through the Indian Mines Department, which includes a Chief Inspector of Mines and a number of inspectors and assistant inspectors of mines. Adequate powers are conferred on inspectors by § 6 of the Act. Persons found guilty of infringement of the provisions of the Act or of the regulations are prosecuted. No decisions by courts of law or other courts have come to the notice of the Government.

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 *Mexico* states that the exceptions enumerated in Article 3 of the Convention are not provided for in the national legislation; the Directorate of Social Welfare and the Secretariat of Labour are, however, considering their inclusion among the amendments to be made shortly to the Regulations of 31 July 1934 respecting the employment of women and children in dangerous and unhealthy occupations. The application of the legislation is entrusted to the Secretariat of Labour, the Department of the Federal District, the federal conciliation and arbitration boards, the federal labour inspectors, and the Attorney-General's Office.

No proceedings have been instituted in courts of law in connection with the employment of women underground. The application of the national legislation is in conformity with the provisions of the Convention.

The Government of the *Netherlands* states that it has nothing special to report.

The Government of *New Zealand* states that in practice no women are engaged on underground work. No decisions have been given by courts of law and no observations have been received from employers' or workers' organisations.

The Government of *Portugal* refers to its report covering the years 1940-1945 and states that the provisions of subsection (2) of § 7 of Legislative Decree No. 24,402 of 24 August 1934 and the Order of the Under-Secretary of State for Corporations of 21 January 1937 are still in force. The National Labour and Provident Institution is responsible, through the Inspectorate of Labour, for the supervision and enforcement of the provisions relating to the Convention.

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. The report of the Federal Mines Inspection Service on its activities in 1946 and the first four months of 1947 showed that the prohibition regarding the employment of women on underground work in mines is enforced generally. Women are employed, if at all, only for surface work in connection with the processing of coal. No women are employed in Switzerland on underground work in mines and, with the considerable decrease in the mining industry since the end of the war, following upon the wartime increase, there is scarcely any risk of infringement of the provisions of the Convention.

The Federal Mines Inspection Service set up under the Order of 16 July 1943 ceased to function as from the end of April 1947, and its supervisory activities have been transferred to the National Accident Insurance Fund, the Federal Office for Social Insurance and the Federal Office for Industry and Labour.

The report of the Federal Council to the Chambers on its activities in 1946, a copy of which is appended to the Government's report, gives a general account of the application of the provisions which ensure enforcement of the Convention. No decisions were given with regard to the application of the Convention, which is strictly observed in Switzerland. No observations have been received from employers' or workers' organisations.

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 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 *Venezuela* repeats the detailed information given in its report for 1945-1946 and states that no decisions were given by courts of law and no observations have been received from employers' or workers' organisations or from individual employers or workers.

See also under Convention No. 1 for information concerning the authorities entrusted with the application of the legislation.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* refers to its report for 1945-1946, in which it pointed out that § 10 of the Act of 18 June 1937 to ratify the Convention stipulates that the Convention shall not, in view of local conditions, apply to the *Belgian Congo* and *Ruanda Urundi*. Neither at the time of ratification nor at present, however, were any women employed on underground work on mines in the above territories.

The Government of *France* states that by Decree of 2 March 1939 the provisions of the metropolitan Labour Code applying the Convention were extended to *Martinique*, *Guadeloupe*, *Reunion*, *French Guiana* and *New Caledonia* (of which all except the last-named are now overseas Departments). Though the Convention has not been made applicable throughout the remaining territories, the employment of women and girls underground in mines is prohibited in *French Indo-China* by Decree of 30 December 1936 and in *French Morocco* by Decree of 13 July 1926.

The report of the Government of *New Zealand* shows no change from the position outlined for the period 1945-1946.

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

Kenya.

Employment of Women, Young Persons and Children Ordinance, 1933, § 5.

Malayan Union :

Rule 29 of Rules made under Mining Enactment (Laws of the Federated Malay States, Cap. 147), and the following :

Johore.

Rule 22 made under Mining Enactment No. 69.

Kedah.

Enactment No. 7 of 1357 (Islamic Year).

Perlis.

Enactment No. 14 of 1355 (Islamic Year).

Trengganu.

Rule 5 made under Mining Enactment No. 3 of 1345 (Islamic Year).

Kelantan.

Enactment No. 25 of 1938.

Brunei.

Labour (Amendment) Enactment 1938, § 2.

Northern Rhodesia.

Employment of Women, Young Persons and Children (Amendment) Ordinance, No. 40 of 1938.

Palestine.

Employment of Women Ordinance, 1945.

Uganda.

Mining (Safety) (Amendment) Regulations, 1939.

*Western Pacific:**British Solomon Islands.*

Regulation No. 5 of 1947, paragraph 63 (b).

Gilbert and Ellice Islands.

Regulation No. 1 of 1915 (forbids the recruitment of women for work in mines).

In *Gibraltar*, although there is no employment of women in underground work, an Amendment to the Employment of Women, Young Persons and Children Ordinance, which will include the provisions of this Convention, has been drafted.

In *Sarawak*, there is no underground work in which women are employed.

In *Aden*, *British Honduras*, *Falkland Islands*, *Gambia*, *Grenada*, *Leeward Islands*, *Malta*, *Mauritius*, *Seychelles*, *Singapore*, *St. Lucia*, *St. Vincent*, *St. Helena*, *Tonga* and *Trinidad*, the Convention is inapplicable, as there are no mines in these territories.

46. Convention limiting hours of work in coal mines (revised 1935)

(Not yet in force)

Countries	Date of registration of ratification	Report received
Cuba	14.4.1936	
Mexico ¹	1.9.1939	17.1.1948

¹ Voluntary report.

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).

Collective Agreement between the Sabina Coal-mining Co., Ltd., and Mexican Zinc Co., Ltd., and the Industrial Union of Mining, Metallurgical and Related Workers of the Mexican Republic, dated 16 April 1946.

Works Regulations of both the above-mentioned companies, dated 14 April 1939.

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

In its voluntary report, the Government of *Mexico* states that the meaning of "coal mines" as given in Article 1 of the Con-

vention does not conflict with Mexican legislation.

Under Article 2 of the Convention, the Government states that the term "worker" is defined in § 3 of the Federal Labour Act as any person who performs material or intellectual services or both. In Mexican legislation, both individual and collective contracts of employment are recognised.

Neither the present legislation nor collective agreements contain as clear a definition of hours of work, calculated as time spent in the mine, as is provided for in the Convention. In Mexican coal mines, starting time is calculated from the time at which the worker presents himself with his equipment at the door of the cage ready to be taken down. Thus, any time spent in waiting for the cage is counted as time worked. The leaving time is a fixed time at which the worker is to present himself at the cage for the ascent, and does not include any time spent in waiting for the cage or in being carried to the surface. However, the worker is allowed ten, fifteen or twenty minutes in which he can make himself ready to be at the door of the cage at the specified leaving time.

As regards time spent in the mine, the Government refers to its report for 1943-1944 in which it reproduced the provisions relating to hours of work contained in the works regulations of a coal and a zinc mining company. These regulations deal with meal intervals, rest breaks and the distribution of hours for shift workers and for workers employed on continuous processes (Articles 3, 4 and 5 of the Convention).

Under Article 6 of the Convention, the Government states that, although a weekly day of rest is prescribed by the legislation, it is not specified that this day must fall on Sunday, nor does the legislation require that not less than eighteen hours of rest is to be included in the Sunday rest. In practice, however, the day of rest is customarily observed on Sunday and any necessary alternative arrangements are made in conformity with the provisions of the Convention which deal with exceptions (paragraph 2). Enforcement of the Sunday and public holiday rest is ensured by the prior approval of collective agreements by the Conciliation and Arbitration Boards, and by the functioning of the labour inspectorate.

Work performed in the exceptional circumstances provided for is paid at double the ordinary rates.

Mexican labour legislation provides for the reduction of working hours in abnormal health conditions (Article 7).

The application of Article 8 is self-evident in Mexican legislation: exceptional or urgent work necessitating overtime is compensated at double the ordinary rates.

No maximum number of overtime hours on an annual basis is specified in the legislation, but § 74 of the Federal Labour Act authorises up to three hours' overtime per day on not more than three days in the week (Article 9).

Under Article 10 of the Convention, the Government states that regulations are made by the parties concerned, subject to the approval of the labour authorities.

The Government is making an effort to ensure that its annual reports contain the information specified in Article 11 of the Convention. Instructions are being issued to the labour inspectors and other competent authorities to bring the regulations more closely in conformity with the provisions of the Convention.

§§ 102-105 of the Labour Act ensure the application of Article 12 of the Convention. The wages records of the undertakings concerned constitute a record of overtime.

Collective breaks such as are provided for in Article 13 of the Convention are not provided for in the legislation or in collective agreements.

With the exception of provisions applicable to unhealthy or dangerous work, neither the legislation nor custom distinguishes between different kinds of mine (Article 14).

The authorities responsible for ensuring the application of the Convention are the Secretariat of Labour and Social Welfare, the Federal Conciliation and Arbitration Board, the labour inspectors and the judiciary. No decisions were given by courts of law. There are no available statistics and no observations have been made by employers' and workers' organisations.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

Does not apply to reporting country.

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

Countries	Date of registration of ratification	Reports received
Hungary	10. 8.1937	4. 2.1948
Netherlands	6.10.1938	8.12.1947
Poland	21. 3.1938	15.12.1947
Spain	8. 7.1937	
Yugoslavia	4. 1.1946	

INTRODUCTORY NOTE

The Government of *Hungary* states that there are no legislative measures to ensure the maintenance of pension rights in the course of acquisition under the various insurance schemes.

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 Acts of 3 December 1937 (L.S. 1937, Neth. 5), 27 December 1946 (*Staatsblad* No. G 397), 8 March 1947 (*Staatsblad* No. H 84) and 1 August 1947 (*Staatsblad* No. H 284).

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.

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

The Government of *Hungary* states that the position regarding the relevant legislation has not altered during the period under review. The Government adds that difficulties arose in applying the Convention because of the impossibility of transferring the required funds. There are no relevant statistics.

See also introductory note.

The Government of the *Netherlands* states that there is nothing special to report concerning the application of the Convention.

The Government of *Poland* repeats the information supplied in its report for 1945-1946.

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

Countries	Date of registration of ratification	Reports received
Czechoslovakia	19. 9.1938	6. 3.1948
France	25. 1.1938	16. 1.1948
Ireland	10. 6.1937	25.10.1947
Mexico	21. 2.1938	13. 1.1948
New Zealand	29. 3.1938	
Norway	21. 7.1936	7. 1.1948

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.

Norway.

Workers' Protection Act of 19 June 1936 (L.S. 1936, Nor. 1).

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* repeats the information given in its report for 1943-1944. See also under Convention No. 43.

The Government of *Norway* refers to its previous reports and states that no important decisions were given by the courts and no observations were received from employers' and workers' organisations.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

No information.

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

Countries	Date of registration of ratification	Reports received
Japan	8.9.1938	
New Zealand	8.7.1947	
Norway	7.7.1937	7.1.1948
Southern Rhodesia ¹		17.1.1948
United Kingdom	22.5.1939	9.1.1948

¹ Voluntary reports for the period 1945-1946 and 1946-1947 have been submitted by the Government of *Southern Rhodesia*, although not a contracting party. By letter of 5 March 1940, the Secretary of the Ministry of Labour of the United Kingdom informed the Director of the International Labour Office that the Government of Southern Rhodesia had intimated that it was prepared to observe the provisions of the Convention.

INTRODUCTORY NOTE

The Government of *Norway* repeats the information given in its report for 1945-1946 to the effect that the special conditions which gave rise to the adoption of the Convention do not exist in Norway. Since the country has no "indigenous" group of workers within the meaning of the Convention, no special legislation or other action has been necessary to ensure its application.

I

LIST OF LEGISLATION, ETC., APPLYING THE PROVISIONS OF THE CONVENTION

Norway. See introductory note.

Southern Rhodesia.

Native Labour Regulations Act (Chapter 86).
Native Juveniles Employment Act.
Public Services Act.
Mines and Minerals Act.
Native Pass Laws.

The Government of the *United Kingdom* supplies the following additional information regarding legislation enacted :

Barbados.

Regulations made under the Labour Department Act, 1943.

Fiji.

Labour Ordinance No. 23 of 1947.

Northern Rhodesia.

Employment of Natives Ordinance, 1929 (Chapter 62) and regulations made thereunder.

Nyasaland.

Native Labour Ordinance No. 4, of 1944, as amended by Ordinances Nos. 18 of 1944 and 24 of 1944.

Western Pacific :

British Solomon Islands.

Regulation No. 5 of 1947. Part V.
Order in Council of 5 April 1939.

Gilbert and Ellice Islands.

Order in Council of 5 April 1939.

Tonga.

Order in Council of 5 April 1939.

Zanzibar.

Master and Servants Decree, 1925.

The Government of *Ceylon* has agreed to the application of this Convention to Ceylon without modification, and the necessary legislation for giving effect to it has been prepared. Certain difficulties have, however, arisen with regard to professional recruitment, *i.e.*, the running of private servants' agencies, and both His Majesty's Government and the International Labour Office have been asked for advice.

In *Hong Kong*, there has hitherto been no professional recruiting of the nature defined in this Convention. Free emigrants recruited elsewhere and passing through the Colony were governed by the provisions of the Asiatic Emigration Ordinance, No 30 of 1915, in accordance with which prospective labourers were interviewed by the Secretary for Chinese Affairs. No specific local legislation is otherwise in force, though an Ordinance further to implement the provisions of the Convention is under consideration.

In *Northern Rhodesia*, a Migrant Workers Bill providing, *inter alia*, for deferred pay, family remittances and for limitation of the period of absence from the territory of

origin of migrant workers, when unaccompanied by their families, has been drafted and will be presented for legislation early in 1948.

II

ARTICLE 25 OF THE CONVENTION

No information.

III

PROVISIONS OF LEGISLATION, ETC., UNDER WHICH THE ARTICLES OF THE CONVENTION ARE APPLIED

Articles 1-24

Southern Rhodesia. The Government refers to its first detailed (voluntary) report for 1945-1946 in which it stated, under Article 3 of the Convention, that Chapter 86 of the Native Labour Regulations Act is enforced in the Colony: there are no exceptions to these regulations. Employers are permitted to engage labour for work on their premises or in the immediate vicinity thereof without requiring to be licensed under the Act.

There is no law in existence in the Colony whereby Native labourers may be compelled to enter into any employment. The conscription of labour, introduced as an emergency temporary measure under Defence Regulations during the war, has now been repealed. The compulsion of a worker to enter into a contract of service is contrary to the law, and ample opportunity exists for laying grievances before Native Commissioners or police officials.

In addition, it is necessary for all workers recruited under the terms of the Labour Regulations Act to be attested before an official in order to validate the contract. Such attestation must state whether or not the contract was entered into voluntarily. § 21 of the Native Labour Regulations stipulates that no person may obtain from any Native authority any concession, contract or promise with regard to the supply by himself or his people of Natives for employment either within or outside the Colony.

It is further laid down in § 22 of the Act that no Chief or Headman shall act in the capacity of the recruiting agent or exercise pressure or receive from any source any special remuneration or other special inducement or assistance in recruiting. Under the Native Pass Laws, it is unlawful for any person, in an attempt to obtain labour, to deprive a Native of his registration certificate.

All persons licensed under the Regulations are authorised, by the licensing officer, to operate in one district only (Article 4 of the Convention).

The provisions of Article 5, paragraph 1, sub-paragraphs (a) to (d), of the Convention, are taken into account before a licence to recruit in any particular district is granted or such licence extended to another district. The circumstances referred to in paragraph 2 of this Article have not so far arisen, as it is estimated that only 50 per cent. of the male adult able-bodied population is engaged in a wage-earning capacity in all districts throughout the Colony. Should the problem arise in the future, steps will be taken to safeguard the position.

Under § 21 (f) of the Labour Regulations, it is unlawful to recruit a non-adult without the consent of the parent or guardian, either under the Regulations or under the Native Juveniles Employment Act (Article 6).

The recruiting of the head of a family is prohibited if it involves the recruiting of any other member of the family. § 19 of the Labour Regulations gives ample protection and encouragement to workers to be accompanied by their families. Under the terms of the tripartite Migrant Labour Agreement between Central African Territories, provision is made for the free transport of the families of migrant workers to and from the territory. The separation from wives and minor children who have been authorised to accompany the workers is prohibited (Article 7).

New labour regulations will be framed during the course of 1947 when the provisions of Article 8, which deal with the grouping of recruited workers at the place of employment under suitable ethnical conditions, will be taken into account.

Under the Public Services Act, public officers are forbidden to engage in commercial undertakings (Article 9).

Under § 22 of the Native Labour Regulations, Chiefs or other indigenous authorities shall not act as recruiting agents (Article 10).

The provisions of Articles 11 and 12 of the Convention are provided for under §§ 3, 4 and 5 of the Native Labour Regulations.

Adequate safeguards in connection with the issuing of recruiting licences are contained in the Labour Regulations and the Regulations framed under the Mines and Minerals Act (Chapter 10). The keeping of records by licensees concerning recruiting operations is also provided for in the Native Labour Regulations (Article 13).

52. Convention concerning annual holidays with pay

This Convention came into force on 22 September 1939

Countries	Date of registration of ratification	Reports received
Brazil	22.9.1938	
Denmark	22.6.1939	15.11.1947
France	23.8.1939	16.1.1948
Mexico	9.3.1938	13.1.1948

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 and 12 May 1947 concerning the certification of holiday stamp books in so far as strikes are concerned.
 Regulations No. 535 of 28 October 1946 respecting the calculation of holiday allowance for persons employed on board ships who are paid by tips.

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 Acts 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.

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

The Government of *Denmark* refers to its previous reports and forwards copies of the regulations issued in 1946 and 1947.

The Government of *France* repeats the information given in its report for 1945-1946.

The Government of *Mexico* repeats the detailed information given in its report for 1943-1944 and adds that it is studying ways and means of eliminating existing differences between the national legislation and the provisions of the Convention. Meanwhile, the concessions obtained by workers in collective agreements as regards holidays, are tending to become more and more satisfactory. Furthermore, by virtue of § 133 of the Constitution and the provisions of the Convention itself, workers can claim that the latter shall be enforced. No improvement in the legislation in the form of amendments to the Federal Labour Act can be made except under favourable political conditions. The attempt made early in 1947 to amend the legislation had to be abandoned.

Under Article 5 of the Convention, the Government states that it not infrequently happens that workers fail to take their holidays, but they are then paid at double the ordinary rates for the days on which they work.

One important decision was given by the Fourth Chamber of the Supreme Court of Justice, according to which workers with less than one year's service are to be given holidays in proportion to the time worked.

The Government adds that the Convention is applied, in so far as its provisions are the same as those of Mexican legislation, by the direct application of the legislation; in so far as the Convention differs from Mexican legislation, by collective agreements and, as regards the remaining provisions, by the rights given to the worker by the ratification of the Convention.

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

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *France* repeats the information given in its report for 1945-1946.

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

Countries	Date of registration of ratification	Reports received
Belgium	11. 4. 1938	24. 11. 1947
Brazil	12. 10. 1938	
Denmark	13. 7. 1938	15. 11. 1947
Egypt	20. 5. 1939	7. 1. 1948
Estonia	20. 6. 1938	
Finland	8. 4. 1947	
France	19. 6. 1947	
Mexico	1. 9. 1939	13. 1. 1947
New Zealand	29. 3. 1938	4. 3. 1948
Norway	7. 7. 1937	7. 1. 1948
United States	29. 10. 1938	1. 12. 1947

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

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 respecting 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.

Ordinance No. 102 of 29 March 1930 for the application of 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, 1909-1938.

Norway.

Acts of 14 December 1917 and 9 February 1923 respecting engineers employed on vessels of the Mercantile Marine, as amended on 1 July 1926, 25 June 1937 and 18 June 1938.

Act of 7 February 1936 respecting navigators and navigators' examinations.

United States of America.

Section 4438 of Rev. Stat. of 1873, as amended (46 U.S.C., § 224), as modified by Reorganisation Plan No. 3 of 1946.

Section 4439 of Rev. Stat. of 1873, as amended (46 U.S.C., § 226), as modified by Reorganisation Plan No. 3 of 1946.

Section 4440 of Rev. Stat. of 1873, as amended (46 U.S.C., § 228), as modified by Reorganisation Plan No. 3 of 1946.

Section 4441 of Rev. Stat. of 1873, as amended (46 U.S.C., § 229), as modified by Reorganisation Plan No. 3 of 1946.

Section 4426 of Rev. Stat. of 1873, as amended (46 U.S.C., § 404), as modified by Reorganisation Plan No. 3 of 1946.

Section 4427 of Rev. Stat. of 1873, as amended (46 U.S.C., § 405), as modified by Reorganisation Plan No. 3 of 1946.

Act of 20 June 1936, 49 Stat. 1544, 1545 (46 U.S.C., § 367), and the regulations thereunder (46 CFR 63.1 a).

Section 4417 a of Rev. Stat. as added 23 June 1936, 49 Stat. 1889, as amended 9 October 1940, 54 Stat. 1028 (46 U.S.C., § 391 a), as modified by Reorganisation Plan No. 3 of 1946.

Section 4463 of Rev. Stat. of 1873, as amended (46 U.S.C., § 222), as modified by Reorganisation Plan No. 3 of 1946.

Section 2 of the Act of 11 May 1918, 40 Stat. 549 (46 U.S.C., § 223), as modified by Reorganisation Plan No. 3 of 1946.

Section 4405 of Rev. Stat. of 1873, as amended (46 U.S.C., § 375), as modified by Reorganisation Plan No. 3 of 1946.

Act of 29 March 1939, 53 Stat. 554, 46 U.S.C., § 241.

Act of 17 July 1939, 53 Stat. 1049, 46 U.S.C., § 224 a.

Code of Federal Regulations, Title 46.

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

The Government of *Belgium* states that the revision of the conditions regarding the co-ordination of competence certificates for the merchant marine, contemplated in 1945, has not yet been completed. This revision will not affect the principles of the present regulations. The Maritime Inspection Service and the Maritime Commissioner ensure that higher officers possess the required competency certificates. 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 previous reports and adds that no decisions were given courts of law and no observations were received from employers' and workers' organisations.

The Government of *Egypt* repeats the information contained in its previous report and adds that no contraventions have been committed during the period under review.

The Government of *Mexico* repeats the information given in its report for 1945-1946, and adds that no decisions were given by courts of law. No statistics are available and no observations were received from employers' or workers' organisations.

The Government of *New Zealand* repeats the detailed information given in its report for 1945-1946 and adds that no decisions were given by courts of law.

The report contains statistical data regarding the number of candidates examined and certificates issued from 1941 to 1946, and regarding prosecutions for infringements of the several Statutes administered by the Marine Department during the same period. No decisions were given by courts of law.

The Government of *Norway* states that there has been no change in the position outlined in earlier reports. No decisions of importance have been given by courts of law and no observations have been received from organisations of employers or workers.

In a detailed report, the Government of the *United States of America* states that, during the period 1 October 1946-30 June 1947, the Coast Guard issued 10,215 licences for ocean and coastwise service.

The statistical records on file at the Coast Guard Headquarters indicate that violations of the Statutes implementing the

Convention have occurred during the period covered by the report. The records of such violations are, however, maintained in the field offices and details of them are not therefore readily available.

The United States Coast Guard, with offices in the principal ports, is responsible for the determination of the qualifications of and the examination and licensing of all officers on merchant vessels subject to the Convention. The Coast Guard, through its Merchant Vessel Inspection Division, ensures that all inspected vessels are adequately manned by licensed officers and that no vessels are operated or navigated without having on board the licensed officers required by the Convention.

The Government adds that, at the present time, the Merchant Marine is in some respects being returned to the standards of peacetime use and in certain other respects being converted to the standards of emergency world-wide shipping demands.

The requirements imposed under United States Statutes, with some minor exceptions, exceed those established by the Convention. Consequently, observations received from individuals, groups or organisations ordinarily relate to the more stringent statutory requirements and do not reflect on the practical fulfilment of the conditions prescribed by the Convention.

It is believed that there were no decisions by courts of law or other courts regarding the application of the Convention.

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*.

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

The *United States* Government states that the resolution ratifying the Convention in 1938 provided that it should apply "to all territory over which the United States exercises jurisdiction, except the Government of the Philippine Islands... with respect to which the Government reserves its decision". This reservation was necessitated by the changing status of the *Philippines*, which in due course, on 4 July 1946, became a separate and self-governing nation.

54. Convention concerning annual holidays with pay for seamen

(Not yet in force)

Countries	Date of registration of ratification	Reports received
Belgium ¹	11. 4.1938	29.11.1947
Mexico ¹	12. 6.1942	17. 1.1948
United States	29.10.1938	

¹ Voluntary report.

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

Belgium.

Act of 7 March 1938 to ratify the Convention.
See also below.

Mexico.

Political Constitution of the United States of Mexico of 1917 (§ 133).
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 January 1939.

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

The Government of *Belgium* repeats the information given in its report for 1945-

1946, in which it stated that the provisions of the Convention are applied by means of joint agreements between professional associations of shipowners and seamen.

The last long holidays provided for seamen on their return to the country after the war were granted at the beginning of 1947. Any seaman who was unable to take the holiday which was due to him was paid an indemnity, the amount of which was equal to his wages for the period of leave to which he was entitled. During the period under review it was not necessary to have recourse to the seamen's Probiviral Court.

The Government of *Mexico* repeats the information given in its previous reports and adds that questions of leave give rise to complaints on the part of workers, particularly when they are dismissed. No statistical information is available and no observations were received from employers' or workers' organisations.

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

Countries	Date of registration of ratification	Reports received
Belgium	11. 4.1938	24.11.1947
France	19. 6.1947	
Mexico	15. 9.1939	13. 1.1948
United States	29.10.1938	1.12.1947

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

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, as amended and supplemented by Legislative Decrees of 23 October 1946 and 28 February 1947.

Mexico.

Political Constitution of the United States of Mexico, 1917 (§ 133).

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).

United States of America.

Admiralty Law of the United States.
Merchant Marine Act of 1920 (Jones Act) (46 U.S.C. § 688).
Public Health Service Act 1944 (42 U.S.C., § 201).
Act of 24 March 1943 (50 U.S.C. App., §§ 1292-1295) to amend and clarify certain provisions of law relating to functions of the War Shipping Administration, and for other purposes.
Longshoremen's and Harbor Workers' Compensation Act (33 U.S.C., § 901).
U.S. Code (annotated) Title 46, §§ 621, 622, 624, 625, 651, 666, 678, 679, 683, 741 and 742.
Code of Federal Regulations, Title 22, §§ 118.6, 118.7 and Part 119; Title 42, §§ 32.6, 32.14, 32.15, 32.17 and 32.21.

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

The Government of *Belgium* repeats the information given in its report for 1945-1946 and adds that statistical information relating to compensation paid for wartime accidents (1939-1945) is at present being compiled and will be furnished as soon as it is available. The texts of decisions given by Justices of the Peace with regard to industrial accidents will be assembled and forwarded at a later date.

The Government of *Mexico* repeats the detailed information given in its previous reports and adds that the national legislation has not yet been amended in such a way as to remove the divergencies between it and the provisions of the Convention. Nevertheless, most if not all Mexican jurists take the view that ratification, *ipso facto*, implies the incorporation of the provisions of the Convention in Mexican legislation and the repeal of contrary provisions in the latter. The worker can claim from a court of law any rights to which he is entitled under a ratified Convention. The Secretariat of Labour hopes, nevertheless, to submit proposals for reform of the legislation when opportunity arises, so that every provision of the Convention may be included in its proper place in the various laws and regulations of Mexico.

In the meantime, the Secretariat of Labour has issued instructions to its inspectors, requiring them to pay special attention to ensuring compliance with the Convention. In particular, inspectors and other public authorities have been instructed to ensure that all articles of agreement shall include a clause providing for repatriation (Article 6). Again, instructions have been given to secure the insertion in collective agreements of a clause corresponding to Article 8. It is intended also to include in future collective agreements provisions concerning shipowners' liability in respect of sickness which is not an occupational disease (Article 1).

With regard to Article 3 of the Convention, the Government states that the Secretariat of Labour has read with interest the observations made by the Committee of Experts on the Government's report for 1947, and is reviewing the manner in which the shipowner has to pay the compensation established by § 103 of the Federal Labour Act in cases in which the seaman remains on shore.

The Government also refers to the observation made by the Committee of Experts with regard to the application of Article 4 of the Convention and states that, in case of accident or occupational disease, the shipowner does not act on behalf of the Mexican Social Insurance Institution in its relations with seamen so long as the latter are outside Mexican territory. In reply to this observation, the Government states that the relevant paragraph of this observation will be communicated to the National Social Insurance Institution, so that the latter may study methods of re-examining its functions.

No court decisions of special significance were given, although cases are frequently dealt with by the courts. No observations were received from employers' or workers' organisations.

The *United States* Government repeats the detailed information given in its report for 1945-1946 and adds that regulations published on 16 September 1947 deal with the availability of public health facilities to seamen. These facilities are open to all seamen who are ill or injured on board, to seamen who have been employed continuously for 60 days, and who apply for treatment within 90 days of the last employment, and to seamen who cannot qualify on the basis of continuous employment and whose unemployment is due to lack of opportunity to ship.

It is estimated that approximately 100,000 seamen are covered by the legislation. No information is available regarding the number of seamen who received benefits or assistance or the expenditure incurred by shipowners or by the United States Government. No observations have been received from employers' or workers' organisations.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

The Government of *Belgium* states that Native seamen who take employment on board Belgian ships in *Congo* ports are covered by the legislation applying the Convention.

The Government of the *United States* repeats the information supplied in its report for 1945-1946.

See also under Convention No. 53 for the statement made by the Government with regard to the *Philippine Islands*.

57. Convention concerning hours of work on board ship and manning

(Not yet in force)

Countries	Date of registration of ratification	Reports received
Australia ¹	24. 9.1938	13.11.1947
Belgium ¹	11. 4.1938	29.11.1947
Sweden ²	6. 1.1939	
United States	29.10.1938	

¹ Voluntary report.² Conditional ratification.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 1946.

The Government of *Belgium* states that hours of work on board Belgian vessels are regulated by joint agreements between the occupational organisations of shipowners and seamen. The provisions of these agreements comply with the requirements of the Convention. The provisions of the Convention relating to minimum crews are complied with on board vessels flying the Belgian flag.

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.

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 1936)

This Convention came into force on 11 April 1939

Countries	Date of registration of ratification	Reports received
Belgium	11. 4.1938	24.11.1947
Brazil	12.10.1938	
Iraq	30.12.1939	17. 2.1948
Netherlands	8. 7.1947	
New Zealand	7. 6.1946	
Norway	7. 7.1937	7. 1.1948
Sweden	6. 1.1939	28.11.1947
United States	29.10.1938	1.12.1947

INTRODUCTORY NOTE

The Government of the *United States of America* states that no enabling legislation has been enacted since the ratification of the Convention. In practice, however, the United States Coast Guard applies an age standard for the admission of children to employment at sea which is considerably higher than that required by the Convention.

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

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. 36 of 1942, amending Labour
Law No. 72 of 1936.
Law No. 7 of 1938 ratifying the Convention.

Norway.

Act of 29 June 1888 concerning the registration
and supervision of the engagement of seamen,
and supplementary Acts No. 2 of 28 May 1892
and No. 2 of 16 June 1927.
Seamen's Act of 16 February 1923 (L.S. 1923,
Nor. 1).

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.

United States of America.

U.S. Code (Annotated), Title 46, §§ 643, 672 and
690.
See also introductory note.

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

Belgium. See under Convention No. 7.

The Government of *Iraq* repeats the information supplied in its previous reports and adds that the Ministry of Social Affairs is entrusted with the application of the legislation.

The Government of *Norway* states that there has been no change in the position outlined in earlier reports. No decisions of importance have been given by courts of law regarding the application of the Convention and no observations have been received from organisations of employers or workers.

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

The Government of the *United States of America* states that, under the provisions of § 13 of the Act of 4 March 1915, 38 Stat. 1169, as amended (46 U.S.C., § 672), it is unlawful to employ any person or for any person to serve on board a seagoing merchant vessel of 100 gross tons or over unless he holds a certificate of service which specifies the capacity in which he is authorised to serve. In addition to the certificate of service, under the provisions of § 4551 of Revised Statute of 1873, as amended (U.S.C. Title 46, § 643), a seaman must be a holder of either a continuous discharge book or a certificate of identification and, in practice, these are not issued to persons under 18 years of age. These requirements, however, do not apply to seagoing fishing vessels, whaling vessels or yachts, by virtue of specified statutory exemption.

In several States bordering on the Atlantic and Pacific Oceans, the Gulf of Mexico, the Great Lakes and the Mississippi River, legislation exists for maritime employment which meets or surpasses the 15-year minimum age standard of the Convention. This legislation affects shipping in inland and intra-State waterways as well as on the high seas.

Legislation has been sought which would

add further safeguards in connection with the enforcement of the standards established by the Convention. Under the Fair Labor Standards Act and the regulations issued thereunder, employers subject to its terms are required to maintain records showing the date of birth of all employees under the age of 19 years. Employers are advised to obtain age certificates issued pursuant to a well-publicised system and if they fail to do so to ascertain the age of employees from other forms of evidence at their own risk.

Amendments to the Child Labor Provisions of the Fair Labor Standards Act (establishing a 16-year minimum) have been sought which would bring the employment of minors covered by the Convention within the scope of the Act and empower the Secretary of Labor to prevent such employment under the enforcement provisions of that Act. The Fair Labor Standards Act would thus be amended to provide that "no employer engaged in commerce or in the production of goods for commerce shall employ any oppressive child labor in or about or in connection with any enterprise in which he is so engaged". "Commerce" as now defined in the Act also covers transportation, transmission or communication among the several States or from any State to any place outside the State.

The Government adds that it is possible for violations of the Convention to occur without detection. Any enforcement provision, as in Article 4, to the effect that ship-owners shall be required to keep a register

of dates of birth, is ineffectual in so far as the dates of birth may not be verified. Consequently, the efforts of the Government to secure improved enforcement are directed towards integration of the existing system for issuing age certificates into an existing enforcement programme extending to the full scope of the Convention.

The application of the relevant provisions of the U.S. Code has been entrusted to boards of local inspectors of the Bureau of Marine Inspection and Navigation of the Department of Commerce and to shipping commissioners or, at ports where no shipping commissioners have been appointed, to collectors or deputy collectors of customs or to United States local inspectors; under Reorganisation Plan No. 3 of 1946, these functions were transferred to the United States Coast Guard and are exercised through its local officers.

It is believed that no decisions were given by courts of law. No observations were received from employers' or workers' organisations.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

Belgium. See under Convention No. 7.

United States of America. See under Convention No. 53 for the Government's statement with regard to the *Philippine Islands*.

TWENTY-THIRD SESSION (GENEVA, 1937)

59. Convention fixing the minimum age for admission of children to industrial employment (revised 1937)

This Convention came into force on 21 February 1941

Countries	Date of registration of ratification	Reports received
China	21.2.1940	3.3.1948
New Zealand	8.7.1947	
Norway	26.8.1938	7.1.1948

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.

Norway.

Workers' Protection Act 1936 (L.S. 1936, Nor. 1).

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

The Government of *China* states that § 9 of the Draft Amendment of the Mines Act lays down that young persons between 14 and 16 years of age are only allowed to undertake surface work of light character. § 3 of the Draft Amendment provides that the mine shall keep a record of the name, sex, age, place of birth, address, etc., of every worker. Labour inspectors have always been sent to all factories and mines to supervise the enforcement of the Factory Act and the Mines Act; their reports state that no children have been employed underground in mines. The Ministry of Social Affairs has also instructed the Yunnan Provincial Bureau of Social Affairs to enforce, as from 1947, the prohibition of the employment of children in mines of the Kurchur District, Yunnan, where children were formerly employed. An attempt will be made to set up new factories to give employment to children not allowed to work in mines.

The duties of supervision of factories by labour inspectors also include the prevention of employment of children below the minimum age laid down by the Factory Act. No decisions have been given by courts of

law and no observations have been received from employers' or workers' organisations.

The Government of *Norway* refers to previous reports. In its report for 1945-1946 the Government stated, with reference to Article 3 of the Convention, that under the Trade School Act of 1 March 1940 the age for admission to apprenticeship schools was 14 years. In evening schools two lessons are given on five days of the week during nine months of the year. Pupils are not obliged to attend for more than 48 hours per week. Furthermore, an employer must not employ an apprentice during his school hours or at a time so close to these hours that he is unable to reach his school at the proper time.

The State labour inspectors are responsible for ensuring compliance with the regulations issued under the Workers' Protection Act regarding the prevention of industrial accidents and work likely to endanger health.

Under Article 4 of the Convention, the Government states that § 31 of the Workers' Protection Act lays down that the employer shall keep a list of children and young persons employed by him. In industry and handicrafts, such lists are compulsory under § 31 of the Act of 18 September 1915 respecting the protection of labour in industrial undertakings. The Government has called attention to the desirability of extending this obligation to all industrial undertakings as defined by the Convention, including construction, building and transport activities, and in its report for 1945-1946 it was stated that such an extension was being prepared but that its completion had been prevented by other pressing work.

Article 5 of the Convention is applied by special measures ordered by the Crown under § 9 of the Workers' Protection Act of 1936 which fixes a minimum age of 18 years for admission to work in the following activities: smelting works, crushing mills, concrete mills (work at furnaces, mills, packing work, lubricating work), china and crockery factories (departments for treatment of poisonous materials), electro-chemical factories (continuous process departments), type foundries, printing shops (cleaning work), factories manufacturing lead

compounds and other poisonous substances (treatment of poisonous substances), galvanising works (children under the age of 16 years not allowed in the galvanising rooms), cellulose factories (boiling shops, fire house, acid shops and basins that are closed and where the pulp is emptied by hand power, soda works), shoddy and rag shredding shops (treatment and shredding of rags), mining (underground work), metal-grinding shops (polishing and grinding discs), factories manufacturing sulphuric acid, nitric acid or nitrate of ammonia without employing electricity during the chemical process (continuous process departments), as well as foundries. Persons employed in sand-blowing, polishing, cleaning, grinding and operating cranes must be over 20 years of age. Furthermore, it is forbidden, under the White Lead Act of 24 May 1929 to employ young persons under the age of 18 years for the painting of buildings where white lead or sulphate of lead, etc., is used.

During the period 1945-1946, no decisions given by courts of law or other courts have come to the notice of the Chief Inspectorate, and no observations were made by employers' or workers' organisations.

In its report for 1946-1947, the Govern-

ment states that, according to the reports of the labour inspectors for 1946, 15 children were employed contrary to the Workers' Protection Act in one district and, in another district because of the shortage of adult manpower, children were employed in a few cases on prohibited work. On the whole, in spite of the present difficult situation, there seem to be very few cases in which children are employed on prohibited work.

In order to restrict the traditional employment of children on light work in the rush season of herring factories and in the canning industry, the labour inspectors have been requested to insert warnings in the newspapers of the areas concerned, stressing the provisions of the Workers' Protection Act and pointing out that parents and other responsible persons may be punished by fines if they allow children to work contrary to the law.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

Does not apply.

62. Convention concerning safety provisions in the building industry

This Convention came into force on 4 July 1942

Countries	Date of registration of ratification	Reports received
Finland	8. 4.1947	
Mexico	4. 7.1941	
Switzerland	23. 5.1940	17.11.1947

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

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 *Switzerland* refers to previous reports and gives figures showing the number of accidents to workers in the building industry and accessory trades during 1945. The report is accompanied by a copy of the annual report of the Swiss National Accident Insurance Institute for 1946, which contains information on the activities of the Institute as regards technical inspection and accident prevention, appeals against decisions regarding compulsory insurance, etc. The Government adds that the Convention is fully applied in Switzerland.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

Does not apply.

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

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	13.11.1947
Canada	6. 4.1946	20.11.1947
Denmark ²	22. 6.1939	15.11.1947
Egypt ³	5.10.1940	7. 1.1948
Finland	8. 4.1947	
Ireland	9.10.1946	25.11.1947
Mexico	16. 7.1942	13. 1.1948
Netherlands	9. 3.1940	8.12.1947
New Zealand ¹	18. 1.1940	
Norway ²	29. 3.1940	7. 1.1948
Sweden ²	21. 6.1939	28.11.1947
Switzerland ³	23. 5.1940	17.11.1947
Union of South Africa ⁴	8. 8.1939	1.12.1947
United Kingdom	26. 5.1947	

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 *Canada*, in its first report, states that no special legislation was required in order that the provisions of the Convention might be applied. Information on average earnings and hours of work is collected in pursuance of the Statistics Act, 1918.

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 Order No. 27 of 1943.

The Government of *Mexico* refers to previous reports in which it stated that the Federal Statistics Act issued on 22 December 1939 and the regulations made thereunder 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 Government of *Canada* states that statistics of wages and hours of work, as

required by the Convention, are compiled regularly; the data are published as promptly as possible, and in most cases well within the time limits suggested. The reports issued are communicated punctually to the International Labour Office.

The Government of *Mexico* refers to summaries published for statistics of average time worked per worker per week and of hourly wages, duly communicated to the International Labour Office, and regrets that, owing to budgetary reasons, the personnel available has not been sufficient to permit the tabulation of all the statistics which could have been compiled from the material collected.

The Government of *Sweden*, in addition to supplying information on the points covered in its preceding reports, provides details concerning statistics of wages and hours of work of road workers.

The Governments of *Australia*, *Denmark*, *Norway*, *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 *Canada*, *Mexico* and the *Netherlands* have stated that no Part of the Convention is excluded from ratification.

The Government of *Australia* states that some progress is being made towards the collection of statistics of the type called for in Part II of the Convention. Forms and instructions relating to a quarterly business survey have been sent to a carefully selected sample of employers in all types of industry. The results of the survey, taken in conjunction with the payroll tax statistics, should enable the Commonwealth Bureau of Census and Statistics to compile satisfactory statistics of earnings in various industries and for males and females, adults and juveniles, separately. At a later date it is hoped, by means of a quarterly business survey, to collect information regarding actual hours of work, and consideration will then be given to the desirability of cancelling *Australia's* reservation in respect of Part II of the Convention.

The Government of *Canada* states that the data required in Parts II, III and IV of the Convention are available in whole or in large part.

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 Government of *Switzerland* (Parts III and IV excluded) refers to previous

reports and adds that there is in preparation an annual enquiry into all wage rates and hours of work fixed by the 1,300 collective agreements in force.

The Governments of *Denmark* (Part III excluded), *Norway* (Part III excluded) and the *Union of South Africa* (Parts II and IV excluded) refer to previous reports.

Article 4

The Governments of *Canada*, *Egypt*, *Ireland*, *Mexico* and *Sweden* give information regarding the enquiries undertaken by the competent statistical authorities 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 *Australia* refers to its report for the period 1945-1946, in which it stated that the *Labour Report* published by the Commonwealth Statistician indicates the scope of enquiries and the methods by which the statistics of hours and wages are compiled.

The Governments of *Denmark*, *Norway* and the *Union of South Africa* refer to previous reports.

Articles 5-12

The Government of *Canada* gives detailed information regarding statistics of average earnings and of hours actually worked in mining and manufacturing industries, and indicates that the principal published statistics have been forwarded for a number of years to the International Labour Office. With respect to Article 10, the Government states that data are not at present obtained from establishments to show separately the earnings and the hours of adults and juveniles, but that information on earnings of wage-earners classified by age groups is to be obtained from the decennial censuses. As to Article 12, the Government states that the monthly record which is made of average hourly earnings has not been established sufficiently long to permit the construction of index numbers; index numbers of average hourly earnings and average weekly wages will be prepared when a suitable basic period has been established. Methods of taking account of the relative importance of different industries are still under consideration.

The Government of *Denmark* states that the statistics required under Article 10 in respect of juveniles are not yet available.

The Governments of *Egypt* and *Sweden* supply information regarding statistics of average earnings and hours actually worked in the mining and manufacturing industries.

The Government of *Ireland*, in its first (voluntary) report, refers to publications giving statistics of earnings and of hours actually worked, and states that these

statistics were compiled from data furnished by all undertakings employing four or more persons. The figures for earnings disregard family allowances, which are paid by the State at uniform rates.

The Government of *Mexico* states, as in previous reports, that it has not yet been possible to undertake the compilation of statistics on average earnings and hours of work in the mining and manufacturing industries, and adds that it is hoped that, as the work of the Statistical Office and that part of it entrusted to the Secretary of Labour increases year by year, it will be possible soon to provide statistics of this kind.

The Government of the *Netherlands*, further to its report for the period 1944-1945, states that index numbers of average earnings per hour and per week of adult male workers in all important industries are now being compiled on the basis of annual enquiries. These indices are compiled for all workers and also separately for skilled, semi-skilled and unskilled workers.

The Governments of *Norway* and *Switzerland* refer to previous reports for information regarding statistics of average earnings and hours actually worked in the mining and manufacturing industries.

The Governments of *Australia*, *New Zealand* and the *Union of South Africa* have excluded Articles 5-12 from the scope of ratification.

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 Governments of *Mexico* and the *Netherlands*.

The Government of *Australia* refers to previous reports.

The Government of *Canada* states that statistics of time rates of wages and of normal hours of work of wage-earners are compiled for a representative selection of the principal mining and manufacturing industries, including building and construction, and indicates that the relevant published statistics have been forwarded for a number of years to the International Labour Office. The meaning ascribed to "normal" or "standard" hours of work is that given in Article 14 of the Convention. As to Article 19, the Government states that the sources of information from which the statistics of time rates of wages and of normal hours of work are compiled contain particulars of the rates and percentage additions to normal rates paid for overtime but not the other particulars specified. Holidays with pay and amounts of overtime permitted are, however, covered by legislation in several of the provinces. With regard to Article 20, the Government states that allowances in kind, where such exist, have

not been estimated in terms of money. The calculation of an index number of changes in normal hours of work, as required under Article 21, has not been completed, but progress is being made.

The Government of *Ireland* refers to publications giving statistics of wages and normal hours of work and states that index numbers showing the movement of average earnings are compiled and published. Indices of the general movement of rates of wages are compiled twice yearly on the basis of a large range of industries producing transportable goods; separate compilations are made for the different industrial groups and for 23 principal industrial occupations.

The Government of the *Union of South Africa* refers to previous reports and adds that the method of calculating the index of nominal wage rates (Article 21) is at present being revised. Details are also given as to the amount of overtime permitted in the case of female employees in industry (Article 19).

The Governments of *Denmark*, *Egypt*, *Norway*, *Sweden* and *Switzerland* have excluded Articles 13-21 from the scope of ratification.

Article 22

Information is given with regard to statistics of wages in agriculture by the Governments of *Canada*, *Ireland* and *Sweden*.

The Government of *Australia* indicates that the relevant publications are those referred to in its preceding reports, and that the situation in general has undergone no substantial change.

The Government of the *Netherlands* states that statistics of average earnings in agriculture are, in fact, compiled, but that owing to special circumstances they are not for the moment being published. Index numbers of rates of wages per hour in agriculture are calculated monthly for the most important regions.

The Government of *Norway* states that the latest statistics on wages earned in agriculture are published yearly in *Statistical Information*, and refers to its report for the period 1944-1945, in which it stated that the yearly statistics of wages earned in agriculture specify the different categories of wages earned, the source of information and the nature of the information received. Hours of work are not specified.

The Government of *Denmark* refers to previous reports.

The Governments of *Egypt*, *Switzerland* and the *Union of South Africa* have excluded Article 22 from the scope of ratification.

Article 23

The Government of *Canada* states that records are collected in all nine provinces and that no areas are specifically excluded

from the operation of the Statistics Act under which the information on average earnings and hours is collected.

The Government of *Denmark* refers to its report for the period 1945-1946, in which it stated that the Faroe Islands and Greenland are not covered by the statistics compiled in pursuance of this Convention, and that wage-earners in these areas were 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 particular regions in Mexico from the scope of the Convention.

The Government of the *Netherlands* refers to previous reports, in which it stated that the overseas dominions were not included in the statistics supplied under the Convention.

The Government of *Switzerland* states that it 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, further to its report for the period 1945-1946, that a committee entrusted with the task of making proposals for the amplification of wages statistics was set up on 22 March 1947.

The Government of *Mexico* states that it will be pleased to receive any suggestions from the International Labour Office for the improvement and development of statistics compiled in application of the Convention, as well as for the improvement of the comparability of such statistics.

IV

The statistical authorities entrusted with the compilation of the relevant statistics are as follows :

Australia : Commonwealth Bureau of Census and Statistics (except in relation to external territories).

Canada : Dominion Bureau of Statistics (for earnings and hours worked) ; Department of Labour (for normal hours and rates of wages).

Denmark : Department of Statistics.

Egypt : Department of Statistics.

Ireland : Department of Industry and Commerce.

Mexico : Statistical Section of the Department of Social Information in the Ministry of Labour ; General Statistical Office in the Ministry of National Economy.

Netherlands : Central Bureau of Statistics.

Norway : Central Office of Statistics.

Sweden : Social Board.

Switzerland : Federal Bureau of Industry, Arts and Crafts (Social Statistics Section).

Union of South Africa : Office of Census and Statistics.

V

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 that no observations had been received from employers' or workers' organisations.

The Government of *Canada* states that, with the exception of certain requirements under Articles 10 and 21 (see above), almost all the statistics required by the Convention are available in Canada for the specified industries and for others, while much information is compiled for the various provinces and the larger cities in addition to that compiled for the country as a whole. No observations have been received from employers' or workers' organisations.

The Government of *Denmark* refers to previous reports and states that no observations have been received from employers' or workers' organisations ; the question of the expression of views by such organisations will, however, be examined by the committee on wages statistics recently set up (see under Article 24 above).

The Government of *Egypt* states that no observations have been made by employers' or workers' organisations.

The Government of *Ireland* states that it is proposed to obtain returns for 25 principal towns at quarterly intervals in future for rates of wages and hours of work in principal occupations in certain industries in order to ensure fuller compliance with the Convention.

The *Netherlands* Government refers to its report for the period 1944-1945, in which it stated that except in certain details the data conformed to the provisions of the Convention and that on certain points they were more advanced than the Convention required.

The Government of *Switzerland* states that the Convention is fully observed throughout the country and that no observations have been received from employers' or workers' organisations.

COLONIES, ETC.

(ARTICLE 35 OF THE CONSTITUTION) (III)

Australia. No information.

Canada. Inapplicable.

Denmark. The Government refers to its report for the period 1945-1946, in which

it stated that no action had 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 would make extension of the application of the Convention practicable.

Egypt. Inapplicable.

Ireland. Inapplicable.

Mexico. Inapplicable.

The application of the Convention was not considered practicable in the *Netherlands East Indies* for the time being.

The Convention has not been published or promulgated in *Surinam*. As no complete statistical information is available, reviews of the available data on wages and hours

of work are appended to the report. Draft regulations on hours of work are before the Legislature.

In *Curaçao*, the Registration of Labourers Ordinance (No. 106 of 1945) covers the provisions of the Convention except as regards data on hours of work. As soon as the necessary data collected under this Ordinance have been assembled, statistical information will be available regarding workers earning less than 10,000 guilders a year, classified by wage group, nationality and trade or occupation.

Sweden. Inapplicable.

Switzerland. Inapplicable.

Union of South Africa. No information.

TWENTY-FIFTH SESSION (GENEVA, 1939)

64. Convention concerning the regulation of written contracts of employment of indigenous workers

This Convention is not yet in force

Countries	Date of registration of ratification	Report received
New Zealand	8.7.1947	
United Kingdom ¹	24.8.1943	9.1.1948

¹ Voluntary report.

The Government of the *United Kingdom*, in its voluntary reports for 1945-1946 and 1946-1947, states that the following legislation has been enacted :

Aden : Contracts of Employment (Indigenous Workers) Ordinance No. 45 of 1942.

British Honduras : Employers and Workers Ordinance, No. 6, of 1943.

Regulation No. 46 of 1943 made under the above Ordinance.

Ceylon : The Service Contracts Ordinance and the Estate Labour (Indian) Ordinance (Chapters 59 and 112 of Legislative Enactments) at present regulate written contracts of employment. The

Government of Ceylon has, however, accepted this Convention for application to Ceylon without modification, and the necessary legislation is being prepared.

Fiji : Labour Ordinance No. 43 of 1947.

Mauritius : Ordinance No. 47 of 1948 as amended by Ordinances Nos. 14 of 1944, 44 of 1945, 20 of 1946, 6 of 1947 and 36 of 1947.

Nigeria : Labour Code Ordinance, 1945, Chapters III-IV, §§ 37-57.

Nyasaland : Native Labour Ordinance No. 4 of 1944, as amended by Ordinances Nos. 18 and 24 of 1944.

Seychelles : Ordinances Nos. 25 and 26 of 1946 (not yet in operation).

Zanzibar : Labour Decree No. 11 of 1946. Plantation Workers (Clove-picking Contracts) Regulations, 1946 (Government Notice No. 205 of 1946).

The question of the application of this Convention to the *Bahamas*, *Barbados* and *Bermuda* has been reserved.

ADDENDUM

List of Countries from which Reports were received in respect of Certain Conventions after 6 March 1948

Australia.

Convention No. 29 (Forced labour).

Austria.

Conventions Nos. 17 (Workmen's compensation (accidents)); 18 (Workmen's compensation (occupational diseases)); 19 (Equality of treatment (accident compensation)); 24 (Sickness insurance (industry, etc.)); 25 (Sickness insurance (agriculture)); 42 (Workmen's compensation (occupational diseases) (revised)).

Brazil.

Conventions Nos. 3 (Maternity protection); 5 (Minimum age (industry)); 6 (Night work of young persons (industry)); 7 (Minimum age (sea)); 16 (Medical examination of young persons (sea)); 41 (Night work (women) (revised)); 42 (Workmen's compensation (occupational diseases) (revised)); 45 (Underground work (women)); 52 (Holidays with pay); 53 (Officers' competency certificates); 58 (Minimum age (sea) (revised)).

Dominican Republic.

Conventions Nos. 1 (Hours of work (industry)); 5 (Minimum age (industry)); 7 (Minimum age (sea)); 10 (Minimum age (agriculture)).

France.

Conventions Nos. 18 (Workmen's compensation (occupational diseases)); 26 (Minimum wage-fixing machinery); 27 (Marking of weight (packages transported by vessels)); 29 (Forced labour).

Greece.

Conventions Nos. 1 (Hours of work (industry)); 2 (Unemployment); 3 (Maternity Protection).

Italy.

Conventions Nos. 7 (Minimum age (sea)); 8 (Unemployment indemnity (ship-

wreck)); 9 (Placing of seamen); 15 (Minimum age (trimmers and stokers)); 16 (Medical examination of young persons (sea)); 22 (Seamen's articles of agreement); 23 (Repatriation of seamen); 27 (Marking of weight (packages transported by vessels)); 32 (Protection against accidents (dockers) (revised)).

Mexico.

Convention No. 62 (Safety provisions (building)).

Netherlands.

Convention No. 29 (Forced labour) and reports on application of Conventions to colonies.

New Zealand.

Conventions Nos. 2 (Unemployment); 10 (Minimum age (agriculture)); 11 (Right of association (agriculture)); 14 (Weekly rest (industry)); 17 (Workmen's compensation (accidents)); 22 (Seamen's articles of agreement); 26 (Minimum wage-fixing machinery); 30 (Hours of work (commerce and offices)); 41 (Night work (women) (revised)).

Peru.

Conventions Nos. 1 (Hours of work (industry)); 4 (Night work (women)); 11 (Right of association (agriculture)); 14 (Weekly rest (industry)); 19 (Equality of treatment (accident compensation)); 24 (Sickness insurance (industry, etc.)); 35 (Old-age insurance (industry, etc.)); 37 (Invalidity insurance (industry, etc.)); 39 (Survivors' insurance (industry, etc.)); 41 (Night work (women) (revised)); 45 (Underground work (women)).

Turkey.

Conventions Nos. 14 (Weekly rest (industry)); 45 (Underground work (women)).

INTERNATIONAL LABOUR CONFERENCE

THIRTY-FIRST SESSION

SAN FRANCISCO, 1948

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, 1948

PRINTED BY "IMPRIMERIE CENTRALE DE LAUSANNE"
LAUSANNE, SWITZERLAND

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 to report on them to the Governing Body of the International Labour Office, met in Geneva from 1-10 April 1948 and held its 18th Session.

During the period which has passed since the last session, four additions have been made to the membership of the Committee. The Governing Body at its 103rd Session (Geneva, December 1947) appointed Professor CHEN, Ta (China) and Professor Tomaso PERASSI (Italy) as members of the Committee. At its 104th Session (Geneva, March 1948), the Governing Body appointed Miss G. J. STEMBERG (Netherlands) and Mr. Norman Washington MANLEY, K.C. (Jamaica) as members of the Committee, following recommendations, made respectively by the Committee itself and by the representatives on the Governing Body of the Chinese and Indian Governments, that one or more women experts as well as an expert from a non-metropolitan territory should be added to the Committee.

The composition of the Committee is accordingly as follows :

Baron Frederick VAN ASBECK (Netherlands),
Professor of International Law and of Comparative Constitutional Law of non-metropolitan countries at the University of Leyden ; former Professor of the Higher 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),

Former President of the Supreme Court of Norway ; former Minister of Social Affairs ; former Minister of Justice ; 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 ; former Chairman of the Governing Body of the International Labour Office ; President of the Tenth (1927) Session of the International Labour Conference ;

Dr. CHEN, Ta (China),

Ph. D., Professor of Sociology and former Chairman of the Department of Sociology, National Tsing Hua University, Peiping, China ; Member of Social Administration Planning Commission, Ministry of Social Affairs ; former Chief of the Department of Statistics, Ministry of Interior ; Vice-President of the International Union for Scientific Study of Population, Paris ;

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 ;

Mr. Norman Washington MANLEY, K.C. (Jamaica),

Member of the Central Board of Health and of the Agricultural Development Board of

Jamaica; Chairman, Jamaican Welfare Limited, 1944; Chairman, Jamaican Co-operative Development Council, 1943; Member, Agricultural Policy Committee, 1944;

Mr. TOMASO PERASSI (Italy),

Professor of International Law at the University of Rome; Member of the Institute of International Law; Member of the Constituent Assembly; Legal Adviser in the Ministry of Foreign Affairs;

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; Member of the Institute of International Law; former Professor at the University of Geneva and at the Graduate Institute of International Studies; Secretary-General of the Academy of International Law at the Hague;

Miss G. J. STEMBERG (Netherlands),

Doctor of Law; formerly Director, and now Adviser in the Ministry of Social Affairs; Government member of the Netherlands delegation to the Sessions of the International Labour Conference since 1925; member of the I.L.O. Correspondence Committee on Social Insurance;

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 of 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 13 members, the following were present:

Baron Frederick VAN ASBECK,
Mr. PAAL BERG,
Sir Atul CHATTERJEE,
Dr CHEN, Ta,
Mr. H. S. KIRKALDY,
Mr. TOMASO PERASSI,
Mr. WILLIAM RAPPARD,
Mr. GEORGES SCELLE,
Miss G. J. STEMBERG,
Mr. PAUL TSCHOFFEN,
Hon. CHARLES E. WYZANSKI, Jr.

Much to the Committee's regret, two of the members were unable to take part in the session. Mr. LOBO was absent because of the pressure of other work; Mr. MANLEY was unable to attend because his appointment preceded the session of the Committee by a few days only.

Mr. JEAN LUCAS, Trusteeship Officer, attended the session as an Observer on behalf of the United Nations.

The Committee unanimously elected Mr. TSCHOFFEN as Chairman and Mr. KIRKALDY as Reporter.

At the outset of the Committee's proceedings, the Chairman referred to the profound regret with which the members of the Committee had learned of the sudden death on 1 January 1948 of Mr. K. Kuriyan, Chief of the Application of Conference Decisions Section. Mr. Kuriyan, who had entered the service of the Office in 1924, had proved himself a loyal and devoted servant of the International Labour Organisation and his high abilities had been of inestimable value to the Committee of Experts on the Application of Conventions particularly during the difficult period of reconstruction which followed the war.

The Committee extended a welcome to Mr. Henri Gallois, whose work for the International Labour Organisation was already well known to many members of the Committee and who had been appointed by the Director-General to succeed Mr. Kuriyan as Chief of the Application of Conference Decisions Section.

The Committee noted with gratification the effect given by the Governing Body to the requests made by the Committee in recent years for consideration of the question of enlarging its membership and of lengthening the duration of its annual session. The wide experience possessed by the new members of the Committee on the diverse aspects of labour legislation and its practical application, and on labour conditions, will be of material assistance to the Committee in the discharge of the functions entrusted to it by the Governing Body. The ability to perform adequately even the tasks assigned to the Committee in virtue of the present Constitution of the International Labour Organisation has always been a matter of serious concern to the Committee; the increased responsibilities which will fall upon the Committee under the revised Constitution will impose an additional burden and the Committee finds it difficult to estimate in advance its ability to carry out these further tasks with the resources

at present at its disposal. The increased membership of the Committee will, however, afford a measure of relief from the burdens falling upon individual members in making a detailed examination of the reports submitted by Governments, a task which, with the growing number of Conventions and of ratifications, becomes every year more arduous. A further addition to the time assigned for the annual session of the Committee would, the Committee hopes, enable it to perform more adequately the important task of international supervision entrusted to it.

At its last session, the Committee was able to resume, for the first time since the war, the practice of submitting detailed observations upon the reports on individual Conventions supplied by the Governments, and on this occasion that practice has been continued. Indeed, the Committee this year devoted a large part of its time to the detailed examination of these reports and to the formulation of the necessary observations thereon. In addition, time was spent on this matter by the individual members of the Committee prior to the session. The Committee was also able this year, with the assistance of Professor VAN ASBECK, to devote considerable attention to the question of the application of Conventions in non-metropolitan territories. The conclusions of the Committee in regard to these two matters are dealt with in detail in later sections of this report.

In recent years the Committee has had to devote considerable attention to questions of a constitutional nature affecting its work, in view of the proposed revision of the Constitution of the International Labour Organisation. That revision having been completed and likely to become operative in the near future, the Committee was now relieved from the necessity for formulating views as to the form which the revision should take and to that extent has been able to devote more attention to the essential task of international supervision. Nevertheless, there are certain immediate matters affecting the practical working of the Committee on which the Governing Body has invited the views of the Committee and others which will arise when the new Constitution operates. The Committee has discussed these matters and its observations thereon are submitted to the Governing Body in a separate report.

2. SUPPLY OF ANNUAL REPORTS

For the period 1 October 1946 to 30 September 1947 the Director-General, by circular letter dated 26 August 1947, requested a

total of 763 annual reports in respect of the application of 53 Conventions then in force. No reports were requested relative to a certain number of ratifications where complicated legal and constitutional questions arise, varying from case to case, as to whether reports are due in these cases. Up to 8 April 1948, the Office had received 591 reports. A list showing the reports received, classified according to countries and Conventions, is given in Appendix I.

A considerable number of Governments (*Australia, Austria, Belgium, Burma, Bulgaria, Canada, Chile, China, Cuba, Czechoslovakia, Denmark, Egypt, Finland, France, Greece, India, Iraq, Ireland, Italy, Luxembourg, Mexico, Netherlands, Norway, Poland, Portugal, Sweden, Switzerland, Union of South Africa, United Kingdom, United States*) have sent all the reports requested. First reports due since ratification by the countries concerned of the relevant Conventions were received from *Austria* (Convention No. 45), *Canada* (Nos. 32 and 63), *Chile* (No. 45), *France* (Nos. 5 and 33) and the *United Kingdom* (No. 39).

The Government of *Pakistan* states in a recent letter that the position regarding the application in its territory of the 16 Conventions ratified by India can be taken to be the same as that reported by the Government of India for the period 1945-1946, except for a few changes, mainly in respect of the inspecting agencies. It adds that the reports submitted by the Indian Government for the period up to 14 August 1947 can also be taken to apply to Pakistan.

Voluntary reports¹ have been received from *Australia* (Convention No. 57), *Belgium* (Nos. 54 and 57), *Ireland* (No. 63) and *Mexico* (Nos. 46 and 54). The Government of *France* has supplied an annual report on the application of Convention No. 1 although the conditions subject to which France ratified this Convention in 1927 have not been fulfilled. The *Anglo-Egyptian Sudan* has, for the first time since 1940, submitted a voluntary report on the application of Convention No. 29. The Government of *Southern Rhodesia* has furnished, voluntarily, a first report on the application of Convention No. 50.

¹ The circumstances in which the Office receives voluntary reports from Governments include the following: when a Convention has not yet received the necessary number of ratifications to bring it into force; when the time limit which has elapsed after the ratification of a Convention by a country is less than that specified in the Convention as necessary to bring it into force for that country; when a country has ratified a Convention subject to conditions which have not yet been fulfilled.

The Committee desires to express its appreciation of the action of the Governments concerned in submitting these voluntary reports.

The reports submitted by *Austria* and *Luxembourg* are the first submitted by these countries since the war.

In certain cases Governments indicate that the difficulties and necessities of the post-war period continue to have a direct bearing on the application of Conventions. Thus the Government of *Luxembourg* states in respect of Convention No. 1 that in order to hasten reconstruction of the country, hours of work in the building industry were increased by collective agreement. The *United Kingdom* Government indicates that with a view to spreading the electricity load and thereby avoiding a serious breakdown in supplies, it has been found necessary to make provision for the staggering of hours of work in factories and that the full application of Conventions Nos. 6 and 41 has in some instances been affected.

On the other hand, several reports point to the abolition of wartime measures which had been contrary to the terms of certain Conventions. For example, the *Italian* Government points out that the scope of the legislation applying Convention No. 14, which had been restricted during the war, has now been almost restored to normal. Attention may also be called in this connection to cases where mention is made of new legislation: e.g., the Government of *Austria* states that numerous German statutes are still in force but are being gradually replaced by new laws; in *Venezuela*, the Constitution of 5 July 1947 contains Chapters on Social Security and on Labour which help to ensure application of the Conventions ratified by that country. Among the other reports which refer to new legislation are those of *Belgium* (Convention No. 2), *Italy* (No. 2) and *France* (Nos. 11 and 13). The Government of *Switzerland* states as regards Convention No. 14 that favourable conditions have led to an extension of the scope of legislation respecting weekly rest.

Among the numerous references to the activities of labour inspection services special mention should be made of the information given in respect of Convention No. 6 by the Governments of *Austria* and *Burma*. The former describes in detail the organisation of its labour inspectorate. The latter states that the relevant departments are understaffed and need strengthening. The *Mexican* Government reports that the Secretariat of

Labour is preparing measures for the reform of the labour inspection service in conformity with the Resolution concerning labour inspection passed by the Third Conference of American States Members of the International Labour Organisation (*Mexico*, 1946) and with the terms of the Labour Inspection Convention recently adopted by the International Labour Conference.

Some reports refer to the implementation of certain Conventions, in part at least, by means of collective agreements: e.g., *France* (Convention No. 9), *Mexico* (No. 6), *Portugal* (No. 6) and *Venezuela* (Nos. 5 and 6).

It is also of interest that the *Italian* Government has submitted copies of its annual reports to the representative employers' and workers' organisations, as provided for in Article 23, paragraph 2 of the amended Constitution.

No reports for the period 1946-1947 have so far been received from the Governments of *Afghanistan*, *Argentina*, *Brazil*, *Colombia*, *Dominican Republic*, *Liberia*, *Peru*, *Uruguay* and *Yugoslavia*. Further, no reports have been received from *Nicaragua*, which withdrew from membership of the International Labour Organisation in 1938.

While it is hoped that reports may yet be forthcoming from the above Governments, it is a matter for regret to find on this list several countries (*Afghanistan*, *Colombia*, *Liberia*, *Peru*, *Uruguay*, *Yugoslavia*) to whom the Conference Committee on the Application of Conventions had specifically referred at its last session as not having fulfilled their obligations under Article 22 of the Constitution. The Committee suggests that the Governing Body should draw the special attention of the Governments concerned to the urgent necessity of fulfilling their obligations.

Although there has been a marked improvement in the number of reports received this year up to the date at which the Committee concluded its session, the Committee notes that the percentage received does not yet equal the percentage received in the immediate pre-war years.

The Committee feels it necessary again to emphasise the importance which it attaches to the prompt submission, by the date requested by the International Labour Office, of complete and detailed reports in the prescribed form by every State on each Convention which it has ratified in accordance with the international obligations which it has undertaken in virtue of its membership of the International Labour Organisation and its

ratification of the Conventions in question. The maxim "better late than never" is one which has little application in respect of these reports, if regard is had to the essential purpose which they are designed to serve in submitting to international supervision the measures which States have taken to implement their obligations under the Conventions which they have ratified. This international supervision under the existing procedure involves examination of these reports by the Committee of Experts, the submission of the observations of the Committee of Experts on these reports to the Governing Body, the transmission of these observations by the Governing Body to the International Labour Conference, and the examination of a summary of the Governments' reports by a Committee of the Conference and by the Conference itself in the light of the observations of the Committee of Experts. An essential part of this procedure is missed, and the remaining parts are performed with reduced efficiency, if the reports are not received by the Office in sufficient time not merely for the meeting of the Committee of Experts but for circulation in advance of the meeting to the individual members of the Committee. This year, out of 763 reports due, only 150 were received by the date (30 November 1947) specified by the Office and, in spite of several requests by the Office, only about 475 were received in time for circulation in advance of the meeting to the individual members of the Committee.

In drawing attention to these facts, the Committee would also suggest that further consideration should be given by the Governing Body to the practical difficulties facing Governments in adhering strictly to the time limits laid down, and at the same time adequately discharging their obligations to supply detailed reports particularly in regard to application of Conventions in non-metropolitan territories. The annual reports due each year relate to the period ending 30 September and to expect the Governments concerned to assemble the necessary information, to prepare the reports and to despatch them in time to reach the International Labour Office by 30 November suggests insufficient consideration of the practical difficulties involved. If the necessary preparatory work is to be completed in the Office prior to the despatch of the reports to the members of Committee of Experts and prior to the meeting of the Committee itself, it would not be practicable to postpone the date of 30 November fixed for the receipt of the

reports. In these circumstances the only alternative would be to make the reports relative to a period ending earlier than 30 September. The Committee is well aware of the disadvantages which would result if the reports related to a period too far removed from the time when they come before the Committee of Experts and the International Labour Conference for examination, but the Committee feels that the compensating advantages which would be obtained from securing more adequate reports submitted by the date requested are sufficient to warrant further consideration being given to the period to which reports relate.

3. EXAMINATION OF REPORTS BY MEMBERS OF THE COMMITTEE

As already indicated, the Committee this year devoted a considerable part of the time available during its extended session to the detailed examination of the annual reports submitted by Governments on ratified Conventions. A certain number of these reports — in accordance with the scheme of responsibility adopted by the Committee at its previous session — were circulated to the members of the Committee in advance of the 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.

The reports examined by the Committee exhibit varying degrees of completeness and lucidity. Some very detailed reports were submitted this year and the Committee desires to express its appreciation for the care and attention which the Governments concerned have devoted to their preparation. In other cases, however, the Committee regrets to say that the reports can be described only as wholly inadequate to serve the purpose of indicating even the extent of formal conformity between the terms of national legislation and the international Conventions and as giving no indication whatever of the effectiveness of application in practice.

The task of the Committee in reporting on formal legislative conformity and on practical application in regard to ratified Conventions has been increased also by difficulties to which the representative of the Director-General drew the attention of the Committee, viz. the difficulties which the Office has experienced in keeping complete and up to date

the *Legislative Series* containing the translations of the more important national laws and regulations and in extracting and translating for submission to the Committee the relevant passages and statistics from such reports of national labour inspection and other services as are available to the Office and would assist the Committee in its work.

The Committee feels that if its work is to be satisfactorily performed, the International Labour Office must be in a position to furnish it with such information, which is the essential raw material of its work.

The Committee feels also that invaluable aid to the International Labour Organisation, and to the Committee of Experts in particular, in the work of international supervision of ratified Conventions can be afforded by employers' and workers' organisations both in regard to formal legislative conformity and more especially in regard to practical application of the legislation. In this connection the Committee regrets the infrequency with which any information is supplied by Governments in response to the question in the annual report forms as to observations received by Governments from employers' and workers' organisations. While the reason for the failure of many Governments to reply to this question may be that no such observations are received, the Committee considers that a useful service would be performed in the interests of international supervision if Governments were to invite such observations from the organisations in question. The Committee would express the hope that when the terms of the new Article 23, paragraph 2, of the revised Constitution of the International Labour Organisation come into force, and when Governments will therefore be under an obligation to submit to the representative organisations of employers and workers in their countries copies of their annual reports on ratified Conventions, more information as to the views of these organisations on the extent of practical application will become available to the International Labour Organisation.

The Committee also trusts that as a result of Articles 20 and 21 of the Labour Inspection Convention, adopted by the International Labour Conference at its 1947 Session, more detailed information as to practical application of ratified Conventions in an increasing number of countries will become available to the Organisation through the reports of labour inspection services. Further, in regard to the part which can be played by improved labour inspection services in the supervision

of the practical application of International Labour Conventions, the Committee has noted with interest the resolution adopted by the Preparatory Asian Regional Conference, which met in New Delhi from 27 October to 8 November 1947, calling for the convening of a technical conference of representatives of Government labour inspection services in the Asian region. The Committee has learned with satisfaction that this technical conference is likely to take place in Ceylon later this year.

Many of the observations on individual reports which the Committee has felt it necessary to make draw attention to discrepancies between national legislation and the international Conventions, which are of a relatively minor character, but in certain cases these observations have been repeated for a number of years without effect and the Committee suggests that the attention of the Governments concerned should be drawn to the international obligation under which, in virtue of their membership of the International Labour Organisation and their ratification of the Conventions in question, they have undertaken to bring about conformity, complete and in detail, between national legislation and practice on the one hand and ratified Conventions on the other.

Other observations relate to deficiencies which are of a more serious nature and amount even, in a few cases, to a complete absence of legislation in regard to the subject matter of the Convention. The Committee expresses its view in the strongest terms that no ratification at all is infinitely preferable to a ratification to which effect is not given both by any necessary legislation and in practical application. An ineffective ratification not only fails to raise or stabilise basic labour conditions but it undermines respect for international obligations solemnly undertaken, reduces respect for international good faith, is unfair to States which respect their obligations and deters such States from undertaking further ratifications, thereby materially reducing social progress.

The Committee regrets the small extent to which, for the reasons given in the preceding section of this report, it has been able to examine the question of practical application as distinct from formal legislative conformity. The Committee is hopeful that it will be possible in future years, when the provisions of the revised Constitution become operative, to improve on its efforts in this regard. The Committee would be materially assisted in this effort if the Governments were in all cases to reply in detail to each of the separate

questions contained in the prescribed forms of annual report, and the Committee suggests that the Governing Body should draw the special attention of Governments to this matter.

The Committee also suggests to the Governing Body that a useful purpose would be served if the Office, in requesting the annual reports from Governments in the first year after the revised Constitution enters into force, would request the Governments to make a special effort to submit as full reports as possible, which would be self-contained and not proceed merely by reference to previous reports and which would supply material on which a real appreciation of practical application could be formed. In making this suggestion, the Committee has in mind not only the assistance which such reports would afford the Committee in its task, but the increased value which the reports, if prepared in such form, would have for the representative employers' and workers' organisations to which they will require to be communicated by the Governments in virtue of Article 23, paragraph 2, of the Revised Constitution.

4. APPLICATION OF CONVENTIONS TO NON-METROPOLITAN TERRITORIES

At its last session, the Committee of Experts decided to postpone detailed consideration of this matter until the present session. This year the Committee has been able to devote special attention to the subject. From its discussions there emerged some general points to which it wishes to draw particular attention.

(a) *The Value of Labour Legislation in Non-Metropolitan Territories*

In its statement on the "Effect of Conventions on National Legislation" submitted to the Committee in 1947 (Appendix III of last year's Report) the Office drew attention to the extension of labour legislation in non-metropolitan territories. This year again, in a noteworthy survey appended to the present Report (Appendix III), for which remarkable piece of work the Committee wishes to express especial gratitude, this extension is carefully analysed. It seems reasonable to hope in the future for an increasing extension of such legislation to these territories.

The Committee considers, however, that in order to appreciate exactly the extent of such application, the special social structure and administrative organisation in non-metropolitan territories have to be borne in mind if

undue optimism is to be avoided. The social structure of many non-metropolitan territories is based on a "natural" economy appropriate to agricultural communities rather than on the "money" economy of more industrialised countries. Furthermore, in many non-metropolitan territories, the integration of the individual into his social unit, the family, clan or tribe, is much more complete than is the case in modern industrial communities. Again, the greater freedom of action enjoyed in colonial territories by western agricultural, industrial and mining enterprises is an important consideration. Such enterprises are on the one hand indispensable for the development of these territories according to modern standards; on the other hand they exert, as is well known, a revolutionising influence on the traditional, closed indigenous communities. Lastly, it must be remembered that, because of insufficient staff and financial means, the administrative machinery in many non-metropolitan territories is in an early stage of development even though competent expert administrative services are a vital necessity in such territories to assist in their development.

The statements contained in the previous paragraph are only intended to sound a note of warning in regard to the interpretation which should be given to the statistical tables concerning the extension of Conventions to non-metropolitan territories and to stress the importance of an attempt to reach an exact estimate of the influence of the Conventions. The vital question is that of the impact of practical application of international labour regulations on non-metropolitan territories. The Committee considers that such application can only be ensured by close co-operation between the public and private agencies which have to play their part in the process and by the organisation of well-trained and competent services for the administration of social welfare arrangements on the part of Governments and of private enterprise alike. Social peace, as well as welfare, depends to a large extent on the fulfilment of these conditions.

The Committee is anxious to obtain the fullest information in regard to the application of Conventions and has stressed the importance of well-organised labour inspectorates and of other services necessary to develop social welfare. In this connection, the Committee expresses its keen interest in the meeting of representatives of labour inspection services of the countries of the Far East, which is to be convened by the I.L.O. at an early date in Ceylon.

(b) *Indigenous Inhabitants*

In some reports provided since 1939, it appears that although Conventions are stated to be applied to non-metropolitan territories, the legislation cited excludes from its coverage the indigenous inhabitants of the territory. Formally, this legislation might be considered to be in conformity with the letter of Article 35 of the Constitution, being in effect modified application. From a more general point of view, however, the question arises whether such action does not hinder the social development of the indigenous peoples concerned who are thus denied the benefit of the protection which should be provided for them by the International Labour Organisation. The Committee would appreciate any action taken by the Governments in question to reconsider this position, and to examine the possibility of applying to the indigenous inhabitants of the territories concerned, with such modifications as may be necessary, legislation which at present excludes them.

(c) *Uncertainty in Regard to the Application of Conventions*

In its 1939 Report, the Committee pointed out the extreme difficulty of stating categorically in a specific number of cases, on the basis of the information provided in the annual reports, whether or not Conventions were applied to the several non-metropolitan territories or were applied either partially or with modifications.

The intervening war period led to confusion and disorder in the non-metropolitan territories under military occupation. In other territories wartime economic needs and the heavy tasks which administrative services had to perform resulted in many cases in the slowing down of the peacetime administrative machinery. Several territories have not entirely recovered from these wartime conditions. It is therefore not surprising that some of the uncertainties which previously existed in regard to the application of Conventions continue to exist or have increased to such an extent that even the International Labour Office lacks clear and exact information.

The increased authority in regard to questions of internal policy now enjoyed by a number of territories is another new factor which has to be taken into account. Paragraphs 1 and 4 of Article 35 of the amended Constitution of the Organisation bear witness to the significance of this development.

Under these circumstances, the Committee considers it highly desirable that the Office, the Committee and the International Labour

Conference should have at their disposal, within a reasonable period of time, a complete and detailed review of the exact situation at a fixed date in regard to the application of Conventions to non-metropolitan territories.

In the light of the considerations noted above, the Committee therefore proposes that Governments responsible for the international relations of non-metropolitan territories be specially requested to provide in their annual reports for the period 1948-1949, and at five-yearly intervals thereafter, precise information stating in respect of every Convention :

(1) whether the Convention is or is not applied in any territory either under their own direct responsibility or under the responsibility of an autonomous local administration within whose self-governing powers the subject matter of the Convention falls ;

(2) if the Convention is applied, whether it is applied fully or with modifications, and in the latter case what are the modifications and what are the local conditions which have led the Government to consider full application inappropriate ;

(3) if the Convention is not applied, the reasons for non-application.

The Committee realises the amount of work which the task of supplying this information will impose upon the Governments concerned, but it is convinced of the value which such a survey will have for the International Labour Organisation and for the protection of a very large section of the population of the world.

(d) *Extent of Application of Conventions*

Examination of the reports submitted by the Governments concerned for the past year reveals in particular that, despite the disorders wrought by the war, since the end of hostilities the pace and extent of application have on the whole been greatly increased. This application, however, has been very uneven when the degree of application given by different metropolitan Governments is compared, and in many cases the position in regard to non-application because of local conditions has remained unchanged over long periods and does not seem to have been recently reviewed.

In 1936, the Committee placed on record its view in regard to the positive character of the obligations arising from Article 35 of the Constitution as follows : " As they (the Committee) understand Article 35 of the Constitution, it contemplates that the decision of a Member to exclude a particular Convention from application to its colonies, protectorates and possessions which are not fully

self-governing must be a decision taken in good faith after a serious examination of the local conditions, and must not be of a purely perfunctory and automatic character; . . . the local conditions referred to in this Article are continually changing with the development of new industries, the increase of local official staff and so forth, so that it is, as it seems to them, in accordance with the intention of the Article that any decision to exclude a Convention on the ground of local conditions requires periodical reconsideration."

Colonial economic development during the wartime emergency years has added further point to these observations. The increase in the degree of application of Conventions to non-metropolitan territories has also led to numerous instances where, under different administrations, Conventions are applied to one territory and declared inapplicable because of local conditions in another in which social and economic conditions are apparently closely similar.

The annual report forms contain a question asking that, when a Convention has been in force for a country for two or more years, and advantage has been taken of the provisions of Article 35 of the Constitution, the Government should state whether during the period covered by the report it has re-examined, in the light of any changes that may have taken place in the local conditions, the possibility of applying the Convention without modification to the non-self-governing territories for which it is responsible. In view of the varied and changing conditions in non-metropolitan territories, it is very important that the position should be periodically examined by the competent authorities, with a view to the progressive extension of the application of Conventions to such territories, and the attention of Governments is drawn to the urgency of this matter. When the report forms are being revised, however, consideration might be given by the Governing Body to providing for such re-examination at intervals of five years instead of two years because, especially in underdeveloped societies, changes generally do not occur in so short a period.

Some of the reports submitted specify in what way local conditions render a particular Convention inapplicable, or applicable only with modifications, to a given territory. It is highly desirable that all reports be submitted in this form, so as to permit an accurate assessment of the position.

(e) *Procedure*

During the years immediately before 1939, observations on the application of Conven-

tions to non-metropolitan territories took the form of an over-all survey of the position in regard to application once in every three years, attention being limited in the intervening years to any changes or additions or apparent defects.

It will have become clear from the preceding paragraphs of this section of the Report that the Committee envisages having particularly detailed information on the situation in non-metropolitan territories as a result of the reports received for the period 1948-1949 and thereafter at five-yearly intervals, as requested in paragraph (c) above. On the basis of this detailed information the Committee proposes at its meeting in 1950 to make a complete review of the situation in non-metropolitan territories and thereafter to follow a similar procedure every five years.

5. SUBMISSION BY GOVERNMENTS OF INFORMATION DIRECTLY TO THE COMMITTEE OF EXPERTS

The Committee has noted the intention of the Governing Body to call the attention of Governments to the fact that they are free to submit orally to the Committee any additional information which, in their view, could contribute to a clearer understanding of their reports.

* * *

The Committee desires to place on record its sense of indebtedness to the Members of the International Labour Organisation who, in conditions which for some countries are still far from normal, have endeavoured to supply full and timely reports on the Conventions which they have ratified.

The Committee also desires to express its gratitude to the staff of the International Labour Office for the efforts which they have made, despite difficulties still arising from dispersal of staff between Europe and America, to supply it in advance of the session with material for its work, to prepare the necessary documents for the meeting of the Committee and for the very great assistance which they have rendered to the Committee in the course of the present session. Without such material and assistance, which the staff have so willingly supplied, the task of the Committee could not have been performed.

Geneva, 10 April 1948.

(Signed) P. TSCHOFFEN,
Chairman.

H. S. KIRKALDY,
Reporter.

APPENDIX I

ANNUAL REPORTS UNDER ARTICLE 22 (1946-1947)

Reports received and Reports still due, 8 April 1948

Total requested: 763 — Reports received: 591 — Reports still due: 172

Country	Reports received		Reports still due	
	Number received	Convention Nos.	Number due	Convention Nos.
Afghanistan	0	—	5	4, 13, 14, 41, 45
Argentina	0	—	16	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16
Australia	11	7, 8, 9, 15, 16, 21, 22, 26, 27, 29, 63	0	—
Austria	17	2, 4, 5, 6, 10, 11, 13, 17, 18, 19, 21, 24, 25, 27, 33, 42, 45	0	—
Belgium	30	1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 26, 27, 29, 33, 41, 43, 45, 53, 55, 58	0	—
Brazil	0	—	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	0	—
Canada	11	1, 7, 8, 14, 15, 16, 22, 26, 27, 32, 63	0	—
Chile	34	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, 45	0	—
China	13	7, 11, 14, 15, 16, 19, 22, 23, 26, 27, 32, 45, 59	0	—
Colombia	0	—	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	0	—
Czechoslovakia	15	1, 4, 5, 10, 11, 13, 14, 18, 19, 21, 24, 25, 27, 43, 49	0	—
Denmark	18	2, 5, 6, 7, 8, 9, 11, 12, 14, 15, 16, 18, 19, 29, 42, 52, 53, 63	0	—
Dominican Republic ..	0	—	4	1, 5, 7, 10
Egypt	2	53, 63	0	—
Finland	17	2, 7, 9, 11, 13, 14, 15, 16, 18, 19, 20, 21, 27, 29, 30, 34, 45	0	—
France	29	2, 4, 5, 6, 8, 9, 11, 12, 13, 14, 15, 16, 18, 19, 22, 23, 26, 27, 29, 33, 35, 36, 37, 38, 41, 43, 45, 49, 52	0	—
Greece	16	1, 2, 3, 5, 6, 7, 8, 9, 13, 14, 15, 16, 19, 27, 41, 45	0	—
Hungary	16	2, 3, 6, 7, 10, 15, 16, 17, 18, 19, 24, 26, 41, 42, 45, 48	2	21, 27
India	14	1, 4, 6, 11, 14, 15, 16, 18, 19, 21, 22, 27, 41, 45	0	—
Iraq	5	18, 19, 41, 42, 58	0	—
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	0	—

Country	Reports received		Reports still due	
	Number received	Convention Nos.	Number due	Convention Nos.
Italy	20	2, 4, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 18, 19, 22, 23, 26, 27, 29, 32	0	—
Liberia	0	—	1	29
Luxembourg	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	0	—
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	0	—
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	0	—
New Zealand	9	1, 9, 12, 21, 29, 32, 44, 45, 53	13	2, 10, 11, 14, 17, 22, 26, 30, 41, 42, 49, 58, 63
Nicaragua	0	—	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	23	2, 5, 7, 8, 9, 11, 13, 14, 15, 18, 19, 22, 26, 27, 29, 42, 43, 49, 50, 53, 58, 59, 63	0	—
Peru	0	—	11	1, 4, 11, 14, 19, 24, 35, 37, 39, 41, 45
Poland	20	2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 22, 23, 27, 48	0	—
Portugal	9	1, 4, 6, 14, 17, 18, 19, 27, 45	0	—
Sweden	22	2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 27, 29, 32, 34, 42, 45, 58, 63	0	—
Switzerland	14	2, 5, 6, 11, 14, 18, 19, 27, 29, 41, 44, 45, 62, 63	0	—
Turkey	2	14, 45	2	34, 42
Union of South Africa .	6	2, 19, 26, 41, 45, 63	0	—
United Kingdom	27	2, 5, 6, 7, 8, 11, 12, 15, 16, 19, 22, 24, 25, 26, 29, 32, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 50	0	—
United States	3	53, 55, 58	0	—
Uruguay	0	—	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, 21
Venezuela	16	1, 2, 3, 5, 6, 7, 11, 13, 14, 19, 22, 26, 27, 29, 41, 45	1	21
Yugoslavia	0	—	22	2, 3, 4, 5, 6, 7, 8, 9, 11, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24, 27, 29, 48
* * *				
Burma	14	1, 2, 4, 6, 11, 14, 15, 16, 18, 19, 21, 22, 27, 41	0	—

Ratifications registered between 1921 and 1938 in respect of which no reports were requested for the period 1946-1947¹

The ratifications in question are as follows :

	Number of ratifications		Number of ratifications
Albania	4	Latvia	17
Estonia	22	Lithuania	7
Germany	17	Rumania	17
Japan	14	Spain	34

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 four in 1939.

The Committee takes note of the fact that no annual report for any period has so far been submitted by the Afghan Government. The Committee therefore ventures to call the attention of the Government to the importance of the obligation to submit annual reports in respect of ratified Conventions and expresses the urgent hope that the Government will supply these reports in time for examination by the Committee at its next session.

Canada. — It will be remembered that the Committee noted in its report of last year that the Acts of Parliament passed in Canada to give effect to the Hours of Work (Industry) Convention, 1919, the Weekly Rest (Industry) Convention, 1921, and the Minimum Wage-Fixing Machinery Convention, 1928 (Conventions Nos. 1, 14 and 26) were declared in 1937 by the Judicial Committee of the Privy Council (upholding a decision of the Supreme Court of Canada) to be *ultra vires* of the Dominion Parliament and that consideration of the resulting position was interrupted by the war. The Committee accordingly called special attention to the admittedly complicated situation which had thus arisen, and suggested 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.

The information furnished by the Government for the period 1946-1947 indicates that certain steps have in fact been taken with a view to securing fuller application in Canada of certain of these Conventions. The Dominion Government has approached the provincial governments in regard to the Minimum Wage-Fixing Machinery Convention and has invited them to state to what extent the provincial law gives effect to the Convention and whether, where necessary, consideration could be given to bringing the law into conformity with the Convention. The replies received from the provincial governments were utilised by the Dominion Government for the preparation of an analysis of provincial statutes in relation to the questions on the report form for the Convention, and copies of this analysis were forwarded to the International Labour Office. The information thus received indicates that minimum wage legislation exists in several provinces and that there appears to be a reasonable prospect that further improvements in this legislation will be made with a view to securing general compliance with the provisions of the Convention. The Government indicates further that it is proposed to follow up the matter in co-operation with the provincial authorities. The Committee notes with satisfaction the action which is being taken in regard to this Convention by the Dominion Government. It will look forward to receiving fuller information on the subject in next year's report and hopes that it will then be possible to indicate that general compliance

with the provisions of the Convention throughout Canada is being progressively secured.

With regard to the Weekly Rest (Industry) Convention, the Dominion Government stated that it was proposed to write to the provincial Ministers of Labour setting out the provisions of the Convention, inquiring to what extent the provincial statute (where such exists) providing for a weekly rest day complies with the Convention and asking that where no such statute exists, consideration should be given to the enactment of appropriate measures. The Government report indicates that provincial legislation in relation to this Convention exists in certain cases, but is less general than that concerning minimum wages.

In connection with the Hours of Work (Industry) Convention, the Ministry of Labour of the Dominion Government has addressed to each of the provincial Ministers of Labour a request for fuller information concerning any relevant statutes and for the views of the various provincial governments as to the likelihood of this Convention being put into effect in their respective provinces in the near future. In the meantime the factual situation remains substantially unchanged.

The Committee notes with appreciation the steps which are being taken by the Dominion Government in connection with these three Conventions. Since, however, there continue to exist substantial divergences between the provisions of the Conventions and the provincial legislation, where such exists, the Committee ventures to re-emphasise the great importance which it attaches to the strict fulfilment of the obligations resulting from the ratification of Conventions. It cannot fail to point out that a substantial period has now elapsed since the legislation designed to give effect to these Conventions was declared *ultra vires*.

It would therefore seem essential that the whole position should be satisfactorily clarified at an early date. The Committee hopes that full compliance with the provisions of all three Conventions may shortly be achieved, if necessary by means of provincial legislation. If, in respect of any or all of the Conventions, such compliance should prove to be impossible the question inevitably arises whether the Dominion Government should not give serious consideration to the desirability of taking the necessary steps to liberate itself from the obligations of any such Convention or Conventions in accordance with the provisions thereof.

In this connection, the Committee ventures to draw attention to the fact that the recently adopted amendments to the Constitution of the International Labour Organisation inaugurate a procedure for the regular communication by Federal Governments of information on action taken in respect of unratified Conventions by their constituent States or provinces. If the Dominion Government should find it necessary to liberate itself from the obligations of one or more of the Conventions, it would none the less be possible for it to continue reporting on the extent to which

the provisions of the Convention are applied in virtue of these arrangements, and the Committee would venture to express the earnest hope that this would be done.

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 Colombian Government member of the Committee on the Application of Conventions set up by the Conference at its 30th Session assured the Committee that Colombia would despatch the reports due at an early date.

Since, however, no reports have been received this year, the Committee earnestly reiterates its suggestion of last year that an urgent appeal should be addressed to the Government calling attention to the impor-

ance 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.

Uruguay. — The Committee regrets to have to note that no reports 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 and 33) ratified by Uruguay. Since the last annual reports received from the Government of Uruguay were for the period 1944-1945, the Committee expresses the sincere hope that the Government will be good enough to supply full reports on all the ratified Conventions in order to enable the Committee to examine them at their next session.

B. LIST OF POINTS ON WHICH THE COMMITTEE CONSIDERS 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 : 13.

Reports missing : *Argentina, Colombia, Dominican Republic, Nicaragua, Peru, Uruguay.*

Burma (ratification : 14.7.1921). — The Committee notes that in previous reports, for example in the report for 1937-1938, the Government has included the Indian Railway Act in the list of legislation giving effect to the Convention, but that no reference is made to this Act in the report for 1946-1947. The Committee would be glad to receive an assurance from the Government that the Railway Act still applies in Burma or that other measures have been taken concerning the hours of work of persons employed in the categories of railway work which are covered by the Convention.

Canada (ratification : 21.3.1935). — See under A. General Observations.

Uruguay (ratification : 6.6.1933). — The report for 1946-1947 has not yet been received (see under A. General Observations).

The Committee therefore reiterates the earnest hope that the Government might take steps at an early date to ensure complete harmony between the national legislation and the provisions of the Convention as regards (1) the payment of overtime and (2) the period over which the 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 expresses its satisfaction with the detailed report submitted by the Government for 1946-1947 and notes with interest the Government's remarks with regard to the observations made by the Committee last year on the application of Article 6 of the Convention. The Committee hopes in this connection that employers' and workers' organisations will be associated in future in the preparation and drawing up of regulations concerning exceptions to be permitted as regards hours of work. The Committee also ventures again to draw attention to its last year's observation that the report does not contain the list of continuous processes required by Article 7 of the Convention.

Convention No. 2: Unemployment.

Number of reports requested : 27.

Number of reports received : 21.

Reports missing : *Argentina, Colombia, New Zealand, Nicaragua, Uruguay, Yugoslavia.*

Argentina (ratification : 30.11.1933). — The report for 1946-1947 has not yet been received. The Committee notes, however, with interest the statement made at the 30th Session of the Conference by the Argentine Government member of the Committee on the Application of Conventions in reply to the Committee of Experts' observation of last year. This observation related to Decree No. 2928 of 21 July 1943, and to the existence of representative advisory committees of employers and workers in the provinces as well as on the national level. The Argentine Government member explained that such committees were being established not only on a national scale but also for the various provinces, as provided for in the Convention.

Burma (ratification : 14.7.1921). — The Committee takes note of the encouraging progress made in the employment service organisation and ventures to express the hope that the Government will keep it informed regarding the Employment Exchanges Act which is at present under consideration. The Committee also notes with appreciation that the Government of Burma recognises the importance of compiling statistics of unemployment and expresses the hope that this matter will be put in hand as soon as possible. The Committee would also be glad if the Government would be good enough to supply information regarding the measures contemplated to co-ordinate the operations of public and private employment agencies.

Italy (ratification : 10.4.1923). — The Committee would appreciate additional information regarding the arrangements made to co-ordinate the operations of the employment service with those of the employment offices set up by the free trade unions.

Netherlands (ratification : 6.2.1932). — The Committee wishes to express its satisfaction for the detailed information supplied in the Government's report for 1946-1947 regarding the organisation, functions and activities of the employment service.

Uruguay (ratification : 6.6.1933). — As the report for 1946-1947 has not yet been received (see under A. General Observations), the Committee takes 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.

The Committee notes from a letter dated 5 June 1947 that various legislative measures, relating to the application of certain provisions of Convention No. 2 to specified industries or occupations, were adopted in 1945 and 1946. In the absence of any further information, however, the Committee ventures to refer once again to its previous observations and to request the Uruguayan Government to state whether it intends to take measures to ensure the effective application of the Convention.

Venezuela (ratification : 20.11.1944). — The Committee notes that under Decree No. 240 of 6 April 1946, the Ministry of Labour is authorised, by special decision, to regulate the operations of the national employment exchange and of any regional exchanges which may be established. In this connection the Committee refers to the observation made in 1947 by the Conference Committee on the Application of Conventions as regards the establishment of such regional exchanges. The Committee expresses the hope that the Government will keep it informed of the steps taken to extend the employment service to an increasingly wider area of the country. The Committee would also be interested in information on the functioning of any joint advisory committees (as provided for under Article 2 of the Convention) which may be set up with the establishment of any regional employment exchanges.

Convention No. 3 : Maternity Protection.

Number of reports requested : 13.

Number of reports received : 7.

Reports missing : *Argentina, Brazil, Colombia, Nicaragua, Uruguay, Yugoslavia.*

Brazil (ratification : 26.4.1934). — The report for 1946-1947 has not yet been received. The Committee takes note with interest, however, of the information given in the Government's report for 1945-1946 (received too late for examination by the Committee last year) as well as of the statements made by the Brazilian Government member on the Committee on the Application of Conventions set up by the 30th Session of the Conference, and hopes that future annual reports will supplement and complete this information.

Chile (ratification : 15.9.1925). — In its report for 1946-1947 the Government replies to the observations made by the Committee in 1947 and indicates that a draft amendment of Part III of Book II of the Labour Code (which deals with the protection of mothers in employment) was submitted to the Ministry of Labour in 1946, and that the competent authority will shortly examine this draft with a view to proposing further modifications so as to bring it into harmony with Article 3 (c) of the Convention.

The Committee notes with regret that the serious discrepancy still exists between the system applied in Chile, under which the maternity benefits are payable in whole or in part by the employer, and Article 3 (c) of the Convention, which stipulates that the benefits shall be provided "either out of public funds or by means of a system of insurance". It ventures to express the hope that an amendment to the legislation will be adopted at an early date with a view to removing this discrepancy, both as regards the wage-earning mothers covered by Part III of Book II of the Labour Code and as regards the mothers in salaried employment who come under Part IV of Book I of the said Code.

In view of the repeated assurances given by the Chilean Government of its intention to amend its legislation on this point, the Committee is confident that full advantage will be taken of the opportunity presented by the revision of the Labour Code now taking place to ensure conformity with the relevant provisions of the Convention.

Greece (ratification : 19.11.1920). — The report for 1946-1947 has just been received. Last year's report, received too late for examination by the Committee, indicated the territorial extension of the social insurance system and the maternity benefits paid under it. During the period under review, the activity of the Social Insurance Institution has been

extended to additional towns and maternity benefits have been considerably increased.

In accordance with Article 13 (paragraph 3) of the Act No. 6298 of 1934 concerning social insurance, all persons still insured with certain special funds are exempted from insurance with the Social Insurance Institution set up by the Act. From the information available to the Office at present this situation seems still to prevail. The Committee would therefore be glad to be informed whether all such persons received maternity benefits equal to those paid by the Social Insurance Institution.

Uruguay (ratification : 6.6.1933). — As the report for 1946-1947 has not yet been received (see under A. General Observations), the Committee calls the attention of the Government of Uruguay once again to the lack of precise information on the application of the Convention, and takes note of the fact that, in its report for 1944-1945, the Government stated that harmony between the provisions of the Convention and the national legislation was only established partially by Section 37 of the Children's Code. The Committee would be glad to be informed if any amendments to the Code are under consideration in order to 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 : 20.11.1944). — In reply to the observations made by the Committee last year, the Government mentions the provisions of the Act of 24 July 1940 concerning compulsory social insurance and of the Decree of 19 February 1944 (issued in application of this Act), which set up the system of security concerning maternity benefits as required by the Convention. The Government also states that in spite of the lack of legal provisions to this effect, the Institution of Social Insurance of Venezuela takes account of Article 3 (c) of the Convention by interpreting paragraph 1 (c) of section 69 of the Regulations issued in application of the Act concerning Social Insurance and, as a result, pays the insured person maternity benefits up to the actual date of confinement even if this is after the period of six weeks. Finally, the Government states that Decree No. 603 of 17 October 1947 extends the application of compulsory insurance to the Municipality of Maracay in the District of Girardot of the State of Aragua, in accordance with the Government's policy for the extension of social insurance services in Venezuela.

The Committee, while taking note with satisfaction of the Government's policy of extending step by step the geographical scope of application of the Act, desires to point out that the terms of the Convention require its application throughout the territory of the ratifying State. The Committee also suggests that the Government should consider the question of revising the Regulations issued in application of the Act so as to bring their provisions into conformity with Article 3 (c) of the Convention, instead of relying as at present merely on the practice of the Institution of Social Insurance.

The Committee desires also to draw attention to the fact that it appears from the Government's report that the right to maternity benefit is subject to the completion of a prescribed contribution period. While a provision of this nature is commonly found in social insurance legislation, the terms of the present Convention provide no authority therefor.

Convention No. 4: Night Work (Women).

Number of reports requested : 18.

Number of reports received : 11.

Reports missing : *Afghanistan, Argentina, Colombia, Nicaragua, Peru, Uruguay, Yugoslavia.*

Austria (ratification : 12.6.1924). — The Committee takes note with interest of the statement made by the Government to the effect that, in so far as the provisions now in force do not come up to the standard ensured by the Convention, the Federal Government is endeavouring to conform with the provisions of the Convention by means of administrative regulations and, in particular, by issuing instructions to the labour inspection services. The Committee also takes note of the Government's statement that the new regulations concerning hours of work, which will soon come into force, will establish harmony between the national legislation and the provisions of the Convention.

Chile (ratification : 8.10.1931). — The Committee notes from the Government's report for 1946-1947 that as the provisions of the national legislation are in harmony with Convention No. 41, the Government has taken steps to ratify Convention No. 41 and to denounce Convention No. 4. The Committee again expresses the hope that, at an early date, the Government may be good enough to inform the International Labour Office of the progress made in this connection.

Uruguay (ratification : 6.6.1933). — The report for 1946-1947 has not yet been received (see under A. General Observations). The Committee therefore refers to the report for 1944-1945 in which the Government stated that a Bill for the application of the Convention was pending before the Chamber of Deputies. The Committee would appreciate further information on the progress made in this connection.

Convention No. 5: Minimum Age (Industry).

Number of reports requested : 24.

Number of reports received : 17.

Reports missing : *Argentina, Brazil, Colombia, Dominican Republic, Nicaragua, Uruguay, Yugoslavia.*

Brazil (ratification : 26.4.1934). — See under Convention No. 3.

Dominican Republic (ratification : 4.2.1933). — The report for 1946-1947 has not yet been received. The Committee takes note with interest of the statement made by the representative of the Dominican Republic on the Conference Committee on the Application of Conventions (30th Session) to the effect that his Government is attempting to put its national law in conformity with the standards of the Convention as quickly as possible.

Uruguay (ratification : 6.6.1933). — As the report for 1946-1947 has not yet been received (see under A. General Observations), the Committee refers to the Government's report for 1944-1945, which stated that amendment of the Children's Code was under consideration. Under the present provisions of this Code it is possible for the competent authority appointed by the Child Protection Board to authorise the employment of children over twelve and under fourteen years of age who hold a certificate showing that they have passed through a course of elementary education, if their employment is necessary in order to provide for their living or that of their father and mother, or brothers and sisters.

The Committee ventures to express the urgent 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 Committee notes with interest the information supplied by the Government in its report for 1946-1947 in answer to the observations made last year as regards the application of the provisions of the Convention to public undertakings of an industrial character.

Convention No. 6: Night Work (Young Persons).

Number of reports requested : 26.

Number of reports received : 21.

Reports missing : *Argentina, Brazil, Nicaragua, Uruguay, Yugoslavia.*

Austria (ratification : 12.6.1924). — The Committee takes note with interest of the statement made by the Government to the effect that, in so far as the provisions now in force do not come up to the standard of protection required by the Convention, the Federal Government is endeavouring to conform with the provisions of the Convention by means of administrative regulations and, in particular, by issuing instructions to the labour inspection services. The Committee expresses the hope that the Bill concerning the protection of young persons now before Parliament will, when in force, take due account of the obligations laid down in the Convention.

Brazil (ratification 26.4.1934). — See under Convention No. 3.

Denmark (ratification : 4.1.1923). — The Committee notes with satisfaction, from the information supplied by the Government in a letter, dated 10 July 1947, in response to the observations which were made by the Committee last year, that the authorisations granted during 1942-1945 for the employment of young persons at irregular hours on account of electricity restrictions ordinarily allowed such employment only between 5.30 a.m. and 8.30 p.m., thus ensuring a nightly rest period of 11 hours and therefore constituting no exception to the prohibition of night work as defined by the Convention.

Mexico (ratification : 20.5.1937). — From the information supplied in the report of the Mexican Government in answer to the observation made last year, the Committee notes with regret that it has not yet been possible to raise the age limit concerning night work and that therefore the serious discrepancy between the Convention and the national legislation continues to exist. The Committee also notes that, in view of the difficulties which prevent the introduction of a constitutional amendment, the Secretariat of Labour has begun to study the possibility of regarding § 123 of the Constitution, which prohibits night work of young persons only up to the age of 16 years, as providing for "minimum protection" which might be extended by means of Regulations. The Committee therefore ventures again to express the earnest hope that the Government will find it possible at an early date to eliminate this difficulty from Mexican legislation.

As regards the employment of children on "mixed days", the Committee notes with satisfaction the statement made in the Government's report to the effect that the possibility of employing young persons on "mixed days" for some of the hours of the period defined as night is eliminated by the provisions of Section 20 of the Regulations respecting dangerous and unhealthy occupations which explicitly prohibits the employment of young persons under 16 years of age between 8 p.m. and 6 a.m.

Poland (ratification : 21.6.1924). — The Committee is grateful for the information supplied by the Government in response to the observations made by the Committee last year.

Venezuela (ratification : 7.3.1933). — The Committee is grateful to the Government for the information supplied in answer to its observations made last year.

Convention No. 7: Minimum Age (Sea).

Number of reports required : 27.

Number of reports received : 20.

Reports missing : *Argentina, Brazil, Colombia, Dominican Republic, Nicaragua, Uruguay, Yugoslavia.*

Uruguay (ratification : 6.6.1933). — The report for 1946-1947 has not yet been received (see under A. General Observations). The Committee, therefore,

refers 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 expresses the earnest 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.

Convention No. 8: Unemployment Indemnity (Shipwreck).

Number of reports requested: 23.

Number of reports received: 18.

Reports missing: *Argentina, Colombia, Nicaragua, Uruguay, Yugoslavia.*

Argentina (ratification: 30.11.1933). — No report has been received for 1946-1947. The Committee has, however, enquired repeatedly in the past whether legislation providing Argentine seafarers with the protection called for by the Convention will be adopted at an early date. In view of the rapid growth of the Argentine merchant navy and the consequent increase in the number of seafarers to be protected, the Committee expresses the urgent hope that the Government will be able to indicate whether its national law is in harmony with the terms of the Convention.

Convention No. 9: Placing of Seamen.

Number of reports requested: 21.

Number of reports received: 16.

Reports missing: *Argentina, Colombia, Nicaragua, Uruguay, Yugoslavia.*

Argentina (ratification: 30.11.1933). — No report has been received for 1946-1947. The Committee has repeatedly drawn attention to the fact that Argentine legislation does not give effect to Article 7 of the Convention and that no employment figures have been supplied, as provided for under Article 10.

The Committee would therefore be glad to be informed of any progress realised with regard to legislative conformity and would appreciate receiving the information specified in Article 10 of the Convention.

Mexico (ratification: 1.9.1939). — The Government, in reply to the Committee's observation of last year, does not indicate any progress made as regards the creation of specialised institutions for the placing of seamen. The Committee sincerely hopes that such progress will be achieved at an early date.

Uruguay (ratification: 6.6.1933). — The report for 1946-1947 has not yet been received (see under A. General Observations). The Committee therefore takes note of the statement made by the Government in its report for 1944-1945 to the effect that Parliament was considering legislation on the placing of seamen.

The Committee suggests 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.

Convention No. 10: Minimum Age (Agriculture).

Number of reports requested: 17.

Number of reports received: 12.

Reports missing: *Argentina, Dominican Republic, New Zealand, Nicaragua, Uruguay.*

Uruguay (ratification: 6.6.1933). — As the report for 1946-1947 has not yet been received (see under A. General Observations), the Committee refers to the statement made by the Government in its report for 1944-1945, to the effect that the Children's Code is only partially in harmony with the provisions of the Convention and that legislative measures are required to ensure complete harmony.

The Committee expresses 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 legislation to bring the provisions of the Children's Code into full harmony with the Convention.

Convention No. 11: Right of Association (Agriculture).

Number of reports requested: 30.

Number of reports received: 23.

Reports missing: *Argentina, Colombia, New Zealand, Nicaragua, Peru, Uruguay, Yugoslavia.*

Chile (ratification: 15.9.25). — The Committee takes note of the statements regarding the application of the Convention made at the 30th Session of the International Labour Conference. The Committee finds from an examination of the Government's report that Act No. 8811 of 8 July 1947 respecting the occupational organisation of agricultural wage-earners contains certain provisions capable of limiting the exercise of the right of association and combination as provided for in Convention No. 11.

The provisions of sections 2-7, for example, which employ a restrictive enumeration, would seem to grant to agricultural unions a very narrow field of activity and to authorise them to concern themselves solely with the improvement of rural housing, the setting up of co-operative societies, education and the establishment of welfare services.

Sections 8 and 9 prevent the trade unions from pursuing any aims other than those mentioned above; they provide in addition that the trade unions can only function within an undertaking after permission has been granted by the owner, or in case he refuses, after consultation with the labour inspector. Section 14 prohibits unions from forming groups or federations. On the other hand, the possibility of setting up unions is itself restricted by sections 16, 17 and 23, which stipulate that such associations shall be composed exclusively of the workers in a single undertaking. These sections, moreover, prescribe a prerequisite for the formation of any union, to the effect that there must be more than 20 adult workers employed in the undertaking and having been in such employment without interruption for not less than one year; that 40 per cent. of the workers shall have applied for the formation of a union; that 10 of the workers shall be able to read and write; and that, on the occasion of the constituent assembly, all those workers who applied for the formation of the union shall be present.

Finally, Section 47 specifies that the labour judge may order the dissolution of the union upon the request of one of its members, of the labour inspector or of the owner.

It would appear from this that the provisions of Act No. 8811 of 8 July 1947 are, in various respects, inconsistent with the terms of the Convention. The Committee would therefore appreciate it if the Government would keep it informed of the steps taken in order to ensure full conformity between the national legislation and the provisions of the Convention.

China (ratification: 27.4.1934). — Section 18 of the Agricultural Unions Act of 14 June 1943 stipulates that a period of more than one year's employment of an agricultural worker or an employee in a private or public agricultural undertaking is required for membership of an agricultural union. It seems from the above provision that the right of an agricultural worker or employee to join an agricultural union is conditional since it requires the employment of such persons for a certain period of time in an agricultural undertaking. This condition no doubt sets limitation to freedom of association and is therefore not in accord with the Convention.

In view of this inconsistency between the legislation and the terms of the Convention, the Committee suggests that the Government of China be requested to provide an interpretation of Article 18 of the Agricultural Unions Act of 14 June 1943 including in particular, the reasons for such qualification to membership of unions and whether or not the period of employment should be in the same or in a number of undertakings.

Uruguay (ratification: 6.6.1933). — The report for 1946-1947 has not yet been received (see under A. General Observations). The Committee therefore

again takes note of the statement contained in the report for 1944-1945, to the effect that, while no special legislation has been enacted under Article 56 of the Constitution to ensure harmony between the provisions of the national legislation, right of association is fully guaranteed under Article 38 of the Constitution.

The Committee would be grateful to have fuller particulars as to the progress realised in connection with special legislation concerning the organisation of trade unions.

Convention No. 12: Workmen's Compensation (Agriculture).

Number of reports requested: 19.

Number of reports received: 15.

Reports missing: *Argentina, Colombia, Nicaragua, Uruguay.*

No observations.

Convention No. 13: White Lead (Painting).

Number of reports requested: 22.

Number of reports received: 16.

Reports missing: *Afghanistan, Argentina, Colombia, Nicaragua, Uruguay, Yugoslavia.*

Argentina (ratification: 26.5.1936). — The report for 1946-1947 has not been received. In its previous reports, however, the Government had stated that it had under consideration the adoption of the necessary regulations to give full effect to the Convention.

The Committee would be glad to know whether the measures in question have been adopted and expresses the earnest hope that in its next report the Government will supply full information regarding the application of the Convention.

Mexico (ratification: 7.1.1938). — The Government states, under Article 1 of the Convention, that the only provisions in Mexican legislation which can be considered as referring to a prohibition for the use of white lead in painting are those mentioned in Paragraph XXXI of the schedule to Part 6 of the Federal Labour Act. This provision does not prohibit the use of white lead despite the admitted existence of lead poisoning. Regulation 15, paragraph 2, of the new Industrial Hygiene Regulations requires, in accordance with an accompanying schedule, that workers in industries using white lead are to be examined medically every month. As these new regulations have been declared unconstitutional they will have to be amended. The Government states that the attention of the Directorate of Social Welfare was drawn to the necessity of including in the Regulations a prohibition for the use of white lead, as laid down in the Convention.

It adds that the provisions of Articles 2, 3 and 5 of the Convention will be taken into account when the Industrial Hygiene Regulations are amended.

The Committee expresses the hope that the Government will be good enough to keep the International Labour Office informed of the measures taken to amend the Industrial Hygiene Regulations in such a manner as to bring them into harmony with the provisions of the Convention, particularly as regards the prohibition of the use of white lead.

Uruguay (ratification: 6.6.1933). — The report for 1946-1947 has not yet been received (see under A. General Observations). The Committee therefore refers 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 in this direction.

Venezuela (ratification: 28.4.1933). — The Government refers to the observations made by the Committee of Experts in 1947 respecting the arrangements made under Article 5, II (c) of the Convention to prevent clothing put off during working hours from being soiled by painting material. In its reply, the Government states that, although there does not appear to be complete harmony between § 136 of the regulations issued under the Labour Act and the provisions of the Convention, by the application of § 130 of the above-mentioned regulations, the inspection authorities ensure that workers' clothing shall be placed in individual cupboards and therefore cannot be soiled by painting material.

Convention No. 14: Weekly Rest (Industry).

Number of reports requested: 31.

Number of reports received: 23.

Reports missing: *Afghanistan, Argentina, Colombia, New Zealand, Nicaragua, Peru, Uruguay, Yugoslavia.*

Canada (ratification: 21.3.1935). — See under A. General Observations.

China (ratification: 17.5.1934). — The Government states that, in virtue of the legislative provisions relating to the weekly rest, workers are granted one day's rest in every seven days; these provisions have been carefully observed, but in a few industrial undertakings workers were employed on the weekly day of rest and were paid higher wages for the days so worked.

The Committee ventures to request that the Government might be good enough to supply more detailed information regarding the nature of exceptions to existing legislation.

The Committee notes that in order to ensure the enforcement of the Convention the Government states that it is making arrangements to train more labour inspectors for factories and mines. The Committee expresses the hope that the Government might be good enough to keep the International Labour Office informed of the progress realised in this connection.

Italy (ratification: 8.9.1924). — The Government intimates that the omission of the compulsory notices and rosters referred to in Article 7 of the Convention is a temporary one, and the Committee accordingly suggests that the Government should be asked to state whether it is expected that such notices and rosters will shortly be made compulsory.

Turkey (ratification: 8.7.1946). — The Committee takes note of the information furnished, in the Government's first report, with respect to the application of the Convention, and learns with satisfaction that the Government proposes in the near future to issue supplementary administrative provisions relating to the posting of hours of rest as provided for in Article 7 and the compilation of statistics relating to contraventions reported. The Committee would be grateful if the Government would keep it informed of all progress made in these connections and likewise if the Government would supply further information respecting the methods employed for the supervision of the enforcement of the legislation, such as the organisation of inspection.

Convention No. 15: Minimum Age (Trimmers and Stokers).

Number of reports requested: 27.

Number of reports received: 22.

Reports missing: *Argentina, Colombia, Nicaragua, Uruguay, Yugoslavia.*

Argentina (ratification: 26.5.1936). — The report for 1946-1947 has not yet been received. The Committee takes note of the statement made by an Argentine Government representative at the 30th Session of the Conference to the effect that Convention No. 15 is becoming more and more important to Argentina as the mercantile marine grows in size. The Committee therefore expresses the hope that the Government may be able

to state that changes in the regulations relating to the registration of the mercantile marine have been effected, thus ensuring full application of Article 6 of the Convention.

Uruguay (ratification : 6.6.1933). — The report for 1946-1947 has not yet been received (see under A. General Observations). The Committee therefore refers to the observation which it made last year and expresses the hope that, at an early date, the Government will be good enough to supply information regarding the steps taken to adopt legislative measures to bring the Children's Code into harmony with the provisions of the Convention.

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

Number of reports requested : 28.

Number of reports received : 22.

Reports missing : *Argentina, Brazil, Colombia, Nicaragua, Uruguay, Yugoslavia.*

Mexico (ratification : 9.3.1933). — The Government states that at present only the Secretariat of the Marine Department is entrusted with the supervision of the application of the legislation. However, it is proposed to include the provisions of the Convention in the Industrial Hygiene Regulations and this will mean that the Secretariat of Labour will also become a supervisory authority. The Committee takes note of the above statement with much interest and would be grateful if the Mexican Government would keep the International Labour Office informed of the progress made in this connection.

Uruguay (ratification : 6.6.1933). — See under Convention No. 15.

Convention No. 17 : Workmen's Compensation (Accidents).

Number of reports requested : 17.

Number of reports received : 12.

Reports missing : *Colombia, New Zealand, Nicaragua, Uruguay, Yugoslavia.*

Bulgaria (ratification : 5.9.1929). — It appears from the Government's report that no provision is made in the legislation to deal with the requirements of Article 11 as to ensuring payment of compensation in the event of the insolvency of the employer or insurer.

Chile (ratification : 8.10.1931). — In reply to the enquiry of the Committee as to whether Act No. 8198 of 14 September 1945 provides for the compensation of permanent partial incapacity by means of periodical payments (Article 5 of the Convention), the Government in its report states that such provision is in fact made by sections 265, 277 and 279 of the Labour Code as amended by the above Act. At the present time such compensation is made within a maximum of two years' wages and, where the amount involved exceeds 2,000 pesos, is payable in the form of 12 equal monthly instalments, save in certain approved cases in which a single lump sum may be substituted. The Government states further that amendments to the Industrial Accident Regulations, at present in draft, will effect substantial improvements.

The Committee takes note of this reply and will be glad to have further progress reports. In the meantime the Committee would draw attention to the question of whether the payment of a lump sum by means of 12 monthly instalments can be regarded as fulfilment of the requirement of Article 5 of the Convention that compensation shall take the form of "periodical payments". The Article in question deals with permanent incapacity or death and its intention would appear to be that compensation to the injured workman or the dependants of a deceased workman should be permanently provided by means of periodical payments, except in cases where a lump sum is authorised in accordance with Article 5, an intention which appears even more clearly in the French text of the Convention where the term employed is "sous forme de rente".

Cuba (ratification : 6.8.1928). — The Government's report states that casual employment admits of certain exceptions ; e.g., if the owner of a sausage

factory employs a mechanic to repair defects in water pipes.

The Committee would point out that the exception permitted under Article 2 of the Convention for casual employment applies only to persons employed otherwise than for the purpose of the employer's trade or business.

Mexico (ratification : 12.5.1934). — The Government states that the discrepancies mentioned in previous reports between the provisions of the legislation and those of the Convention (Articles 7 and 11) still subsist, but that present circumstances are not favourable to the introduction of the necessary amendments to the legislation.

The Committee desires to draw attention to the following respects in which it appears from the present report that there still exist divergences between the provisions of the legislation and those of the Convention :

Article 5. Compensation under the legislation appears only in exceptional cases to take the form of periodical payments, whereas the Convention requires compensation to take this form, save in the case of specified exceptions.

Article 7. The legislation does not provide for any additional benefit where the injury results in incapacity and the injured person requires the constant help of another person, whereas the Convention requires additional compensation in such cases.

Article 10. The legislation does not require the provision of artificial limbs and orthopaedic appliances, whereas such aids are required by the Convention when recognised as necessary.

The Committee notes that the Social Insurance Act 1943 establishes harmony with the Convention in certain respects ; it appears from the Government's report that the Social Insurance Act applies at present only to the Federal District, although it is in course of extension to the whole Republic.

The Committee expresses the hope that the Government will keep the International Labour Office informed of developments in regard to the extension of the Social Insurance Act to the remainder of the country and in regard to any other steps contemplated to bring the legislation into conformity with the Convention.

New Zealand (ratification : 29.3.1938). — The report for 1946-1947 has not yet been received. The Committee therefore refers to the observation which it made last year and expresses the hope that the next report supplied by the Government will contain information regarding the measures taken to ensure absolute harmony between the provisions of the legislation and Articles 5, 7 and 10 of the Convention.

Portugal (ratification : 27.3.1929). — The Government's report states that the Portuguese law contains no provision dealing with the matter of Article 7, which requires additional compensation to be paid when the injured person requires the constant help of another person.

Uruguay (ratification : 6.6.1933). — The report for 1946-1947 has not yet been received (see under A. General Observations). The Committee therefore refers to the statement made by the Government in its report for 1944-1945, and expresses the hope that the Government will be good enough to give detailed information as to how each provision of the Convention is applied under Act No. 10004 of 25 February 1941 which, it stated, established complete harmony between the legislation and the Convention.

Convention No. 18 : Workmen's Compensation (Occupational Diseases).

Number of reports requested : 23.

Number of reports received : 19.

Reports missing : *Colombia, Nicaragua, Uruguay, Yugoslavia.*

Cuba (ratification : 6.8.1928). — The Committee notes with satisfaction that the Government, in response to its enquiry of last year, gives information

concerning the amounts of compensation paid by insurance companies in respect of occupational diseases.

India (ratification : 30.9.1927). — The Government states that "in the case of occupational diseases, except anthrax, workmen must have been employed by the same employer continuously for not less than 6 months".

Since Article 1 of the Convention provides that "compensation shall be payable to workmen incapacitated by professional diseases... in accordance with the general principles of national law relating to compensation for industrial accidents", the Committee would be grateful if the Government would state in its next report whether, in case of industrial accidents, the workman must have been employed for 6 months before being eligible for compensation.

Convention No. 19: Equality of Treatment (Accident Compensation).

Number of reports requested : 33.

Number of reports received : 28.

Reports missing : *Colombia, Nicaragua, Peru, Uruguay, Yugoslavia.*

Finland (ratification : 17.9.1927). — The Government states in its report that a person entitled to compensation and residing abroad more than a year loses his right to the compensation for the period of his residence abroad; the Insurance Council can nevertheless, at the request of the person concerned, grant the right to compensation during the residence abroad if there are reasons to justify the request.

The Committee would be interested to know whether under this procedure the national of any other ratifying State would automatically be entitled to receive his compensation while resident outside Finland as required by Article 1 of the Convention.

France (ratification : 4.4.1928). — The Government states that where foreign workers who have met with accidents, or the dependants of such foreign workers, cease to reside on French soil, certain restrictions, which do not apply to French nationals, are applied to the payment of their pensions. The law provides (Act No. 46-2426, Section 59) that these restrictions "may be modified by international treaties or agreements".

It would seem that, if harmony is to be ensured between national legislation and the provisions of the Convention, these restrictions should be waived automatically in respect of every such victim or dependant who is a national of a Member State which has ratified the Convention. The Committee would therefore be grateful if the Government would be good enough to indicate whether the waiving of the above-mentioned restrictions in respect of such nationals is or is not dependent upon the negotiations with each country of origin concerned.

Iraq (ratification : 30.4.1940). — It does not clearly appear from the Government's report whether the legislation in Iraq grants equality of treatment irrespective of their place of residence, as required by the Convention, both to foreign workers and their dependants or only to the latter.

The Committee suggests that the Government should be asked to supply further information showing, if such is the case, that no conditions of residence are imposed in the case of foreign workers themselves who suffer industrial accidents and are nationals of ratifying States.

Union of South Africa (ratification : 30.3.1926). — In its report for 1942-1943 the Government referred to the impossibility of giving statistical information concerning foreign workers (Question VI of the report form) "owing to war conditions". As the report for 1946-1947 contains no such information, the Committee would be grateful if the Government would be good enough to supply such statistical data with its next annual report.

Uruguay (ratification : 6.6.1933). — The report for 1946-1947 has not yet been received (see under A. General Observations). The Committee therefore

refers 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 expresses the hope that, at an early date, the Government will be good enough to inform the International Labour Office whether it contemplates taking any measures to ensure harmony.

Convention No. 20: Night Work (Bakeries).

Number of reports requested : 10.

Number of reports received : 7.

Reports missing : *Colombia, Nicaragua, Uruguay.*

Uruguay (ratification : 6.6.1933). — The report for 1946-1947 has not yet been received (see under A. General Observations). The Committee therefore refers to the letter from the Government dated 5 June 1947 stating that Acts No. 5646 of 19 March 1918 and No. 7293 of 15 October 1920, which ensured harmony between the Convention and national legislation, have been temporarily suspended.

The Committee would be glad if at an early date the Government would be good enough to supply information as to the circumstances which necessitated the above suspension and when it is expected that full application of the Convention will be restored.

Convention No. 21: Inspection of Emigrants.

Number of reports requested : 18.

Number of reports received : 13.

Reports missing : *Colombia, Hungary, Nicaragua, Uruguay, Venezuela.*

No observations.

Convention No. 22: Seamen's Articles of Agreement.

Number of reports requested : 24.

Number of reports received : 19.

Reports missing : *Colombia, New Zealand, Nicaragua, Uruguay, Yugoslavia.*

Canada (ratification : 30.6.1938). — The Committee had expressed the hope, on previous occasions, that it would be possible for the Government, in its next report, to give a summarised analysis of how the national laws and regulations implement each of the relevant Articles of the Convention. As the report for 1946-1947 does not contain any additional particulars, the Committee ventures to reiterate its request.

China (ratification : 2.12.1936). — The Committee would be grateful if the Government would be good enough to provide more detailed information as to the measures which give effect to Articles 8-13 of the Convention. The report for 1946-1947 makes no reference to these Articles.

New Zealand (ratification : 29.3.1938). — The report for the period 1946-1947 has not yet been received. The Committee therefore takes note of the information submitted by the Government to the 30th Session of the Conference, under letter dated 2 July 1947, to the effect that an amendment to the Shipping and Seamen's Act to embody therein the provisions of Article 3 of the Convention is projected, and ventures to reiterate its hope that it may be possible to adopt this measure at an early date.

Uruguay (ratification : 6.6.1933). — The report for 1946-1947 has not yet been received (see under A. General Observations). The Committee therefore refers to 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 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, at an early date, the Uruguayan Government would be good enough to supply information regarding the progress realised in this connection.

Venezuela (ratification : 20.11.1944). — The report follows the same lines as those of the preceding periods, and gives no clarification of the position of the national legislation in respect of Articles 5 and 8, and of certain provisions of Article 6, of the Convention. The Committee therefore ventures to reiterate its request for a statement on this question in the next report.

Convention No. 23 : Repatriation of Seamen.

Number of reports requested : 14.

Number of reports received : 10.

Reports missing : *Colombia, Nicaragua, Uruguay, Yugoslavia.*

Uruguay (ratification : 6.6.1933). — See under Convention No. 22.

Convention No. 24 : Sickness Insurance (Industry), etc.

Number of reports requested : 12.

Number of reports received : 7.

Reports missing : *Colombia, Nicaragua, Peru, Uruguay, Yugoslavia.*

Chile (ratification : 8.10.1931). In reply to the observation made by the Committee last year, the Government states that the Bill to amend Act No. 4054 of 8 September 1924, so that the provisions of the national legislation might be brought into complete harmony with the Convention, is still awaiting decision of the National Congress. The Committee would be grateful to be kept informed of the progress realised in regard to this legislation.

The Committee also notes that the waiting period established by the national legislation is still four days, whereas Article 3 of the Convention provides for a waiting period of not more than three days.

Uruguay (ratification : 6.6.1933). The report for 1946-1947 has not yet been received. (See under A. General Observations.) The Committee therefore refers to the statement made by the Government in its report for 1944-1945 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 has to note with regret that Conventions ratified as long as 15 years ago are not applied. The Committee again expresses the hope that the necessary measures to put an end to this situation will be taken as soon as possible.

Convention No. 25 : Sickness Insurance (Agriculture).

Number of reports requested : 9.

Number of reports received : 6.

Reports missing : *Colombia, Nicaragua, Uruguay.*

Chile (ratification : 8.10.1931). — The Committee notes that the waiting period established by the national legislation still is four days, whereas Article 3 of the Convention provides for a waiting period of not more than three days.

Uruguay (ratification : 6.6.1933). — See under Convention No. 24.

Convention No. 26 : Minimum Wage-Fixing Machinery.

Number of reports requested : 21.

Number of reports received : 17.

Reports missing : *Colombia, New Zealand, Nicaragua, Uruguay.*

Canada (ratification : 25.4.1935). — See under A. General Observations.

Chile (ratification : 31.5.1933). — The Committee notes that in response to the observation which it made last year, the Government intends to submit in its next report further information respecting the working of inspection and would be grateful if the Government could, on the same occasion, indicate the approximate number of workers covered by minimum-wage regulations (Article 5 of the Convention).

China (ratification : 5.5.1930). — The Committee takes note of the Government's statement that the Minimum Wage Act of 1936 could not be enforced because of the war but that the terms of the Convention are implemented through a number of administrative regulations passed from 1943 to 1947. The Committee would be glad if the Government could give additional information on the practical application of these regulations.

Cuba (ratification : 21.2.1936). — The Committee notes that the wage-fixing authorities have not themselves determined the number of workers to whom the minimum wages apply and understands from the reference in the report to the lack of any distinction between industrial wage-earners and other persons that it is because of the absence of separate figures for these different groups that no statistics have been supplied. Even if such separate figures cannot be furnished, however, the Committee would be grateful if the Government could furnish at least estimates of the approximate total number of persons covered by the minimum wage-fixing machinery and the various agreements concluded thereunder.

The Committee would also be grateful if the Government would supply information with respect to the organisation and working of inspection (Question IV of the report form), for example with respect to the number of prosecutions and convictions and the amount of arrears of wages collected.

Italy (ratification : 9.9.1930). — The Committee notes the statement of the Government that a return has been made to the principle of free collective bargaining. In this connection the Committee will be grateful for more specific information as to which of the measures listed in last year's report have thereby been repealed, and in particular for advice as to whether Act No. 877 of 26 April 1930 conferring force of law on the Convention is still in effect. It ventures to recall that the Minimum Wage-Fixing Machinery Convention, 1928, was intended to deal specifically with workers employed in certain trades or parts of trades (in particular the homeworking trades) in which no arrangements exist for the effective regulation of wages by collective agreement or otherwise and in which wages are exceptionally low.

The Committee notes the Government's statement that the existing system does not apply to persons for whom there are no collective agreements and its reference in this connection to homeworkers. The Committee would be grateful if the Italian Government would indicate what arrangements exist for the determination of minimum wages in such cases.

Mexico (ratification : 12.5.1934). — The Committee takes note of the Government's statement that it is not at present able to supply statistics as to the number of workers covered by minimum wage-fixing machinery and hopes that it may be possible to supply such information in an early report.

Netherlands (ratification : 10.11.1936). — The report for the period 1944-1945 stated that the wartime decrees issued by or under the occupying power have been repealed. The Committee took note of the Extraordinary Labour Relations Decree of 5 October 1945; since Section 3 of this Decree provides that when its provisions differ from those of any existing Act or Order, the provisions of the Decree shall apply, the Committee would be grateful if the Government would give in its next report a detailed list of the legislative provisions ensuring the application of each of the provisions of the Convention. The Committee would also be grateful if the Government would indicate whether any relevant statutory regulations have been made

pursuant to Section 3 of the Decree of 5 October 1945. The Committee would appreciate information respecting the methods employed for consultation of employers' and workers' organisations and the statutory provisions enabling a worker to recover amounts for which he had been underpaid.

Norway (ratification : 7.7.1933). — The Committee would be grateful if, in its next report, the Government would be good enough to supply information with reference to 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).

United Kingdom (ratification : 14.6.1929). — The Committee notes with interest the comprehensive and detailed report made by the Government on the working of this Convention, and would be grateful if the Government, in its next report, could give information as to the approximate number of workers covered by minimum-wage regulations in Great Britain.

Uruguay (ratification : 6.6.1933). — The report for 1946-1947 has not yet been received (see under A. General Observations).

Venezuela (ratification : 20.11.1944). — In reply to the observation made by the Committee last year, the Government states that all the duties which, according to the provisions of the Labour Act and the Regulations made thereunder, were under the responsibility of the former National Labour Office, now devolve upon the Ministry of Labour, in virtue of the Decree of the Federal Executive suppressing the National Labour Office.

The Government repeats the statement made in its previous report to the effect that the Statistical Labour Service is not in a position to submit precise statistical data as required under Question VI of the report form. The Committee ventures to express the hope that, in its next report, the Government would be able to supply the information.

Convention No. 27 : Marking of Weight (Packages Transported by Vessels).

Number of reports requested : 28.

Number of reports received : 24.

Reports missing : *Hungary, Nicaragua, Uruguay, Yugoslavia.*

Australia (ratification : 9.3.1933). — The Committee notes with satisfaction the Government's statement, made in reply to last year's observation, that the Navigation (Loading and Unloading) Regulations of 16 July 1941 apply without regard to the question of whether or not goods are loaded by the ship's crew.

Belgium (ratification : 6.6.1936). — In reply to the observations made by the Committee in 1947, the Government indicated, by letter of 21 June 1947, that in spite of certain difficulties of literal application of the Convention, it intended to reintroduce the word "object" in the Royal Decree of 31 December 1932 (Article 7), subject to the necessity of retaining certain exceptions for bulk cargo which can be considered neither as packages nor as objects under the terms of the Convention.

In its report for 1946-1947, the Government states that measures are being taken as indicated in the above-mentioned letter, to make the necessary amendments to the relevant legislation. The Committee takes note of this statement with appreciation.

Bulgaria (ratification : 4.6.1935). — The Government states in its report for 1946-1947 that there is no special legislation relating to the Convention. The Committee would be grateful if the Government would be good enough to indicate whether the Decree of 25 March 1935, concerning the marking of weight on large packages transported by vessels, is no longer in force.

The Government also states that the weight of large packages is generally indicated either on the package itself or on the documents accompanying it.

The Convention, however, requires the weight to be marked on the package itself and indication of the weight on the documents is not sufficient. Such an indication affords no protection to the workers, who have no knowledge of the documents.

The Committee would therefore be grateful for the observations of the Bulgarian Government on this point.

Hungary (ratification : 6.12.1937). — The report for 1946-1947 has not yet been received. The Committee therefore refers to the observations which it made last year and expresses the hope that the Government will be good enough to supply information respecting the legislation which applies the Convention.

India (ratification : 7.9.1931). — The Committee notes that the provisions of the Convention apply only to certain ports and would be glad to be informed whether the Government intends to extend application to all other Indian ports.

Mexico (ratification : 12.5.1934). — The Committee notes that in the Mexican Government's view the Convention only applies to packages transported on vessels engaged in *foreign* trade (vessels leaving Mexico for other countries). The Convention however does not make any distinction between home and foreign trade. The Committee would be glad, therefore, if the Government would extend the scope of its relevant legislation to include vessels engaged in home trade.

Portugal (ratification : 1.3.1932). — The Government states that a margin of error not exceeding ten per cent. continues to be permitted, the obligation to have the weight marked falling on the consignor. This margin of error is authorised by Section 1 of Decree No. 20611 of 11 December 1931.

The Convention provides for a margin of error only "in exceptional cases where it is difficult to determine the exact weight" (Article 1), and not as a general rule. The Committee would therefore be grateful if the Government would state what measures are taken to ensure the full application of the Convention.

Uruguay (ratification : 6.6.1933). — The report for 1946-1947 has not yet been received (see under A. General Observations).

The Committee reiterates the hope that, in its next report, the Government might be good enough to supply information on the practical application of the legislation implementing the various provisions of the Convention.

Convention No. 28 : Protection against Accidents (Dockers).

Number of reports requested : 3.

Number of reports received : 2.

Report missing : *Nicaragua.*

No observations.

Convention No. 29 : Forced Labour.

Number of reports requested : 20.

Number of reports received : 17.

Reports missing : *Liberia, Nicaragua, Yugoslavia.*

Australia (ratification : 2.1.1932). — The Committee on the Application of Conventions at the 1947 Session of the Conference made certain observations in regard to the report submitted by the Government of Australia on the application of this Convention during the year ending 30 September 1946. In particular, it was stated that further information would be welcomed so as to clarify certain aspects of application to the territories administered by the Australian Government. Since the report for the year ending 30 September 1947 includes no fresh information in this regard, the Committee draws again the attention of the Government to this question and hopes that the Government may be able to supply such information in its next annual report.

Belgium (ratification : 20.1.1944). — The Committee notes with interest that the possibility of withdrawing the reservations made by the Government at the time of ratification of the Convention in 1944 is being examined by the competent authority, and assumes that the Government will communicate its decision on this matter.

France (ratification : 24.6.1937). — The report provided for the year ending 30 September 1947 reproduces the provisions of the law of 11 April 1946 abolishing forced or compulsory labour. In the light of the special situation in French overseas territories, a situation which caused the French Government to avail itself of the option given under Article 26 of the Convention, at the time of ratification of the Convention, additional information on a few points would serve to provide a fuller picture of the new position. In the first place, it would be useful to know whether the new legislation involves suppression of the utilisation of the second native contingent (i.e., recruits who have not been called up for military service) for labour on public works; secondly, whether the tax labour due to native chiefs has ceased; thirdly, whether the system of compulsory cultivation has been brought to an end; and fourthly, whether the law of 11 April 1946 applies to Morocco and Tunisia, in regard to which the Government at the time of ratification of the Convention availed itself of the opportunity given under Article 26 of the Convention.

Netherlands (ratification : 31.3.1933). — The report submitted by the Government for the period ending 30 September 1947 on the application of the Convention includes the following passage :

"Slavery was completely abolished in the N.E.I. on January 1st, 1860.

"Compulsory labour, as it previously existed in the shape of *Heerendiensten*, was abolished: first in Java and Madura (N.E.I. Government Gazette 1934 - 661 and 1938 - 21); and subsequently in the Outer Provinces by the *Weggeld Ordonnantie 1942* (N.E.I. Government Gazette 1941 - 97), which provided for the abolition of *Heerendiensten*, and which introduced instead a tax for the upkeep of the roads, to which all groups of the population contributed. If so minded, the taxpayer was allowed to make payment in work. At the time of the Japanese invasion a form of *Heerendiensten* still existed, by way of exception on the remaining *particuliere landerijen* (large private estates) which were, however, gradually disappearing.

"Indentured labour under penal sanction no longer exists.

"Finally, the social evolution in the N.E.I. leaves no room for compulsory labour in any form whatsoever."

This passage states that the exaction of forced or compulsory labour in the Netherlands East Indies no longer exists in practice. In particular, it is stated that forced labour was abolished in the Outer Provinces by the Road Tax Ordinance (*Weggeld Ordonnantie*) which came into force in 1942. There remains, however, one point on which the actual position deserves some further clarification. The report submitted to the International Labour Office by the Netherlands Government on 22 August 1941 explained in regard to the application of the Tax Ordinance in the Native States which are not under direct administration, that the opening of negotiations with the Native States on the extension of the application of the Ordinance to these States was under consideration. It was further explained that in the principalities (autonomous Native States) of Java, the administration was taking steps, through negotiation, to secure the abolition of forced labour, but that these territories had their own separate legislation. Forced labour continued to be exacted on the *particuliere landerijen* in Java.

The 1941 report referred to the purchase of two such estates by a company named the *Javaasche Particuliere Landerije Maatschappij*. From the date of purchase, native residents of the estates were permitted to commute the services they were liable to render at a moderate rate, and, where residents were unable to commute, the services due were exacted in a humane manner.

It is therefore not clear whether at the present time the *Heerendiensten* are completely abolished or whether they are still utilised in the autonomous Native States.

The Committee would therefore welcome further information from the Netherlands Government in regard to this question.

Anglo-Egyptian Sudan.

The Committee notes with appreciation that the Government of the Anglo-Egyptian Sudan, pursuant to its letter of 9 October 1944, has resumed the submission of voluntary reports.

Convention No. 30 : Hours of Work (Commerce and Offices).

Number of reports requested : 8.

Number of reports received : 5.

Reports missing : *New Zealand, Nicaragua, Uruguay.*

Bulgaria (ratification : 22.6.1932). — In 1947 the Conference Committee on the Application of Conventions stated that it would be of interest to know whether the organic Act concerning hours of work for employees of the postal, telegraph and telephone services provides for the hours of work indicated in the Convention. Since the report for 1946-1947 does not contain any information on this point the Committee ventures to express the hope that the Government will be good enough to supply the required clarification.

Finland (ratification : 13.1.1936). — The Committee wishes to express its appreciation of the additional information given by the Finnish Government, in its letter of 6 May 1947, in respect of the observations made by the Committee on the report for 1945-1946.

With respect to the report for 1946-1947, the Committee notes that both employers' and workers' organisations have made observations concerning the application of the Convention and relevant Acts and Ordinances. The Committee ventures to point out, however, that under Point VI of the form for the annual report, a summary of such observations is called for as supplement to available information and expresses the hope that the Government might be good enough to furnish this summary in due course.

Mexico (ratification : 12.5.1934). — The Committee notes that observations have been made by employers' and workers' organisations but that no details of such observations have been supplied by the Government.

The Committee venture to point out that, under Point VI of the form for the annual report, a summary of such observations is called for as a supplement to available information and express the hope that the Government might be good enough to furnish this summary in due course.

Uruguay (ratification : 6.6.1933). — The report for 1946-1947 has not yet been received. (See under A. General Observations.) The Committee therefore refers 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, 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 Committee expresses the earnest hope that at an early date the Government will 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.

Convention No. 32: Protection against Accidents (Dockers) (Revised).

Number of reports requested : 9.
Number of reports received : 8.
Report missing : *Uruguay*.

General Observations

None of the reports relating to Convention No. 32 makes mention of Article 18 of the Convention. The Committee would be glad if Governments in their next reports would indicate whether they are willing to make reciprocal arrangements as mentioned in this Article and, if so, what steps they have taken in this connection. The Committee understands that before the war a meeting was held in London to discuss this question, and would be glad to hear whether this matter has been taken up again.

Canada (ratification : 6.4.1946). — The Committee notes with interest the first report of the Government and refers to the statement therein that the Convention is covered by the Canada Shipping Act, 1934. The Committee would be grateful if in its next report the Government would give a more detailed indication as to how the specific provisions of the above Act, or the regulations made thereunder, apply various provisions of the Convention.

Chile (ratification : 18.10.1935). — In reply to the observation made by the Committee last year, the Government states that the General Directorate of Labour proposes to recommend certain amendments to the relevant regulations with a view to bringing the national legislation into more complete conformity with the provisions of the Convention. The Committee welcomes this statement and trusts that the Government will keep the International Labour Office informed of the progress made in this direction.

Mexico (ratification : 12.5.1934). — The Government states that the competent departments are collaborating in the working out of amendments to bring the Act respecting general means of communication and the regulations made thereunder into conformity with the provisions of the Convention. The Committee infers from this that regulations relevant to the Convention have in fact been issued under the above Act, and ventures to refer to the Government's report for 1943-1944, in which it was stated that "when regulations are made under the Act respecting general means of communication and when the regulations respecting prevention of industrial accidents are issued, the provisions of the Convention will be embodied in both". The Committee would be glad, therefore, to have information concerning the regulations under the Act and the extent to which, in their present form, they give effect to the specific provisions of the Convention.

United Kingdom (ratification : 10.1.1935). — The Government of the United Kingdom states in its report, under Article 9, that the examination and the testing of the machines, etc., mentioned in Article 9, shall be done by private firms. The wording of the Convention is: "by a competent person acceptable to the national authorities". The Committee has the impression that the British system of examination and testing is wholly in conformity with the provisions of the Convention; it would, however, be glad to know whether the Government has set up regulations with which private firms must comply in order to be deemed "acceptable to the national authorities".

Uruguay (ratification : 6.6.1933). — As the report for 1946-1947 has not yet been received (see under A. General Observations), the Committee refers to the report for 1944-1945, in which the Government stated that Legislative Decree of 10 August 1938 ensures complete harmony between the national legislation and the provisions of the Convention. The Committee expresses the earnest hope that the Government will be good enough to supply information regarding the practical application of the Convention.

Convention No. 33: Minimum Age (Non-Industrial Employment).

Number of reports requested : 6.
Number of reports received : 5.
Report missing : *Uruguay*.

Austria (ratification : 26.2.1936). — The Committee expresses its appreciation of the detailed report but notes from the report that the provisions still in force do not fully correspond with the provisions of the Convention. The Committee takes note in this connection of the Government's statement that the Bill relating to the protection of young persons now before Parliament, takes due account of the obligations laid down in the Convention, and expresses the hope that next year's report will supply information on the progress realised in regard to this legislation.

Cuba (ratification : 24.2.1936). — The Committee takes note of the statements submitted to the Conference Committee on the Application of Conventions (1947) by a representative of the Cuban Government in answer to the observations formulated by the Committee of Experts. According to these statements, under Section 66 of the Constitution, the employment of children under 14 years of age in any occupation is prohibited except in the case of domestic service where custom renders impossible the employment of children under 14 years of age.

With regard to Article 5 of the Convention, which provides for higher ages for the admission of young persons to any non-industrial employment dangerous to their life, health or morals, the Committee takes note, according to the information supplied in the report for the period 1946-1947, that as a result of compulsory school attendance, on the one hand, and of a maximum working day of seven hours in commercial undertakings with no possibility of a reduction in wages, on the other hand, the employment of young persons is not customary in Cuba.

The Committee, nevertheless, expresses its regret that, according to this information, no legislative measure seems as yet to have established the higher ages for admission to the dangerous employments covered by Article 5 of the Convention. The Committee also ventures to express the hope that the Regulations, mentioned in the report for the period 1946-1947, which are to apply Decree No. 647 of 1934 concerning the minimum age for the admission of children to industrial employment and which, according to a previous report, will also take into account the provisions of Convention No. 33, may soon be approved and so ensure the complete application of the Convention.

France (ratification : 29.4.1939). — The Committee notes with interest the first report of the Government and ventures to make the following observations.

The report states that the competent authorities may, by way of exception, permit the employment of one or more children in specified theatrical performances (Section 59 of Book II of the Labour Code). No indication is given, however, of any measures which may have been taken to ensure the application of the conditions prescribed for such employment under paragraphs (a), (b) and (c) of Article 4 of the Convention.

The report also states that Section 60 of Book II of the French Labour Code, which, in accordance with Article 5 of the Convention, fixes at about 14 years the age for the admission of children into certain dangerous occupations, in particular in the employ of any persons practising the occupations of acrobat, tumbler, charlatan, exhibitor of wild beasts, or circus director, nevertheless authorises mothers or fathers engaged in such occupations to employ in their performances their own children over 12 years of age. However, Article 1, paragraph 3 (a) of the Convention only permits exceptions from the application of the Convention in the case of employment in establishments in which only members of the employer's family are employed, and then only if the employment is neither harmful, prejudicial nor dangerous within the meaning of Articles 3 and 5 of the Convention. Moreover, Article 4 (a) provides that no exception shall be allowed in respect of employment which is dangerous within the meaning

of Article 5, such as employment in circuses, variety shows or cabarets.

Finally, the report contains no information concerning the exceptions allowed under Articles 3 and 6 of the Convention.

In these circumstances, the Committee suggests that the Government might be requested to be good enough to study the possibility of establishing full harmony between the national legislation and the provisions of the Convention and would be grateful if the Government would supply precise information concerning the application of Articles 3 and 6 of the Convention as provided for under its Article 8.

Uruguay (ratification: 6.6.1933). — (See under A. General Observations.) As the report for 1946-1947 has not yet been received, the Committee refers to the statement made by the Government in its report for 1944-1945 to the effect that the provisions of the Convention are applied partially by the national legislation.

The Committee wishes to call attention to its previous observations and expresses the earnest hope that, at an early date, the Government will be good enough to supply information regarding the Bill which was being drafted with a view to bringing the provisions of the Children's Code (in particular, section 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: 5.

Number of reports received: 4.

Report missing: *Turkey* (ratification by *Turkey* was registered on 8.7.1946, and the Convention came into force for *Turkey* on 8.7.1947. By letter dated 18 March 1948 the Government of *Turkey* informed the Office that as the Convention had been in force for less than one year, the relevant report had not been established and would be communicated later).

No observations.

Convention No. 35: Old-Age Insurance (Industry, etc.).

Number of reports requested: 4.

Number of reports received: 3.

Report missing: *Peru*.

No observations.

Convention No. 36: Old-Age Insurance (Agriculture).

Number of reports requested: 3.

Number of reports received: 3.

No observations.

Convention No. 37: Invalidity Insurance (Industry, etc.).

Number of reports requested: 4.

Number of reports received: 3.

Report missing: *Peru*.

No observations.

Convention No. 38: Invalidity Insurance (Agriculture).

Number of reports requested: 3.

Number of reports received: 3.

No observations.

Convention No. 39: Survivors' Insurance (Industry, etc.).

Number of reports requested: 2.

Number of reports received: 1.

Report missing: *Peru*.

No observations.

Convention No. 41: Night Work (Women) (Revised).

Number of reports requested: 17.

Number of reports received: 13.

Reports missing: *Afghanistan, Brazil, New Zealand, Peru*.

Iraq (ratification: 28.3.1938). — In its report for 1944-1945, the Government stated that legislation was being contemplated which would define the line of division which separates industry from commerce and agriculture. As the reports for 1945-1946 and 1946-1947 contain no reference to this point, the Committee would be glad to be informed of the progress realised as regards the contemplated legislation.

Convention No. 42: Workmen's Compensation (Occupational Diseases) (Revised).

Number of reports requested: 14.

Number of reports received: 11.

Reports missing: *Brazil, New Zealand*.

(For *Turkey*, see under Convention No. 34.)

Iraq (ratification: 25.7.1941). — The Committee notes with satisfaction that, pursuant to the observation which it made last year, the report supplied by the Government for 1946-1947 contains a schedule of occupational poisonings and diseases as required under Article 2 of the Convention.

Convention No. 43: Sheet-Glass Works.

Number of reports requested: 7.

Number of reports received: 7.

France (ratification: 5.2.1938). — The Committee takes note with satisfaction of the information supplied in the report for 1946-1947 to the effect that the services of the general labour inspectorate are now in a position to resume the drawing up of comprehensive documents concerning the application of labour legislation and will be able to supply information for the period 1947-1948.

Mexico (ratification: 9.3.1938). — The Committee notes with interest the statement made by the Mexican Government member of the Committee on the Application of Conventions at the 30th Session of the International Labour Conference. Since the Government's report, in mentioning the collective agreements entered into by the Monterey Glass Works, describes this undertaking as "the largest in the country", the Committee would welcome additional information from the Government concerning the manner in which the Convention is applied in any sheet-glass works other than the one cited.

Convention No. 44: Unemployment Provision.

Number of reports requested: 4.

Number of reports received: 4.

New Zealand (ratification: 24.3.1938). — The Committee notes the statement in the Government's report that the legislation in *New Zealand* is practically in full harmony with the provisions of the Convention.

The Committee notes as regards Article 2 that a married woman is ineligible for unemployment benefit unless the husband is unable to maintain her. It would be of interest to know under which of the exceptions permitted by Article 2 this exclusion is made.

The Committee ventures to suggest that, as it appears from the Government's report that the system operating in *New Zealand* is subject to a means test, it would make for clarity if the Government were in future reports to refer to the system as one of Unemployment Allowances and not of Unemployment Benefit, the latter term being reserved exclusively by the Convention for systems which are not subject to a means test.

Convention No. 45: Underground Work (Women).

Number of reports requested: 24.

Number of reports received: 21.

Reports missing: *Afghanistan, Brazil, Peru*.

China (ratification : 2.12.1936). — The Committee notes the statement made in the report that the Mines Act promulgated on 25 June 1936 as well as the Draft Amendment of the Mines Act drawn up by the Government in 1947 are in conformity with the principles of the Convention. However, according to its Article 1 the Mines Act is applicable only to "any mine in which no less than 50 miners are employed permanently on underground work", a limitation of scope which appears to allow the employment of women, contrary to the provisions of the Convention, on underground work in small enterprises.

The Committee therefore ventures to suggest that the Chinese Government might be requested to explain whether this discrepancy exists in fact and, if so, whether the Draft Amendment of the Mines Act under consideration is intended to remove it.

Portugal (ratification : 18.10.1937). — In reply to the observations made by the Committee of Experts in 1947, the Government stated in a letter dated 23 May 1947 that the Order of 21 January 1937, prohibiting the employment of women in mines, save in the case of women already so employed prior to the date of issue of the Order, is anterior to 18 October 1937, the date on which the Convention was ratified by Portugal. Inasmuch as the effect of ratification was to render Convention No. 45 immediately applicable with the force of an internal law of the country, as from the date of notification in the *Diário do Governo* of 20 November 1937, the Order of 21 January 1937 should be regarded as repealed and replaced in its entirety by the provisions of the Convention.

Since, however, the Government, in its report for 1946-1947, states explicitly that the Order of 21 January 1937 is still in force, the Committee would be very grateful if the Government would be good enough to clarify the matter, and at the same time to indicate what steps have been taken to ensure the effective application of the Convention.

Convention No. 48 : Maintenance of Migrants' Pension Rights.

Number of reports requested : 4.
Number of reports received : 3.
Report missing : *Yugoslavia*.

Hungary (ratification : 10.8.1937). — The Government states that there is no change regarding the legislation since it supplied its report for 1945-1946, in which it stated that "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".

The Committee would be grateful to be informed whether any progress has been made in this connection,

Convention No. 49 : Reduction of Hours of Work (Glass-Bottle Works).

Number of reports requested : 6.
Number of reports received : 5.
Report missing : *New Zealand*.

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 : 2.

No observations.

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 notes that no information has been supplied concerning the practical application of the Convention (Point VI of the report form), and ventures to express the hope that in its next report the Government may be good enough to supply this information.

Mexico (ratification : 9.3.1938). — The Committee takes note of the statement contained in the Government's report to the effect that it is studying ways and means of eliminating existing differences between the national legislation and the provisions of the Convention and hopes that future reports will contain information on this point.

Convention No. 53 : Officers' Competency Certificates.

Number of reports requested : 8.
Number of reports received : 7.
Report missing : *Brazil*.

No observations.

Convention No. 55 : Shipowners' Liability (Sick and Injured Seamen).

Number of reports requested : 3.
Number of reports received : 3.

Mexico (ratification : 9.3.1938). — The Committee notes that the Secretariat of Labour hopes to submit proposals for the necessary reform of the legislation when opportunity arises, so that every provision of the Convention may be included in its appropriate place in the various national laws and regulations. The Government also states that the Secretariat of Labour has read with interest the observations concerning Article 3 of the Convention made by the Committee last year, and is reviewing the manner in which the shipowner has to pay the compensation established under § 108 of the Federal Labour Act in cases in which the seaman remains on shore.

The Committee expresses the hope that the Government will be good enough to keep the International Labour Office informed of the progress made in this connection.

The Committee notes the intention of the Government to make provision by means of including a special clause in Collective Labour Agreements to deal with the shipowner's liability under Article 2 in case of non-occupational diseases and also by the same means to guarantee the right to repatriation under Article 6 and the safeguarding of property left on board as required by Article 8. The Committee would point out that the Convention contains no provision for its implementation by means of Collective Agreements and that Article 8 expressly requires the provisions of that Article to be applied by means of national laws or regulations.

United States of America (ratification : 29.10.1938). — The Committee has noted with interest the very full report submitted by the Government of the United States and particularly the Government's observations on the question of whether a ratified Convention, as constituting a treaty, becomes automatically a part of the law of the United States. It is noted that this point has not yet been finally determined by the Supreme Court and the Committee would be glad to be kept informed as the matter appears to be of considerable importance in regard to a number of points dealt with in the Convention but on which there appears to be no specific legislation.

For example the Government states that the shipowner is liable for wages so long as the voyage lasts, whereas under Article 5 of the Convention the shipowner may in certain cases be liable for wages, in whole or in part, to a sick or injured seaman even after the termination of the voyage. Further, the Committee notes that the Government itself draws attention to two possible cases in which the full benefits of the Convention may not be guaranteed to seamen, i.e. duration of medical care when overseas and wages.

Convention No. 58: Minimum Age (Sea) (Revised).

Number of reports requested : 7.
 Number of reports received : 5.
 Reports missing : *Brazil, New Zealand.*

Belgium (ratification : 11.4.1938). — The Government gives no indication in its report that the Act of 26 July 1928 has been amended or superseded. Section 19 of that Act fixes the minimum age for the deck department at fourteen years, whereas the Convention lays down a minimum of fifteen years. The Committee would be glad if the Belgian Government, in its next report, would indicate in greater detail how the provisions of Belgian legislation or possibly of administrative regulations give effect to the relevant Articles of the Convention.

Convention No. 59: Minimum Age (Industry) (Revised).

Number of reports requested : 2.
 Number of reports received : 2.

China (ratification : 21.2.1940). — In last year's report, received too late for consideration by the Committee, the Government stated that Article 8, paragraph 3 (a) of the Convention is applied by Section 5 of the Mines Act which prohibits the employment of children on underground work. It would appear, therefore, that the national legislation only prohibits the employment of children under fourteen years of age on underground work in mines, whereas the Convention fixed a minimum age of fifteen years for admission to employment in Chinese mines.

However, the Committee notes with interest from this year's report that a Draft Amendment of the Mines Act provides that young persons between fourteen and sixteen years of age shall be allowed only to undertake surface work of light character. The adoption of this amendment would raise the minimum age — at least for underground work and surface work which is not of light character — to sixteen years, *i.e.*, one year above the minimum age fixed by the Convention. The Committee therefore ventures to request the Chinese Government to be good enough to examine the possibility of taking, as soon as possible, the necessary measures to raise the minimum age for all work in mines in accordance with Article 8, paragraph 3 (a) of the Convention.

Norway (ratification : 26.8.1938). — In 1939, the Committee noted that the obligation to keep a register of young persons has not yet been imposed on all undertakings covered by the Workers' Protection Act of 1936, but that in this connection the system established by the Act of 1915, the scope of which is narrower than that of the Convention, was still in force.

In its report for 1945-1946, the Government stressed the desirability of extending this obligation

to all industrial undertakings as defined by the Convention, and stated that such an extension was being prepared but that its completion had been prevented by other pressing work. No reference is made to this question in the Government's report for 1946-1947. The Committee therefore suggests that the Norwegian Government might be requested to supply information regarding the progress which has been realised in this connection.

Convention No. 62: Safety Provisions (Building).

Number of reports requested : 2.
 Number of reports received : 2.

Mexico (ratification : 4.7.1941). — In its last year's report the Committee expressed the hope that the Mexican Government would take measures at an early date to effect the necessary co-ordination between the national legislation and the provisions of the Convention.

It does not appear from the report for 1946-1947 that such measures have been taken and the Committee would, therefore, be glad to learn when the Mexican Government will be in a position to take them.

The Committee notes with interest that the Government will urge the Government of the Federal District to amend the regulations applying to that district, but they would be glad to have some information as to the Government's intentions with regard to amending the National Regulations in such a manner as to ensure the full application of the Convention throughout the whole of Mexico.

Convention No. 63: Statistics of Wages and Hours of Work.

Number of reports requested : 11.
 Number of reports received : 10.
 Report missing : *New Zealand.*

Australia (ratification : 5.9.1939). — The Committee takes note with satisfaction that consideration will be given to the desirability of cancelling the declaration excluding Part II of the Convention made by the Government at the time of ratification.

Mexico (ratification : 16.7.1942). — The Committee takes note of the Government's statement in its report that budgetary difficulties have restricted statistical activities.

No comment is made in the report on the Committee's observation of last year with respect to the compilation of statistics on agricultural wages. In its report covering the period 1940-1943, the Government stated that the competent authority "was bearing in mind the formal obligation to compile such statistics, and would give effect thereto as soon as circumstances allowed". The Committee would be glad if, in its next report, the Government would be good enough to supply information on this point.

C. OBSERVATIONS ON THE APPLICATION OF CONVENTIONS TO NON-METROPOLITAN TERRITORIES

Australia. — In its report for the year ending 30 September 1935, the Government of Australia stated that Convention No. 7 (Minimum Age (Sea)), Convention No. 9 (Placing of Seamen), Convention No. 15 (Minimum Age (Trimmers and Stokers)), Convention No. 16 (Medical Examination of Young Persons (Sea)) and Convention No. 22 (Seamen's Articles of Agreement) were inapplicable to the Commonwealth territories owing to local conditions. According to the report submitted for the year ending 30 September 1941 in regard to the application of Convention No. 8 (Unemployment Indemnity (Shipwreck)) to New Guinea, Natives for the main part perform the duties of seamen in the small number of ships registered in that territory. In its report for the year ending 30 September 1940, the Government stated that the question of applying these Conventions to the territories administered by Australia was being

considered, but that it was decided that no action should be taken at that time; in the report for the year ending 30 September 1943, it was stated that further consideration of the question had been postponed in view of circumstances brought about by the war. No further action has been reported since that date. Further information on this question from the Government in its next annual report would therefore be appreciated.

The report of the Government for the year ending 30 September 1947 states that the minimum wage-fixing machinery which operates in Australia does not cover the Native peoples of Papua and New Guinea; extension to those areas would not, at present, be practicable because of the entirely different circumstances of development of the Native peoples, industrial activity being very limited. It is to be noted, however, that employment in gold mining is important

in New Guinea. Therefore it seems desirable that the Commonwealth Government reconsider the question of application of this Convention, partially or with modifications if necessary. Since minimum wage rates have, however, been temporarily fixed until a competent investigating authority could be appointed to examine the question and report, information would be welcomed from the Government as to whether the Committee of Investigation will be competent to examine, *inter alia*, the possibility of at least partial application of the Convention to the territories concerned and as to progress made.

Belgium. — A number of the reports provided either state that Conventions are inapplicable to the Belgian Congo and to Ruanda Urundi because of local conditions or simply refer to the fact that ratification of the Convention was effected subject to any later decisions which might deal with its application to these territories. Among the Conventions falling within this category are Nos. 2, 5, 6, 11, 13, 21, 33 and 53. Reports provided in regard to Conventions Nos. 1, 19, 27, 54 (voluntary) and 57 contain no reference to colonial application.

The maritime Conventions ratified by Belgium (Conventions Nos. 7, 8, 15, 16, 22, 23 and 55) are not directly applicable, but metropolitan legislation in respect of these Conventions covers Native seamen working on Belgian ships in the ports of the Belgian Congo, thus securing virtual application in some degree.

In regard to Convention No. 43 (Sheet-Glass Works), reports state that the question of application does not arise. It would be helpful if the Government explained whether this statement means that this industrial process is not carried on in the territories under its administration. Convention No. 45 (Underground Work (Women)) was ratified subject to a later decision in regard to colonial application but reports explain that there is no underground employment of women in mines in the territories at the present time. The Government might nevertheless take into consideration the possibility of providing for the prohibition of this form of employment, as a precautionary measure, should it consider that such employment is likely to occur in the future. In regard to Convention No. 9 (Placing of Seamen), it is stated that local conditions justify the exclusion of the Belgian Congo and Ruanda Urundi from the application of the Convention, but that local arrangements assure free placing. Convention No. 14 (Weekly Rest (Industry)) is stated not to be applicable, but local legislation requires employers to provide for four days' rest a month.

Legislation enacted between 1945 and 1947 has applied Convention No. 17 (Workmen's Compensation (Accidents)) to non-Natives in the Belgian Congo and Ruanda Urundi.

A communication to the I.L.O., dated 28 May 1938, from the Belgian Minister of Labour and Social Security stated that it was shortly hoped to issue a draft Decree applying the provisions of Conventions Nos. 12, 17 and 18 to the Belgian Congo. No further action other than the adoption of the legislation noted immediately above has since been reported. Information from the Government on any further steps which have been taken or are planned would therefore be appreciated.

France. — The reports for the year ending 30 September 1947 on Conventions Nos. 8, 9, 15, 16, 22, 23 and 27 state that supplementary information in regard to the application of these Conventions to French overseas territories would be forwarded to the I.L.O. separately. This supplementary information has not so far been received and it is hoped that the Government will ensure that it is provided in the next annual report.

An important development in regard to the application of Conventions since 1939 to territories administered by France has been the extension of French metropolitan legislation to Guadeloupe, Guiana, Martinique and Reunion, which became Departments in 1946. The Conventions so applied have been Nos. 1, 5, 6, 12, 14, 33, 35, 36, 38, 41 and 45. Metropolitan legislation applying Conventions Nos. 5, 6, 13, 33, 41 and 45 has been extended to New Caledonia. It is also stated that the extension of Convention No. 2 to the above four Departments is under

consideration. Convention No. 52 has been applied in the Departments of Algeria.

The French African Labour Code of 1945 applies the provisions of Conventions Nos. 1, 3, 4, 5, 6, 7, 14, 15 and 52 to French West Africa, French Equatorial Africa, the French Cameroons, Togoland and French Somaliland.

In regard to Convention No. 11 (Right of Association (Agriculture)), the report for the year ending 30 September 1947 states that the enquiry into the possibility of applying the Convention to French overseas territories, mentioned in earlier reports, has yielded no fresh information.

The report on Convention No. 27 (Marking of Weight (Packages transported by Vessels)) covering the period 1938-1939 stated that information would be provided in succeeding reports on application to the territories administered by France. The report for the period 1946-1947, the first received since that date, contains no information on this question. The attention of the Government is drawn to this omission.

The report submitted for the period 1945-1946 stated that the extension of metropolitan legislation regarding Convention No. 26 (Minimum Wage-Fixing Machinery) to the new departments of Guadeloupe, Guiana and Martinique would be effected in January 1947. The report for the year ending 30 September 1947 contains no information as to whether this has in fact taken place. Information from the Government in regard to this question would therefore be appreciated.

Netherlands. — The reports submitted by the Netherlands Government since 1939 reveal that much legislation covering the subject matter of Conventions has been enacted during the period. The reports for the year ending 30 September 1947 are, it is noted with appreciation, particularly full in regard to the Netherlands East Indies and contain several detailed explanations as to the reasons for non-application of Conventions to Surinam and Curaçao, for example in regard to Convention No. 12 (Workmen's Compensation (Agriculture)) to Surinam. The form in which the reports, particularly in regard to Surinam and Curaçao, have been presented, however, does not make it clear in many instances whether or not, in regard to particular Conventions, the Netherlands Government considers application to have been effected. This difficulty arises in large part from the fact that the reports refer to the "publishing" and "promulgation" of Conventions, terminology which is different from that of Article 35 of the Constitution. The information as to legislation and existing conditions contained in the reports suggests that the requirements of a number of Conventions in regard to which no statement as to application has been made, are already satisfied.

No reports have been provided in regard to the application of Conventions Nos. 21, 27 and 42 to the Netherlands East Indies.

In the following instances the Netherlands Government has not stated whether or not it considers application to have been effected:

Netherlands East Indies. — Conventions Nos. 2, 7, 11, 22, 33, 42 and 45.

Surinam. — Conventions Nos. 2, 5, 6, 8, 11, 13, 16, 17, 19, 21, 22, 26 and 42.

Curaçao. — Conventions Nos. 2, 6, 7, 8, 11, 12, 13, 16, 17, 19, 22, 26, 27, 33 and 42.

It would therefore be greatly appreciated if the Netherlands Government in its next annual report could clarify the present doubtful position in regard to application.

However, the information provided in regard to the following suggests that the requirements of these Conventions are already met:

Netherlands East Indies. — Conventions Nos. 22, 42 and 45.

Surinam. — Conventions Nos. 5, 8, 13, 17, 19, 21, 22 and 42.

Curaçao. — Conventions Nos. 2, 7, 8, 11, 12, 13, 16, 17, 19, 22, 26, 27, 33, 41 and 42.

There would seem to be no difficulty in regard to immediate application in these cases.

In regard to Convention No. 7 (Minimum Age (Sea)) it has not been considered necessary to take any action in Surinam since no persons under 14 years of

age are employed on ships, nor in Curaçao where contracts for employment at sea are not normally concluded with persons under 18 years of age.

In regard to Conventions Nos. 41 (Night Work (Women) (Revised)) and 45 (Underground Work (Women)), reports state that no women are employed on night work or underground in mines in Surinam and Curaçao. The possibility of enacting simple legislation, as a precautionary measure might, however, be considered by the Government if there is any likelihood of such employment occurring in the future.

The report for the year ending 30 September 1939 on Convention No. 16 (Medical Examination of Young Persons (Sea)) stated that its application to Surinam was under consideration. No information is, however, included on this question in subsequent reports.

New Zealand. — Up to the present time, none of the Conventions ratified by the Government of New Zealand have been applied to the Mandated Territory of Western Samoa. Reports for the year ending 30 September 1947 in respect of Conventions Nos. 1, 2, 9, 12, 32, 44, 45, 49 and 53 and reports for the periods 1944-1945 and 1945-1946 in respect of Conventions Nos. 11, 14¹, 17, 30, 41 and 42 state that the instrument of ratification was regarded as being operative only in respect of the Dominion proper but that extension to the Mandated Territory of Western Samoa and the Cook Islands was being reviewed.

In its report for the year ending 30 September 1939, the Government of New Zealand, taking into account an observation of the previous session of the Committee, made the following statement in regard to each of the Conventions Nos. 2, 11, 12, 14, 17, 21, 41, 42 and 45: "The question of the application of the Convention to the Mandated Territory of Western Samoa is being most carefully examined and it is hoped that it will be possible to include in the next report a statement on the position."

As some eight years have elapsed since this statement was made, more detailed information from the Government as to the stage which examination has reached and as to the possibility of early application would be appreciated.

Portugal. — In its report for the year ending 30 September 1944, the Government of Portugal referred to the extension to all territories administered by Portugal of the metropolitan legislation applying Conventions No. 17 (Workmen's Compensation (Accidents)), No. 18 (Workmen's Compensation (Occupational Diseases)) and No. 19 (Equality of Treatment (Accident Compensation)). The provisions of this legislation have, however, not been made applicable to the indigenous inhabitants of the territories.

In regard to Conventions Nos. 1, 4, 6, 14, 27 and 45 the report of the Government of Portugal refers, in regard to application to territories administered by Portugal, to previous reports in which it is noted that these Conventions were ratified subject to any further decisions which might deal with their application to the colonies.

Information provided by the Portuguese Government representative at the 1947 Session of the Conference indicates that several of the Conventions ratified by Portugal are in practice partially applied by the provisions of the Native Labour Code of 6 December 1928. The Code and the Colonial Charter of 8 July 1930, as amended by Law No. 1900 of 21 May 1935 and incorporated in the Constitution of the Republic of Portugal, seem to prove that the Government of Portugal is fully conscious of the importance of indigenous labour problems and that its policy is directed towards assuring the well-being of the indigenous peoples.

In the light of the provisions of Article 35 of the Constitution and the procedure followed by the Government of Portugal in regard to Conventions Nos. 17, 18 and 19, it is to be hoped that the Government of Portugal may see its way to provide information in future annual reports on the application which

these Conventions receive in practice and as to whether their formal application can be effected.

Union of South Africa. — The reports submitted state that the Union of South Africa has no colonies, protectorates or possessions which are not fully self-governing. In some cases the Union has stated in its reports that it has not ratified on behalf of the Mandated Territory of South West Africa whose Administration was of the opinion that local conditions did not call for application. The Government has, however, supplied information in regard to this territory. The legislation of South West Africa conforms to the requirements of Convention No. 19 (Equality of Treatment (Accident Compensation)). In regard to the other Conventions ratified by the Union of South Africa, viz., Conventions Nos. 2, 4, 26, 41 and 45, the position is as follows: no information has been provided on Convention No. 26. It is stated in respect of Conventions Nos. 2, 4 and 41 that the Administration of the Mandated Territory considered them inapplicable in the light of local conditions. In regard to Convention No. 45 it is stated that no women are employed on underground work.

In 1936 the Committee suggested that the Government might inquire into the possibility of the application of Conventions Nos. 2, 19, 26 and 41, with any modifications necessary. In 1938 it was suggested that, in regard to Convention No. 45, the Government might bear in mind the possibility, as a precautionary measure, of including a simple rule prohibiting the underground employment of women whenever any other amendment of the mining proclamations might be deemed necessary. It would therefore be of interest if further information could be provided as to any action taken on these observations.

United Kingdom. — The report submitted by the United Kingdom Government for the year ending 30 September 1947 contains a list of all the legislation in force applying Conventions to territories administered by the United Kingdom. Impressive progress has clearly been made since 1939 in the process of applying Conventions to these territories. In some instances Conventions are now applied to virtually all territories: for example, Conventions No. 5 (Minimum Age (Industry)); No. 6 (Night Work (Young Persons)); No. 7 (Minimum Age (Sea)); No. 8 (Unemployment Indemnity (Shipwreck)); No. 16 (Medical Examination of Young Persons (Sea)); No. 26 (Minimum Wage-Fixing Machinery); and No. 41 (Night Work (Women) Revised)).

The explanations given as to the reason for non-application or partial application only of a number of Conventions, for example, Conventions No. 2 (Unemployment); No. 37 (Invalidity Insurance (Industry, etc.)), and No. 38 (Invalidity Insurance (Agriculture)), have been helpful in giving some indication of the local conditions which render application difficult.

The application of Convention No. 50 (Recruiting of Indigenous Workers) to thirty territories is noteworthy and presents a special interest, the legislation for such application following closely the terms of the Convention.

The voluntary report on the application of Convention No. 64 (Contracts of Employment (Indigenous Workers)) reveals that although the Convention has not yet come into force, the process of application has already begun and the Convention is already applied in eight territories. Some of the legislation so far enacted, for example the legislation of British Honduras, offers even greater protection than the Convention requires.

The report contains no information in regard to the High Commission territories of Basutoland, Bechuanaland and Swaziland, on which information has been furnished in previous years.

In regard to Convention No. 12 (Workmen's Compensation (Agriculture)), the report states that in a number of territories, for example, Cyprus and Jamaica, the only classes of agricultural workers covered by workmen's compensation arrangements are those whose work is connected with machinery operated by mechanical power. In a number of other British territories, for example, British Guiana and Trinidad, this limitation previously existed but

¹ On 4 December 1946 the extension of the application of Convention No. 14 to the Cook Islands and Western Samoa was registered by the International Labour Office.

has been removed by amending legislation. Since the practicability of the removal of such limitation has been proved in these instances, the Government might consider the possibility of its removal where it still remains.

In regard to Convention No. 42 (Workmen's Compensation (Occupational Diseases) (Revised)), the report lists St. Lucia as one of the territories in which the provisions of the Convention are applied. The relevant law (Workmen's Compensation Ordinance, No. 7 of 1941) contains no reference to occupational diseases and is virtually identical with other British Caribbean legislation which is not listed. It is not clear, therefore, how the Convention is deemed to be applied. Clarification by the United Kingdom Government in regard to this point would therefore be appreciated.

In regard to Conventions No. 35 (Old-Age Insurance (Industry, etc.)) and No. 36 (Old-Age Insurance (Agriculture)), the report states that the legislation of Barbados applies these Conventions; it is at the same time noted that the legislation of Trinidad provides for the payment of old-age pensions out of public funds. The legislation of Barbados had exactly the same basis, and is similar also to legislation enacted in British Guiana in 1944. It would be appreciated if the Government could make

clear the position as regards application since in all three cases the pensions provided are a form of State assistance without direct contributions from the beneficiaries or their employers.

Observations in regard to the possibility of application to Palestine of Conventions Nos. 2, 24, 25, 35, 36, 37 and 38, submitted by the General Federation of Jewish Labour, are included in the report.

United States of America. — The reports submitted for the year ending 30 September 1947 in respect of Conventions No. 53 (Officers' Competency Certificates); No. 55 (Shipowners' Liability (Sick and Injured Seamen)); and No. 58 (Minimum Age (Sea)) (Revised) note that these Conventions have been made applicable to all territories over which the United States exercises jurisdiction. At the time of ratification it had been specified that the Conventions did not apply to the Commonwealth of the Philippine Islands; on 4 July 1946, the Philippine Islands became a separate self-governing State.

While this statement is made in regard to the general applicability of the Conventions, the reports on Conventions Nos. 55 and 58 do not clearly show the measure of actual application.

The Committee would therefore be grateful to receive further information on this point.

Observations classified by Countries

Afghanistan

Part A.

Argentina

Part B: Conventions Nos. 2, 8, 9, 13, 15.

Australia

Part B: Conventions Nos. 27, 29, 63; Part C.

Austria

Part B: Conventions Nos. 4, 6, 33.

Belgium

Part B: Conventions Nos. 27, 29, 58; Part C.

Brazil

Part B: Conventions Nos. 3, 5, 6.

Bulgaria

Part B: Conventions Nos. 17, 27, 30.

Canada

Part A; Part B: Conventions Nos. 1, 14, 22, 26, 32.

Chile

Part B: Conventions Nos. 3, 4, 11, 17, 24, 25, 26, 32.

China

Part B: Conventions Nos. 11, 14, 22, 26, 45, 59.

Colombia

Part A.

Cuba

Part B: Conventions Nos. 17, 18, 26, 33.

Denmark

Part B: Conventions Nos. 6, 52.

Dominican Republic

Part B: Convention No. 5.

Finland

Part B: Conventions Nos. 19, 30.

France

Part B: Conventions Nos. 19, 29, 33, 43; Part C.

Greece

Part B: Convention No. 3.

Hungary

Part B: Conventions Nos. 27, 48.

India

Part B: Conventions Nos. 18, 27.

Iraq

Part B: Conventions Nos. 19, 41, 42.

Italy

Part B: Conventions Nos. 2, 14, 26.

Mexico

Part B: Conventions Nos. 6, 9, 13, 16, 17, 26, 27, 30, 32, 43, 49, 52, 55, 62, 63.

Netherlands

Part B: Conventions Nos. 2, 26, 29; Part C.

New Zealand

Part B: Conventions Nos. 17, 22, 44; Part C.

Norway

Part B: Conventions Nos. 26, 59.

Poland

Part B: Convention No. 6.

Portugal

Part B: Conventions Nos. 17, 27, 45; Part C.

Turkey

Part B: Convention No. 14.

United Kingdom

Part B: Conventions Nos. 26, 32.

United States

Part B: Convention No. 55; Part C.

Union of South Africa

Part B: Convention No. 19; Part C.

Uruguay

Part A; Part B: Conventions Nos. 1, 2, 3, 4, 5, 7, 9, 10, 11, 13, 15, 16, 17, 19, 20, 22, 23, 24, 25, 26, 27, 30, 32, 33.

Venezuela

Part B: Conventions Nos. 1, 2, 3, 5, 6, 13, 22, 26.

* * *

Burma

Part B: Conventions Nos. 1, 2.

APPENDIX III

SURVEY OF CHANGES IN LABOUR LEGISLATION AFFECTING THE APPLICATION OF INTERNATIONAL LABOUR CONVENTIONS TO NON-METROPOLITAN TERRITORIES DURING THE PERIOD 1939-1947

(DOCUMENT SUBMITTED BY THE INTERNATIONAL LABOUR OFFICE)

Introductory

At its 16th Session the Committee requested the Office to prepare a detailed analysis of changes which had taken place since 1939 in labour legislation affecting non-metropolitan territories. The Office therefore prepared for the consideration of the Committee at its last session a brief statement listing colonial legislation applying international labour Conventions during that period.

In the absence of the member of the Committee (Professor VAN ASBECK) specially designated to deal with the application of Conventions to non-metropolitan territories, the Committee decided to postpone detailed consideration of the matter until the present session and asked the Office to bring the information provided up to date and to deal particularly with the present position of such legislation.

The following survey of legislative changes in non-metropolitan territories during the period 1939-1947 has been prepared in the light of this request.

1. General

Labour legislation enacted during the period 1939-1947 for the application of International Labour Conventions to non-metropolitan territories has had a background markedly different from that of similar legislation enacted between 1919 and 1938. Very brief reference to certain factors in that background is essential alike to an analysis of the legislation and to an appreciation of the situation which that analysis reveals.

The wartime emergency and the subsequent unsettled post-war period deeply affected the course of colonial labour legislation. In some cases, enemy occupation of non-metropolitan territories or of the metropolitan countries responsible for their administration inevitably meant the postponement of proposed new social and labour legislation. Pre-occupation with the most urgent requirements of the wartime situation resulted in similar action elsewhere. In other cases, however, the application of improved social and labour legislation was regarded as an important means of securing stable industrial relations and conditions in non-metropolitan territories, which produced a considerable proportion of strategic raw materials. In nearly all cases the period was one of administrative disorganisation. The economic and readjustment difficulties of many metropolitan Governments during the post-war period have also set limits to the pace at which measures of social development may be forwarded in their dependencies.

The constitutional relationship between many non-metropolitan territories and the metropolitan countries administering them profoundly altered during the period. The Philippines have become independent; Ceylon has become a fully self-governing Dominion

of the British Commonwealth; Martinique, Guadeloupe, Reunion and French Guiana have attained the status of French Departments. Many other constitutional changes are foreshadowed, while in some Far Eastern dependencies the situation has yet to be clarified. In brief, a number of areas which were non-metropolitan territories in 1939 have, during the intervening period, either attained sovereign status or a much greater measure of control over their internal affairs; in other areas, the fact that the constitutional status is in the process of being determined has precluded the introduction of new legislation.

A review of the legislation applying Conventions to non-metropolitan territories further needs to take into account the fact that many Members of the International Labour Organisation with colonial responsibilities have, in assuming membership in the United Nations, accepted the principle that non-self-governing territories imply responsibilities of an international character. This may be taken as a favourable indication of future policy in regard to the application of Conventions to such territories. Again, the draft amendments to the Constitution of the International Labour Organisation adopted by the Conference and affecting non-metropolitan territories suggest that, even if the difficulties of the period 1939-1947 have prevented some Governments from taking extensive action in this direction, it is particularly appropriate at the present time to attempt, as the Committee recommended at its 17th Session, to assess the present situation in regard to legislation applying Conventions to non-metropolitan territories.

* * *

The following survey comprises (a) a summary account of the territories which have been affected by new legislation during the period; (b) an analysis of that legislation; and (c) a résumé of the present position regarding the application of Conventions.

Two tables are included, covering (a) the present position as regards application; and (b) legislation enacted during the period 1939-1947.

2. Abstract of Application of Conventions to Non-Metropolitan Territories through Legislation Enacted 1939-1947

New or amending legislation applying Conventions ratified by the respective metropolitan Governments has been enacted since 1939 in the following territories.

AUSTRALIA

Convention No. 29. Forced Labour. New Guinea, Papua.

BELGIUM

Convention No. 17. Workmen's Compensation (Accidents). Belgian Congo, Ruanda Urundi.

FRANCE

Convention No. 1. Hours of Work. French West Africa, French Equatorial Africa, French Cameroons, French Somaliland, Togoland, Martinique, Guadeloupe, Reunion, French Guiana.

Convention No. 5. Minimum Age (Industry). Martinique, Guadeloupe, Reunion, French Guiana, New Caledonia.

Convention No. 6. Night Work (Young Persons). Guadeloupe, French Guiana, Martinique, New Caledonia, Reunion.

Convention No. 12. Workmen's Compensation (Agriculture). Guadeloupe, French Guiana, Martinique, Reunion.

Convention No. 13. White Lead. French Guiana, New Caledonia.

Convention No. 14. Weekly Rest in Industrial Undertakings. French Equatorial Africa, French West Africa, French Cameroons, French Somaliland, Togoland, Guadeloupe, French Guiana, Martinique, New Caledonia, Reunion.

Convention No. 18. Workmen's Compensation (Occupational Diseases). French Equatorial Africa, French West Africa, French Cameroons, French Somaliland, Togoland.

Convention No. 29. Forced Labour. All territories administered by France.

Convention No. 33. Guadeloupe, French Guiana, Martinique, New Caledonia.

Conventions Nos. 35 and 36. Old-Age Insurance (Industry) and (Agriculture). Guadeloupe, French Guiana, Martinique, Reunion.

Convention No. 38. Invalidity Insurance (Agriculture). Guadeloupe, French Guiana, Martinique, Reunion.

Convention No. 41. Night Work (Women) (Revised). Guadeloupe, French Guiana, Martinique, New Caledonia, Reunion.

Convention No. 45. Underground Work (Women). Guadeloupe, French Guiana, Martinique, New Caledonia, Reunion.

Convention No. 52. Holidays with Pay. French Equatorial Africa, French West Africa, French Cameroons, French Somaliland, Togoland.

ITALY

Convention No. 18. Workmen's Compensation (Occupational Diseases). Libya.

Convention No. 19. Equality of Treatment (Accident Compensation). Libya.

NETHERLANDS

Convention No. 5. Minimum Age (Industry). Curaçao.

Convention No. 12. Workmen's Compensation (Agriculture). Curaçao, Indonesia.

Convention No. 13. White Lead (Painting). Surinam.

Convention No. 17. Workmen's Compensation (Accidents). Curaçao, Indonesia.

Conventions Nos. 18 and 42. Workmen's Compensation (Occupational Diseases). Indonesia, Curaçao, Surinam.

Convention No. 19. Equality of Treatment (Accident Compensation). Indonesia, Surinam.

Convention No. 26. Minimum Wage-Fixing Machinery. Curaçao.

Convention No. 27. Marking of Weights. Indonesia, Surinam.

Convention No. 41. Night Work (Women) (Revised). Indonesia.

Convention No. 63. Statistics of Wages and Hours of Work. Curaçao.

PORTUGAL

Convention No. 17. Workmen's Compensation (Accidents). All territories administered by Portugal.

Convention No. 18. Workmen's Compensation (Occupational Diseases). All territories administered by Portugal.

Convention No. 19. Equality of Treatment (Accident Compensation). All territories administered by Portugal.

UNITED KINGDOM

Convention No. 2. Unemployment. British Guiana, Nigeria.

Convention No. 5. Minimum Age (Industry). Bahamas, Barbados, British Guiana, British Solomon Islands, Ceylon, Cyprus, Falkland Islands, Fiji, Gambia, Gold Coast, Grenada, Jamaica, Kenya, Leeward Islands, Malayan Union, Malta, Mauritius, Nigeria, Nyasaland, Palestine, St. Lucia, St. Vincent, Seychelles, Tanganyika, Trinidad, Uganda.

Convention No. 6. Night Work (Young Persons). Barbados, British Guiana, British Solomon Islands, Ceylon, Fiji, Gambia, Grenada, Jamaica, Kenya, Malayan Union, Malta, Nigeria, Nyasaland, Palestine, Tanganyika, Trinidad, Uganda.

Convention No. 7. Minimum Age (Sea). Barbados, British Guiana, British Solomon Islands, Fiji, Gambia, Jamaica, Malayan Union, Malta, Mauritius, Nigeria, St. Vincent, Tanganyika, Uganda.

Convention No. 8. Unemployment (Shipwreck). Aden, British Guiana, British Solomon Islands, Brunei, Cyprus, Falkland Islands, Gambia, Malayan Union, Nigeria, Sierra Leone, Tanganyika.

Convention No. 15. Minimum Age (Trimmers and Stokers). Aden, British Guiana, British Solomon Islands, Cyprus, Fiji, Gambia, Malayan Union, Mauritius, Nigeria, Sierra Leone, Tanganyika.

Convention No. 16. Medical Examination of Young Persons at Sea. Aden, British Guiana, British Solomon Islands, Falkland Islands, Gambia, Malayan Union, Mauritius, Nigeria, Sierra Leone.

Convention No. 26. Minimum Wage-Fixing Machinery. Aden, Bahamas, Barbados, British Guiana, British Honduras, British Solomon Islands, Ceylon, Cyprus, Dominica, Falkland Islands, Fiji, Gambia, Hong Kong, Jamaica, Kenya, Leeward Islands, Malayan Union, Malta, Mauritius, Nigeria, Northern Rhodesia, Nyasaland, Palestine, St. Lucia, St. Vincent, Seychelles, Sierra Leone, Tanganyika, Turks and Caicos Islands, Uganda.

Convention No. 32. Protection against Accidents (Dockers). British Guiana, Cyprus, Gambia, Jamaica, Kenya, Malayan Union, Malta, Nigeria, Palestine, Sierra Leone, Singapore.

Conventions Nos. 35 and 36. Old-Age Pensions in Industry and Agriculture. Trinidad.

Convention No. 41. Night Work (Women) (Revised). British Guiana, British Solomon Islands, Ceylon, Fiji, Gambia, Grenada, Hong Kong, Jamaica, Malta, Nigeria, Nyasaland, Palestine, Tanganyika, Trinidad.

Conventions Nos. 12, 19 and 42. Workmen's Compensation (Agriculture), Equality of Treatment (Accident Compensation), Workmen's Compensation (Occupational Diseases). Aden, Bahamas, Barbados, British Guiana, British Honduras, Cyprus, Fiji, Gambia, Gold Coast, Jamaica, Kenya, Leeward Islands, Malayan Union, Malta, Mauritius, Nigeria, Northern Rhodesia, Nyasaland, Palestine, St. Lucia, St. Vincent, Sierra Leone, Trinidad, Uganda.

Convention No. 45. Underground Work (Women). British Solomon Islands, Fiji, Gold Coast, Nigeria, Nyasaland, Palestine, Tanganyika, Uganda.

Convention No. 50. Recruiting of Indigenous Workers. Bahamas, Barbados, Basutoland, Bechuanaland Protectorate, British Guiana, British Honduras, British Solomon Islands, Ceylon, Dominica, Gambia, Gilbert and Ellice Islands, Grenada, Jamaica, Kenya, Leeward Islands, Mauritius, New Hebrides, Nigeria, North Borneo, Northern Rhodesia, Nyasaland, St. Lucia, St. Vincent, Seychelles, Sierra Leone, Somaliland, Tanganyika Territory, Tonga, Trinidad, Uganda.

Convention No. 64. Contracts of Employment of Indigenous Workers. Aden, British Honduras, Fiji, Mauritius, Nigeria, Nyasaland, Seychelles¹, Zanzibar.

No new legislation has been reported for the application of the following Conventions ratified by the United Kingdom Government:

11. Right of Association (Agriculture) Convention, 1921.

22. Seamen's Articles of Agreement Convention, 1926.

¹ Not yet in operation.

24. Sickness Insurance (Industry, etc.) Convention, 1927.
25. Sickness Insurance (Agriculture) Convention, 1933.
37. Invalidity Insurance (Industry, etc.) Convention, 1933.
38. Invalidity Insurance (Agriculture) Convention, 1933.
43. Sheet-Glass Works Convention, 1934.
44. Unemployment Provision Convention, 1934.

3. *Analysis of Legislation Enacted during the Period 1939-1947 for the Application of Conventions to Non-Metropolitan Territories*

(a) *Territories administered by Australia*

The Native Labour Ordinance of 1946, applicable to New Guinea and Papua makes explicit provision for a system of voluntary labour and prohibits all forms of forced or compulsory labour except those permitted by the terms of the Ordinance. The exceptions include portage near villages and work or service executed in cases of emergency.

(b) *Territories administered by Belgium.*

Legislation of an advanced character was enacted in the Belgian Congo and Ruanda Urundi in 1946 and 1947 applying the Convention concerning workmen's compensation for accidents. This legislation, however, entirely excludes from its coverage the indigenous population of these territories. Legislation for the ratification of the Forced Labour Convention, subject to certain modifications, was enacted in 1943, and 1944 legislation on the same question permitted Natives, with the permission of Native Authorities, to commute a number of obligatory services by cash payments.

(c) *Territories administered by France.¹*

Since 1939, there has been a substantial volume of legislation applying Conventions to the non-metropolitan territories administered by France. The greater part of this legislation has consisted in the extension of the provisions of French metropolitan legislation, with minor modifications, to overseas territories administered by France.

The position in regard to Guadeloupe, French Guiana, Martinique and Reunion requires separate notice. Under the terms of a law of 19 March 1946, these four territories became French Departments and steps have been taken to amend progressively their legislation to make it correspond with the legislation of metropolitan France. The process of extending metropolitan labour legislation to these territories had however begun well before 1946. During the period 1939-1947, metropolitan legislation applying the following Conventions was extended, with minor modifications, to the four above-mentioned areas:

- Convention No. 1. Hours of Work.
- Convention No. 5. Minimum Age (Industry).
- Convention No. 6. Night Work (Young Persons).
- Convention No. 12. Workmen's Compensation (Agriculture).
- Convention No. 13. White Lead (Painting) (French Guiana only).
- Convention No. 14. Weekly Rest in Industrial Undertakings.
- Convention No. 33. Minimum Age (Non-Industrial Employment) (except Reunion).
- Convention No. 35. Old-Age Insurance (Industry).
- Convention No. 36. Old-Age Insurance (Agriculture).
- Convention No. 38. Invalidity Insurance (Agriculture).
- Convention No. 45. Underground Work (Women).

Most of these Conventions have been applied to New Caledonia by the same method.

A Law of 11 April 1946 prohibits entirely the use of forced or compulsory labour in French overseas territories.

¹ Supplementary information regarding the application of certain Conventions to territories administered by France, which the Government of France stated would be forwarded for the report year 1946-47, has not yet been received.

The French African Labour Code, 1945, applies the provisions of several Conventions to French West Africa, French Equatorial Africa, the French Cameroons, Togoland and French Somaliland. The principal relevant provisions of the Code are summarised below.¹

- (i) *Convention No. 1, Hours of Work. Convention No. 14, Weekly Rest in Industrial Undertakings. Convention No. 52, Holidays with Pay.*

The hours of work of wage-earners, salaried employees and apprentices, irrespective of sex and age, may not in any undertaking exceed eight a day. Work by the job or the piece must be organised in such a way as to allow of its performance within the maximum eight-hour day. In exceptional emergency work, hours in excess of eight may be authorised by Order of the Governor provided that the working week does not exceed 48 hours. The worker must be allowed 24 consecutive hours, rest a week, in preference on Sunday, and he is entitled to a holiday of ten days on full pay after a year's employment by the same employer, on condition that he has worked at least 240 days in the year. If his contract is for two full years, the employer may withhold the entire holiday until the expiry of the contract, but he may not substitute payment of compensation for the holiday.

- (ii) *Conventions regarding Juvenile Employment.*

The following standards are laid down for the employment of children and young persons. Heads of undertakings and masters of ships are forbidden to hire young persons under fourteen years of age. Those between twelve and fourteen years of age may be engaged only for light work in agriculture or domestic service, subject to authorisation by the head of the administrative district, who stipulates the nature and hours of work. Night work for young persons in industry is to be subject to the provisions of the 1919 Convention. Young persons under eighteen years of age may not be recruited for employment as trimmers or stokers, subject to the exceptions permitted by the 1921 Convention.

- (iii) *Conventions regarding the Employment of Women.*

The Code prohibits night work for women in industrial undertakings in conformity with the provisions of the 1919 Convention. It also makes detailed provision for maternity protection. During the period preceding and following childbirth a woman worker is to be given ten consecutive weeks' leave and her contract of employment may not for this reason be broken by the employer. She is also entitled to free medical care and a subsistence allowance for herself and child. The amount of this is to be fixed by administrative Order, subject to the condition that it may not be less than one half her regular remuneration. Maternity leave may be extended to twelve weeks when a medical certificate is presented stating that, as a result of pregnancy or confinement, the woman is not able to resume work at the expiry of ten weeks.

- (iv) *Conventions concerning Workmen's Compensation.*

The Code makes the following provision. Save for inexcusable fault on the part of the worker, all accidents causing incapacity and occurring by reason of or on the occasion of employment establish a right to compensation. For the first three days after an accident, benefits comprise full wages and any rations or payment in lieu of rations. From the fourth day, payments are reduced to half the cash wage plus full rations or payment in lieu of rations. The employer is also responsible for medical treatment, hospitalisation and elementary prosthesis. In the event of total permanent incapacity, provision is made for a lump-sum payment of 1,000 times the daily wage in cash and kind. In the event of death, dependants are entitled to a payment of 500 times the daily wage. When it is established that sickness

¹ It is to be noted that the 1945 Code has been replaced by Decree No. 472.034 of 17 October 1947, applicable to all French overseas territories, except Indo-China.

is occupational in origin or results from the living conditions of the worker and when it entails temporary or permanent incapacity or leads to the death of the worker, provision is made for the payment, after investigation, of compensation to the worker or his survivors. If such incapacity is permanent, compensation is fixed according to the regulations respecting industrial accidents. The employer is required to insure against workmen's compensation risks.

(d) *Territories administered by the Netherlands.*¹

(i) *Conventions concerning Workmen's Compensation.*

The requirements of Convention No. 12, Workmen's Compensation (Agriculture), Convention No. 17, Workmen's Compensation (Accidents) and Convention No. 19, Equality of Treatment (Accident Compensation) received effect in Indonesia through legislation which came into force on 1 January 1940 with the following provisions. The undertakings covered include those using power, gases, inflammable or other dangerous substances, for the generation or transformation of electric power, mines, transport except transport by hand, the loading and unloading of goods, building, forestry undertakings and mechanised agricultural operations. Persons excluded include public employees, home workers not using dangerous or poisonous substances, and members of the employer's family living in his household. Compensation for temporary incapacity is 80 per cent. of wages during the first month and 50 per cent. thereafter; for total permanent incapacity, a pension of 50 per cent. of wages; for death, funeral expenses and a lump-sum payment to the widow or widower of 300 times the daily wage, with the addition of 100 times the daily wage for the first and second child. Free medical attendance is also provided during a period of one year from the accident.

Seamen were covered by another Ordinance which came into force in 1941. The vessels covered are mechanically propelled vessels. The cash allowance in the case of temporary disability is 80 per cent. of wages for a maximum period of 26 weeks. In the case of permanent total incapacity provision is made for a pension at half wages. In the case of death of the seaman, the widow receives a lump-sum payment of 360 times the daily wage with 120 times for each child to a maximum of two. Lump sums may be commuted into monthly allowances at a fixed rate.

(ii) *Convention No. 4. Night Work (Women).*

Legislation enacted in 1941 in Indonesia limited the exceptions which were permissible previously in regard to the stipulation that women might not be employed between 10 p.m. and 5 a.m. in factories, in workshops employing at least ten persons and in building, loading, unloading and transport other than by hand.

(iii) *Convention No. 26. Minimum Wage-Fixing Machinery.*

An Ordinance enacted in December 1946 in Curaçao empowered the Governor, on the advice of a special commission composed of two employers' and two workers' members nominated by the Governor, to fix a minimum wage level for one or more groups of workers for a maximum period of one year. Contracts may not be entered into which stipulate rates of wages lower than the minimum specified for the category of workers. In special cases, the Governor may fix wages below the specified minimum. No minimum wage rates have as yet been fixed by means of this machinery.

(iv) *Convention No. 63. Statistics of Wages and Hours of Work.*

The Registration of Labour Ordinance applies this Convention in Curaçao in regard to all provisions except those relating to data on hours of work.

(v) *Convention No. 29. Forced Labour.*

The Indonesian Ordinance of 11 April 1941 which came into force on 1 January 1942 brought an end to

the *Heerendiensten* (compulsory labour for general public purposes) in the parts of the Outer Provinces under direct administration, such labour being replaced by a special tax.

(e) *Territories administered by Portugal.*

Legislative action was taken in 1944 for the application to all territories administered by Portugal of the metropolitan legislation giving effect to Convention No. 17, Workmen's Compensation (Accidents), Convention No. 18, Workmen's Compensation (Occupational Diseases) and Convention No. 19, Equality of Treatment (Accident Compensation). The terms of this legislation do not, however, apply to the indigenous inhabitants of these territories.

(f) *Territories administered by the United Kingdom.*

The impressive volume of legislation enacted between 1939 and 1947 for the application of Conventions to territories administered by the United Kingdom exceeds the volume of all previous British colonial labour legislation.¹ The process was uninterrupted by wartime emergency conditions, with the obvious exception of enemy-occupied territories. The extent to which this development was a matter of considered policy has been emphasised in official British reports. A 1943 Report, for example, stated: "Attention has been specially concentrated upon securing the enactment in all Colonies of simple legislation giving effect to some of the more important international labour Conventions which have been ratified by His Majesty's Government in the United Kingdom — in particular, the important group regulating the employment in industry of women, young persons and children and the employment at sea of young persons and children, the Convention relating to the protection of dock workers, the Convention relating to minimum wage-fixing machinery and, of course, the group of Conventions which are primarily of Colonial interest, namely, the Forced Labour Convention and the Conventions regulating the recruitment and contracting of indigenous labour".²

This body of legislation has certain marked characteristics. In a few cases, the new legislation partook of the character of codification, but even here advantage was usually taken of the opportunity to introduce new elements, as for example, in the Nigerian Labour Code. In a few other cases, as with some of the Conventions concerning maritime questions, application has been effected by Imperial Order in Council extending to dependencies the provisions of relevant metropolitan legislation. In general, however, the new legislation has been enacted in the territories themselves to permit flexibility in the light of varying local conditions; in large part it has been designed to apply the provisions of given Conventions to territories in which similar provisions did not previously exist; another substantial section introduced amending provisions of a progressive character, for example, the raising of minimum ages in regard to specified forms of employment. Much of the new legislation has also been concerned with questions of practical application, for example, the issuing of minimum-wage orders under the provisions of general legislation enacted to give effect to the Minimum Wage-Fixing Machinery Convention, 1928.

The following summary illustrates the character of the legislation enacted to apply in the territories administered by the United Kingdom some of the Conventions ratified by the United Kingdom Government.

(i) *Convention No. 50. Recruiting of Indigenous Workers.*

Legislation applying this Convention was enacted in 30 territories administered by the United Kingdom during the period 1939-1947. In view of the date of ratification of the Convention by the United Kingdom Government, this group of legislation represents the first application of the Convention to the territories concerned; only in a few cases does it represent modification of previous terms of application. The provisions of the relevant legislation

¹ Supplementary information on Indonesia covering the report year 1946-47, which the Government of the Netherlands stated would be forwarded, has not yet reached the Office.

² Cf. Tables A and B.

³ *Labour Supervision in the Colonial Empire, 1937-1943* (London, H.M. Stationery Office, 1943), Colonial No. 185, p. 24.

vary little from territory to territory, for the most part adhering closely to the terminology of the Convention. The pattern of legislation in the Caribbean dependencies corresponds closely to the general pattern and may be cited as an illustration.

The Jamaica Recruiting of Workers Law, 1940¹, may be regarded as typical. The Law states that "a person recruits within the meaning of this Law who by himself or through others, procures, engages, hires or supplies or undertakes or attempts to procure, engage, hire, or supply workers for the purpose of being employed by himself or by any other person, so long as such worker does not spontaneously offer his services at the place of employment or at a public emigration or employment office or at an office conducted by an employers' organisation and supervised by the Government of the Island". Persons who recruit workers are to be licensed. A licensing officer may in his discretion issue a licence:

- (a) if he is satisfied that the applicant is a fit and proper person to be granted a licence;
- (b) if the prescribed security has been furnished; and
- (c) if he is satisfied that adequate provision has been made for safeguarding the health and welfare of the workers to be recruited.

Persons under the age of eighteen may not ordinarily be recruited, but the Governor may by regulation permit persons under that age, but of or above the age of sixteen, to be recruited, with the consent of their parents or guardians, for employment upon light work subject to such conditions as he may prescribe. Recruited workers are to be brought before a Justice of the Peace who shall satisfy himself that the provisions of the Law have been observed, and that the worker has not been subjected to pressure or recruited by misrepresentation or mistake. Provision is made for the medical examination of workers and for the payment by the recruiter or employer of the expenses of the journey of recruited workers to the place of employment and of their families in cases where the latter are permitted to accompany them. The circumstances under which recruited workers and/or their families are required to be returned to their homes at the expense of the recruiter or employer are specified. Exemptions are made in regard to: (i) the recruiting of workers by or on behalf of employers who do not employ more than ten workers; (ii) the recruiting of workers within twenty miles of the place of employment; (iii) the recruiting of personal or domestic servants or non-manual workers, unless such recruiting is done by professional recruiting agents. The Law does not apply to the recruitment of workers for countries proclaimed by the Governor under the Emigrants Protection Law. Penalties are provided for contravention of the Recruiting Law.

The chief points on which departure is made from the above provisions in the legislation of other territories are concerned with (i) the minimum ages specified, and (ii) the exemptions permitted. In Barbados the minimum age is set at sixteen; in Trinidad at eighteen, with provision for light work between the ages of fourteen and eighteen; in the Leeward Islands, British Guiana, Dominica and St. Vincent, the ages set correspond to those in the Jamaica Law. The Leeward Islands Act exempts recruiting in any Presidency for work in the same Presidency. Under the British Guiana Ordinance, the recruiting (i) of workers by or on behalf of employers who do not employ more than 50 workers, or (ii) of personal or domestic servants or non-manual workers is excepted, unless such recruiting is done by professional recruiting agents. Some laws, e.g., those of Dominica and St. Vincent, contain provisions requiring shipping agents and the masters of ships to co-operate in making the legislation effective and empower police officers to search ships for the same purpose.

- (ii) *Convention No. 64. Contracts of Employment (Indigenous Workers).*

This Convention is not yet in force, but the United Kingdom Government has provided voluntary reports indicating that the Convention has so far been applied to eight territories, all such application having taken place during the period under con-

sideration. The provisions of the Nigerian Labour Code, 1945, follow very closely the language of the Convention. The summary of the legislation of British Honduras, given below, provides an illustration of the provisions in force in another area.

The British Honduras Ordinance and Regulations of 1943¹ contains the following notable points; the extension of the protection of the written contract beyond the requirements of the Convention; the administrative details to implement the broad conditions set out in the Convention; and the emphasis laid on the problem of regulating advances to workers and protecting wages. Article 8 of the Convention requires regulations to be made concerning the minimum age and the conditions under which non-adults may enter into contracts of service. These points are not covered in the Ordinance or Regulations, previous legislation having fixed twelve years as the minimum age for general employment and fourteen years for industrial employment and employment at sea.² The present Ordinance requires that every contract for more than three months shall be in writing; the corresponding period in the text of the Convention is six months (Article 3), so that in this respect the Ordinance goes beyond the minimum requirements of the Convention.

While in other fields of employment in British Honduras contracts for service may be attested by an appointed attesting officer, a justice of the peace, magistrate, registered medical practitioner or clergyman, contracts for service in the chicle, agricultural and timber industries may be attested only by an appointed attesting officer and must follow a prescribed pattern. In the case of workers to be employed outside the colony, attestation must take place before an attesting officer at certain named places; a written application with details of the proposed employment must be made to the Colonial Secretary, who at his discretion may grant or refuse permission or add further conditions, and a bond must be furnished by the employer to the Colonial Secretary for observance of the Ordinance and Regulations if such permission is granted.

In all cases where ten or more workers are employed, medical supplies must be furnished by the employer in accordance with a prescribed scale. When a contract stipulates that the employer shall furnish a worker with rations, such rations must as a minimum be those specifically prescribed. When contracts stipulate, in operations of a temporary nature either in the chicle or in the timber industry or in agriculture, that the employer shall provide accommodation, such accommodation must meet certain specific requirements.

Provision is also made in the legislation for the application of the requirements of the Convention in regard to medical examination, transport, the duties of attesting officers, and the termination of the contract. The Convention provides no set maximum period of contract. The British Honduras Ordinance, however, prescribes a maximum term of one year which corresponds with the I.L.O. Recommendation on this subject (No. 58).

Detailed provision is also made in regard to the protection of wages of contract workers.

- (iii) *Convention No. 26. Minimum Wage-Fixing Machinery.*

New legislation applying this Convention is reported in respect of 30 territories administered by the United Kingdom. While in a comparatively few cases the new legislation represents the introduction for the first time of minimum wage-fixing machinery in the territory concerned, in large part it has been amending legislation and legislation laying down minimum wage rates. This group of legislation has one marked trend: earlier legislation enabling the Governor to fix minimum wages by Order has developed into legislation creating special boards with employer and worker representation for this purpose. The situation in the Caribbean is illustrative.

¹ Employers and Workers Ordinance, 1943, No. 6 of 1943, 17 April 1943; Employers and Workers Regulations, 1943, 27 July 1943 (*Statutory Rules and Orders*, No. 46 of 1943).

² Cf. Employment of Women, Young Persons and Children Ordinance, 1933, No. 12 of 1933, Employment of Children Ordinance, 1940, No. 8 of 1940.

¹ Law No. 30 of 1940.

Minimum wage-fixing machinery has been established in all the territories. Much of the legislation is recent, repealing earlier legislation, which merely empowered the Governor to fix a minimum wage for any occupation in any district in which he was satisfied that wages were unreasonably low. Under present arrangements the machinery and procedures may be divided into three classes: (1) simple permissive legislation related to the work of the general labour advisory board for the territory and with no provisions for special boards for particular industries; (2) permissive legislation with procedures based on the investigations of advisory boards or committees set up for particular industries or occupations; and (3) legislation establishing tripartite wage boards empowered to fix rates for particular occupations subject to the approval of the Governor.

Grenada, St. Lucia and St. Vincent have legislation of the first type. The Governor in Council may by Order make provision for the fixing of wage rates in any industry or occupation and for the regulation of other matters connected with the payment of wages. It is provided that the Governor shall appoint a labour advisory board to advise upon all questions connected with labour in the Colony, including wages and conditions of work in general. Provisions are included to ensure that minimum wage rates when fixed are in practice paid and that any agreement for the payment of wages in contravention to the provisions shall be void.¹

The legislation of the Bahamas, Jamaica, Trinidad, the Leeward Islands and British Guiana and British Honduras falls within the second class. Under the British Guiana Labour Ordinance of 1942, whenever the Governor in Council deems it expedient that steps should be taken to regulate the wages paid in any occupation he may appoint an advisory committee to make recommendations. The advisory committee is to include representatives of employers and workers. After considering the recommendations of the Committee the Governor in Council may make an Order prescribing the minimum rates of wages.²

The Barbados Wages Board Act of 1943 represents the third type of legislation. It empowers the Governor to establish one or more wages boards for any trade. Each board is to consist of the Labour Commissioner as Chairman, an equal number of employers' and workers' representatives, and not more than three nominated members appointed by the Governor. The representative members need not be employers or workers in the trade for which the board is established. Each board is required to furnish a report upon any matter affecting conditions in the trade referred to them by the Governor or by the Labour Commissioner. It is empowered to fix hours of work and minimum rates of wages, to make differential determinations to suit special circumstances, and to exempt the employment of non-able-bodied workers from the general rules. Although no decision of the board is to have effect unless it has been approved by the Governor in Executive Committee, the principle is not one of advisory boards, as in the other territories administered by the United Kingdom, but of mandatory boards which may make decisions subject to approval and review.³

The machinery set up under this legislation has been frequently used.⁴ During the Second World War it constituted a primary means by which, where collective bargaining was absent or in its early stages of development, wages were adjusted to rising prices without serious conflict. The following table summarises the use of such machinery in the British Caribbean:

<i>Territory</i>	<i>Occupations covered by Minimum Wage Orders</i>
Bahamas	Building, lumbering, sponge-fishing, gardening, stevedoring.
British Guiana . . .	Waterfront workers, bakeries.
British Honduras .	River crews, mahogany workers, chicle workers.

¹ Among the territories with legislation of a similar character are Gambia, Nigeria and Gibraltar.

² Among the territories with legislation of a similar character are Uganda and the Falkland Islands.

³ Among the territories with legislation of a similar character are Palestine, Hong Kong and Ceylon.

⁴ Cf. International Labour Conference, 29th Session, Report IV (1), *op. cit.*, pp. 148 *et seq.*

Dominica	Shop assistants, agricultural workers.
Grenada	Agricultural workers.
Jamaica	Sugar industry, printing trade, catering trade (Kingston and St. Andrew), bread and cake bakery trade (Kingston and St. Andrew), biscuit trade (Kingston and St. Andrew).
St. Christopher . .	Sugar-cane harvesting.
St. Lucia	Agricultural workers, shop assistants, coal industry.
St. Vincent	Agricultural workers.

An important part of the legislation reported during the period provided for the raising of the level of minimum wages fixed by previous legislation.

(iv) *Conventions concerning Juvenile Employment.*

The legislation reported during the period 1939-1947 for the application of the Conventions ratified by the United Kingdom on this question indicates that a very wide measure of application continues to be given to these Conventions and that repeated improvements are being made in the standards applied. The provisions of the Convention concerning the night work of young persons employed in industry have been applied with the modification in some instances that the minimum age is fixed at sixteen years, as for example, in Nyasaland and Jamaica. The Conventions fixing a minimum age for trimmers and stokers and prescribing a medical examination for young persons have been applied without modification.

The standards which recent legislation on the employment of children and young persons follow in the territories administered by the United Kingdom are typified in the provisions of the 1945 Nigerian Labour Code. Under its terms, no child under twelve years of age may be employed in any capacity whatsoever, except on light work of an agricultural, horticultural or domestic character performed in the employment of a member of the child's family and approved by the competent authority. No child under this age may be required to lift or move anything likely to injure physical development. Juveniles, defined as under fourteen years of age, may not be employed in any industrial undertakings; an exception is made in regard to work done in approved technical schools or similar institutions. Juveniles are normally to be employed only on a day-to-day basis; exceptions may be allowed with the approval of the labour inspectorate if the juvenile is given a written contract. No juvenile may work on any vessel except an approved and supervised training ship or where only members of the same family are employed. Young persons under sixteen years of age may not be employed on work underground, or on machines, or in any employment which is injurious to health, dangerous or immoral. No young person under eighteen years of age may be employed at night, except in certain scheduled undertakings involving continuous processes or in cases of emergency. Young persons may not be employed as trimmers or stokers, with the exception provided for by the 1921 Convention. Medical certification of fitness is required for the employment of young persons on vessels other than vessels upon which only members of the same family are employed.

(v) *Convention No. 2. Unemployment.*

While legislation applying this Convention has been enacted in only two territories during the period 1939-1947, administrative action taken during the period has resulted in the application or partial application of the Convention to eight other territories.¹ The legislation of British Guiana may be cited as an example of legislation for the application of this Convention.

Under the British Guiana Employment Exchanges Ordinance, 1944², the Governor is empowered to establish and maintain employment exchanges for the purpose of collecting and furnishing information regarding employers requiring workpeople and

¹ Ceylon, Cyprus, Gibraltar, Jamaica, Kehya, Malayan Union, Northern Rhodesia, Singapore.

² No. 21 of 1944.

workpeople seeking engagement or employment. All such exchanges are to be under the control and general superintendence of the Commissioner of Labour, the head of the local Labour Department. The expenses of these exchanges are to be met from funds voted by the Legislative Council. The Governor in Council may make regulations with regard to the management of employment exchanges; or to authorise the making of advances by way of loan to meet the expenses of workpeople desiring to travel to places where work has been found for them by the employment exchange; to prescribe limits for any such loans and to attach conditions to such advances; and generally to give effect to the purposes of the Ordinance. Persons knowingly making false statements to officers of an employment agency for the purpose of obtaining employment become liable to a fine. It is specifically provided that no person shall suffer any disqualification or be otherwise prejudiced on account of his refusal to accept employment found for him through an employment exchange where the ground of his refusal is that a trade dispute which affects his trade exists, or that the wages offered are lower than those current in the trade in the district where the employment was found.

(vi) *Conventions regarding Workmen's Compensation.*

The United Kingdom Government states that the Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents is applied in all the 28 territories administered by the United Kingdom in which workmen's compensation legislation exists, in view of the fact that no discriminatory provisions exist in this legislation. The revised Convention concerning workmen's compensation for occupational diseases has been applied by legislation enacted since 1939 in the following territories: Fiji, Malayan Union, Northern Rhodesia and Palestine. The full schedule of industrial diseases has not, however, been applied in all cases. The United Kingdom Government has further stated that legislation enacted in 1941 in St. Lucia applies this Convention, but the provisions of the law give no indication of this.¹ Considerable progress is revealed in the legislation for the period 1939 to 1947 in regard to the Convention concerning workmen's compensation in agriculture; legislation which provided for compensation only for agricultural workers engaged in operating machinery has been amended in many cases so as to cover all categories of agricultural workers. This limitation has, however, not been uniformly removed.

4. *The Present Position in Regard to Legislation Applying Conventions to Non-Metropolitan Territories*

Table A summarises the present position in regard to the application of Conventions to non-metropolitan territories. While it is largely self-explanatory, brief comment on its content and implications seems necessary so as to avoid certain possibilities of misinterpretation.

The table shows clearly much unevenness in application and a large degree of non-application, and much further legislative progress will be required before it can be claimed that the application of the provisions of ratified Conventions to non-metropolitan territories approaches complete universality. At the same time, there are a number of factors which suggest that many of the gaps are less real than appears at first sight.

In the first place there are a number of territories to which the terms of particular Conventions are entirely irrelevant. Maritime Conventions cannot be applied to inland territories; Conventions relating to mining employment and advanced industrial processes, for example, are in other instances completely inapplicable. The present level of social and economic development in a community where there is virtually no wage-earning employment would make the establishment of employment exchanges merely a gesture.

Secondly, the reporting policies of Governments differ widely. In regard to some Conventions, the Netherlands Government has stated that they are

inapplicable, in view of the fact that the possible abuses they are intended to avoid do not exist. In such circumstances, another point of view would be that the position was one in which the terms of the Convention were being fully applied. Again, while the Government of Portugal in ratifying Conventions has reserved their application to the territories administered by Portugal, in many instances existing legislation in the territories nevertheless satisfies Convention requirements in large part.

On the other hand, some of the application shown in the table is only partial, substantial modification being made in the terms of the provisions applied or a large part of the community being excluded from the coverage of the legislation concerned.

In general, however, the application has been much more extensive and rapid during the period 1939-1947 than over the previous twenty years of the Organisation's life. Even where metropolitan countries have not ratified particular Conventions, the influence of those Conventions may appear in the legislation of their dependencies. While it cannot be denied that legislative progress has not entirely removed situations on which the Committee of Experts has in the past made observations, nor that the reports presented have not always been sufficiently complete to provide full satisfaction to the Committee, nevertheless the achievement during the period under survey remains considerable.

TABLE A

Present Position in regard to the Application of Conventions to Non-Metropolitan Territories

1. *Hours of Work, 1919*

Belgium. — 6.9.1926. * Regarded as not applicable owing to local conditions.

France. — 2.6.1927. Applied to 5 territories.

New Zealand. — 29.3.1938. Reservation at time of ratification. Not applied.

Portugal. — 3.7.1928. Reservation at time of ratification. Not applied.

2. *Unemployment, 1919*

Belgium. — 25.8.1930. Regarded as not applicable owing to local conditions.

France. — 25.8.1925. Not applied.

United Kingdom. — 14.7.1921. Applied to 12 territories.

Netherlands. — 6.2.1932. Applied in Indonesia.

New Zealand. — 29.3.1938. Special Reservation at time of ratification. Not applied.

4. *Night Work (Women), 1919*

Belgium. — 12.7.1924. See Revised Convention, No. 41.

France. — 14.5.1925. Applied to all territories.

United Kingdom. — 14.7.1921. See Revised Convention, No. 41.

Netherlands. — 4.9.1922. See Revised Convention, No. 41.

Portugal. — 10.5.1932. Reservation at time of ratification. Not applied.

5. *Minimum Age, 1919*

Belgium. — 12.7.1924. Regarded as not applicable owing to local conditions.

France. — 29.4.1939. Applied to 9 territories.

United Kingdom. — 14.7.1921. Applied to 38 territories.

Netherlands. — 21.7.1928. Applied in Indonesia with modifications (12 years of age). Not applied to Surinam and Curaçao.

6. *Night Work (Young Persons), 1919*

Belgium. — 12.7.1924. Not applied.

France. — 25.8.1925. Regarded as applicable to all the territories. Applied in 12 territories.

United Kingdom. — 14.7.1921. Applied to 37 territories.

Netherlands. — 17.3.1924. Not applied.

Portugal. — 10.5.1932. Reservation at time of ratification. Not applied.

¹ Ordinance No. 7 of 1941.

* Date of ratification.

7. Minimum Age (Sea), 1920

Belgium. — 4.2.1925. Not applied.¹
Australia. — 28.6.1935. Not applied.
United Kingdom. — 14.7.1921. Applied to 35 territories.
Netherlands. — 26.3.1925. Applied to Indonesia.

8. Unemployment Indemnity (Shipwreck), 1920

Australia. — 28.6.1935. Applied to Papua and New Guinea.
Belgium. — 4.2.1925. Not applied.¹
France. — 21.3.1929. Applied to St. Pierre and Miquelon.
United Kingdom. — 12.3.1926. Applied to 26 territories.
Netherlands. — 15.12.1937. Not applied.

9. Placing of Seamen, 1920

Australia. — 3.8.1925. Not applied.
Belgium. — 4.2.1925. Regarded as not applicable owing to local conditions.
France. — 25.1.1928. Applied to St. Pierre and Miquelon.
New Zealand. — 29.3.1938. Special reservation at time of ratification. Not applied.

10. Age for Admission (Agriculture), 1921

Belgium. — 13.6.1928. Regarded as not applicable owing to local conditions.

11. Right of Association (Agriculture), 1921

Belgium. — 19.7.1926. Regarded as not applicable owing to local conditions.
France. — 23.3.1929. Not applied.
United Kingdom. — 6.8.1923. Applied to all territories.
Netherlands. — 20.8.1926. Applied to all territories.
New Zealand. — 29.3.1938. Special reservation at time of ratification. Not applied.

12. Workmen's Compensation (Agriculture), 1921

Belgium. — 26.10.1932. Not applied.
France. — 4.4.1928. Applied to 9 territories.
United Kingdom. — 6.8.1923. Applied to 28 territories.
Netherlands. — 20.8.1926. Applied to Indonesia and Curaçao.
New Zealand. — 29.3.1938. Reservation at time of ratification. Not applied.

13. White Lead, 1921

Belgium. — 19.7.1926. Regarded as not applicable owing to local conditions.
France. — 19.2.1926. Applied to all territories.
Netherlands. — 15.12.1939. Applied to Surinam.

14. Weekly Rest (Industry), 1921

Belgium. — 19.7.1926. Not applied.
France. — 3.9.1926. Applied to 10 territories.
New Zealand. — 29.3.1938. Applied to Cook Islands and Western Samoa.

15. Minimum Age (Trimmers and Stokers), 1921

Australia. — 28.6.1935. Not applied.
Belgium. — 19.7.1926. Not applied.¹
France. — 16.1.1928. Applied to St. Pierre and Miquelon.
United Kingdom. — 8.3.1926. Applied to 32 territories.
Netherlands. — 17.6.1931. Applied to Indonesia (16 years).

16. Medical Examination (Sea), 1921

Australia. — 28.6.1935. Not applied.
Belgium. — 19.7.1926. Regarded as not applicable owing to local conditions.¹
France. — 22.3.1928. Applied to 3 territories.
United Kingdom. — 8.3.1926. Applied to 29 territories.
Netherlands. — 9.3.1928. Not applied to Surinam and Curaçao.

17. Workmen's Compensation (Accidents), 1925

Belgium. — 3.10.1927. Applied to Belgian Congo and Ruanda Urundi.
Netherlands. — 13.9.1927. Applied to Curaçao and Indonesia.
New Zealand. — 29.3.1938. Reservation at time of ratification. Not applied.
Portugal. — 27.3.1929. Applied to all territories in respect of non-indigenous population.

18. Workmen's Compensation (Occupational Diseases), 1925

Belgium. — 3.10.1927. Regarded as not applicable owing to local conditions.
France. — 13.8.1931. Applied to 5 territories.
United Kingdom. — 6.10.1926. See under Convention No. 42.
Netherlands. — 1.11.1928. See under Convention No. 42.
Portugal. — 27.3.1929. Applied to all territories in respect of non-indigenous population.

19. Equality of Treatment, 1925

Belgium. — 3.10.1927. Not applied.
France. — 4.4.1928. Applied to French Guiana, Guadeloupe, New Caledonia, Martinique.
United Kingdom. — 6.10.1926. Applied to 28 territories.
Netherlands. — 13.9.1927. Applied to Curaçao.
Portugal. — 27.2.1929. Applied to all territories in respect of non-indigenous population.

21. Inspection of Emigrants, 1926

Australia. — 18.4.1931. Not applied owing to absence of emigrant traffic.
Belgium. — 15.2.1928. Not applied.
France. — 13.1.1928. Not applied.
*United Kingdom.*¹ — 16.9.1927.
Netherlands. — 13.9.1927. Application deemed unnecessary in light of local conditions.
New Zealand. — 29.3.1938. Reservation at time of ratification. Not applied.

22. Seamen's Articles of Agreement, 1926

Australia. — 1.4.1935. Not applied.
Belgium. — 3.10.1927. Not applied.²
France. — 4.4.1928. Applied to St. Pierre and Miquelon.
United Kingdom. — 14.6.1929. Applied to 19 territories.
Netherlands. — 15.12.1937. Applied to Surinam.

23. Repatriation of Seamen, 1926

Belgium. — 3.10.1927. Not applied.
France. — 4.3.1929. Applied to St. Pierre and Miquelon.

24. Sickness Insurance (Industry, etc.), 1927

United Kingdom. — 20.2.1931. No legislation applying Convention.

25. Sickness Insurance (Agriculture), 1927

United Kingdom. — 20.2.1931. No legislation applying Convention.

26. Minimum Wage-Fixing Machinery, 1928

Australia. — 9.3.1931. Regarded as not applicable owing to local conditions.
Belgium. — 11.8.1937. Not applied.
France. — 18.9.1930. Applied to Algeria and Morocco.
United Kingdom. — 14.6.1929. Applied to 38 territories.
Netherlands. — 10.11.1936. Applied to Outer Provinces of Indonesia and to Curaçao.
New Zealand. — 29.3.1938. Reservation at time of ratification. Not applied.

27. Marking of Weight, 1929

Australia. — 9.3.1931. Applied to 4 territories.
Belgium. — 6.6.1934. Not applied.

¹ Conditional ratification.

² Metropolitan legislation, however, covers Native seamen working on Belgian ships in the ports of the Belgian Congo.

¹ Metropolitan legislation, however, covers Native seamen working on Belgian ships in the ports of the Belgian Congo.

France. — 20.9.1935. Not applied.
Netherlands. — 4.1.1933. Applied to Indonesia and Surinam.
Portugal. — 1.3.1932. Reservation at time of ratification. Not applied.

29. *Forced Labour, 1929*

Australia. — 2.1.1932. Applied to Papua and New Guinea.
Belgium. — 20.1.1944. Applied to Belgian Congo and Ruanda Urundi.
France. — 24.6.1937. Applied to all overseas territories.
United Kingdom. — 3.6.1934. Applied to all territories.
Italy. — 18.6.1934. Applied to all territories.
Netherlands. — 31.3.1933. Applied to Indonesia. No forced labour exists in Surinam or Curaçao.
New Zealand. — 29.3.1938. Applied to Cook Islands and Western Samoa.

30. *Hours of Work in Commerce and Offices, 1930*

New Zealand. — 29.3.1938. Reservation at time of ratification. Not applied.

32. *Protection against Accidents (Dockers), 1932*

New Zealand. — 29.3.1938. Reservation at time of ratification. Not applied.
United Kingdom. — 10.1.1935. Applied to 17 territories.

33. *Minimum Age (Non-Industrial Employment), 1932*

Belgium. — 6.6.1934. Not applied.
France. — 29.4.1939. Applied to French Guiana, Guadeloupe, New Caledonia, Martinique.
Netherlands. — 12.7.1935. Applied to Curaçao.

35. *Old-Age Insurance (Industry, etc.), 1933*

France. — 23.8.1939. Applied to French Guiana, Guadeloupe, Reunion, Martinique.
United Kingdom. — 18.7.1936. Partial application to 2 territories.

36. *Old-Age Insurance (Agriculture), 1933*

France. — 23.8.1939. Applied to French Guiana, Guadeloupe, Reunion, Martinique.
United Kingdom. — 18.7.1936. Partial application to 2 territories.

37. *Invalidity Insurance (Industry, etc.), 1933*

United Kingdom. — 18.7.1936. Not applied.

38. *Invalidity Insurance (Agriculture), 1933*

France. — 23.8.1939. Applied to French Guiana, Guadeloupe, Reunion, Martinique.
United Kingdom. — 18.7.1936. Not applied.

41. *Night Work (Women) (Revised), 1934*

Belgium. — 4.8.1937. Applied to Belgian Congo and Ruanda Urundi.
France. — 25.1.1938. Applied to 5 territories.
United Kingdom. — 25.1.1937. Applied to 37 territories.
Netherlands. — 9.12.1935. Applied to Indonesia and Curaçao.
New Zealand. — 29.3.1938. Reservation at time of ratification. Not applied.

42. *Workmen's Compensation (Occupational Diseases) (Revised), 1934*

United Kingdom. — 29.4.1936. Applied to 9 territories.
Netherlands. — 1.9.1939. Applied to all territories.
New Zealand. — 29.3.1938. Reservation at time of ratification. Not applied.

43. *Sheet-Glass Workers, 1934*

Belgium. — 4.8.1937. Automatic sheet-glass works do not exist in Belgian Congo or Ruanda Urundi.
France. — 5.2.1938. Applied to 5 territories.
United Kingdom. — 13.1.1937. Not applied. (Automatic sheet-glass works exist only in Palestine.)

44. *Unemployment Provision, 1934*

United Kingdom. — 29.4.1936. Not applied.
New Zealand. — 29.3.1938. Reservation at time of ratification. Not applied.

45. *Underground Work (Women), 1935*

Belgium. — 4.8.1937. No underground employment of women in Belgian Congo or Ruanda Urundi.
France. — 25.1.1938. Not applied.
United Kingdom. — 18.7.1936. Applied to 17 territories. In 15 other territories no mines exist.
Netherlands. — 20.2.1937. No employment of women underground occurs in Surinam or Curaçao.
New Zealand. — 29.3.1938. See under Convention No. 1.
Portugal. — 18.10.1937. Reservation at time of ratification. Not applied.

48. *Maintenance of Migrants' Pension Rights, 1935*

Netherlands. — 6.10.1938. Not applied.

49. *Reduction of Hours of Work (Glass-Bottle Works), 1935*

France. — 25.1.1938. Not applied.
New Zealand. — 29.3.1938. Reservation at time of ratification. Not applied.

50. *Recruiting of Indigenous Workers, 1936*

United Kingdom. — 22.5.1939. Applied to 30 territories.

52. *Holidays with Pay, 1936*

France. — 23.8.1939. Applied to 5 territories.

53. *Officers' Competency Certificates, 1936*

United States of America. — 29.10.1938. Made applicable to all territories.
Belgium. — 11.4.1938. Not applied.
New Zealand. — 29.3.1938. Reservation at time of ratification. Not applied.

55. *Shipowners' Liability (Sickness, etc.), 1936*

United States of America. — 29.10.1938. Made applicable to all territories.
Belgium. — 11.4.1938. Not applied.¹

58. *Minimum Age (Sea), 1936*

United States of America. — 29.10.1938. Made applicable to all territories.
Belgium. — 11.4.1938. Not applied.
New Zealand. — 7.6.1946. Reservation at time of ratification. Not applied.

63. *Statistics of Wages and Hours of Work, 1938*

Australia. — 5.9.1939. Not applied.
Netherlands. — 9.3.1940. Applied to Curaçao.
New Zealand. — 18.1.1940. Reservation at time of ratification. Not applied.

64. *Contracts of Employment of Indigenous Workers, 1939*

United Kingdom. — Not yet in force. Applied to 8 territories.

TABLE B

Legislation enacted 1939-1947 for the Application of Conventions to Non-Metropolitan Territories

AUSTRALIA

Convention No. 29. Forced Labour, 1930.
New Guinea and Papua. — Native Labour Ordinance, No. 5 of 1946.

BELGIUM

Convention No. 17. Workmen's Compensation (Accidents), 1925.
Belgian Congo and Ruanda Urundi. — Decree of 20 December 1945 providing for compensation for

¹ Metropolitan legislation, however, covers Native seamen working on Belgian ships in the ports of the Belgian Congo.

injury resulting from industrial accidents suffered by non-Natives.

Decree of 31 December 1946 amending the Decree of 20 December 1945 providing for compensation for injury resulting from industrial accidents suffered by non-Natives.

Order of the Regent of 21 December 1946. Application of Decrees of 20 December 1945 providing for compensation for injury resulting from industrial accidents or occupational diseases incurred by non-Natives.

Decree of 28 February 1947, amending the Decrees of 10 October 1945 regarding insurance against the premature death of employees and of 20 December 1945 providing for compensation for injury resulting from industrial accidents or occupational diseases incurred by non-Natives.

Ministerial Order of 21 December 1946. Enforcement of the Decrees of 20 December 1945 providing for compensation for injury resulting from industrial accidents or occupational diseases incurred by non-Natives. Nomination of Director of Colonial Invalidity Fund.

Order No. 148/Trav. of 16 May 1947. Compensation for injury resulting from industrial accidents suffered by non-Natives. Notification of accidents.

Order No. 150/Trav. of 16 May 1947. Compensation for injury resulting from industrial accidents suffered by non-Natives. Application of Articles 3 and 19 of the Decree of 20 December 1945.

Order No. 151/Trav. of 16 May 1947. Compensation for injury resulting from industrial accidents suffered by non-Natives. Application of Article 30 of the Decree of 20 December 1945.

Order No. 152/Trav. of 16 May 1947. Compensation for injury resulting from industrial accidents suffered by non-Natives. Application of Article 34 of the Decree of 20 December 1945.

Order of the Regent of 19 June 1947. Application of the Decree of 20 December 1945 providing for compensation for injury resulting from industrial accidents suffered by non-Natives, and of the Ministerial Order of 21 December 1946 prescribing the regulations governing the Colonial Invalidity Fund. Payment of ordinary dues.

Order No. 286/Trav. of 24 September 1947. Application of the Decrees of 20 December 1945 providing for compensation for injury resulting from industrial accidents or occupational diseases incurred by non-Natives. (Rates of medical, surgical, pharmaceutical and hospital charges for care provided in the Belgian Congo and Ruanda Urundi. Fees of the medical practitioners chosen by injured person.)

Convention No. 29. Forced Labour, 1930.

Belgian Congo and Ruanda Urundi. — Legislative Order of 20 May 1943 to approve the international labour Convention on forced labour.

Legislative Ordinance of 13 October 1944, to amend the Decree of 5 December 1933 respecting Native districts.

FRANCE

Convention No. 1. Hours of Work, 1919.

Guadeloupe, French Guiana, Martinique, New Caledonia, Reunion. — Decree of 2 March 1939 applying the provisions of the Act of 21 June 1936 concerning the 40-hour week.

Guadeloupe, French Guiana, Martinique, Reunion. — Decree of 11 June 1946 applying the Act of 25 February 1946 on overtime.

Convention No. 12. Workmen's Compensation (Agriculture), 1925.

Guadeloupe, French Guiana, Martinique, Reunion. — Act of 16 October 1946 applying the amendments to the Act of 9 April 1898 effected by the Act of 1 July 1938; Validated Act of 16 March 1943 as amended by Ordinances of 31 March 1945 and 2 November 1945, and by the Act of 16 October 1946.

Convention No. 13. White Lead, 1921.

French Guiana, New Caledonia. — Decree of 2 March 1939, enforcing Title II, Book II of the Labour Code.

Convention No. 14. Weekly Rest (Industry), 1921.

Guadeloupe, French Guiana, Martinique, New Caledonia, Reunion. — Decree of 2 March 1939 enforcing the metropolitan legislation.

Convention No. 29. Forced Labour, 1930.

All territories. — Act of 11 April 1946 to abolish forced labour.

Convention No. 36. Old-Age Insurance (Agriculture), 1933.

Guadeloupe, French Guiana, Martinique, Reunion. — Decree No. 47-2032 of 19 October 1947 to apply metropolitan legislation on social security.

Convention No. 39. Invalidity Insurance (Agriculture), 1933.

As under Convention No. 36.

Conventions Nos. 43 and 49. Sheet-Glass Works and Reduction of Hours of Work (Glass-Bottle Works), 1934 and 1935.

Guadeloupe, French Guiana, Martinique, New Caledonia, Reunion. — Decree of 2 March 1939 providing that the Act of 1936 will be applied to these territories by an Order of the Governor.

Convention No. 52. Holidays with Pay, 1936.

French West Africa, French Equatorial Africa, French Cameroons, Togoland, French Somaliland. — Decree No. 45-1352 of 18 June 1945 to institute a Native Labour Code for French territories in Continental Africa within the jurisdiction of the Ministry for the Colonies.

ITALY

Convention No. 18. Workmen's Compensation (Occupational Diseases), 1925.

Convention No. 19. Equality of Treatment (Accident Compensation), 1925.

Libya. — Royal Decree No. 2243 of 12 April 1939.

NETHERLANDS

Convention No. 4. Night Work. (Women), 1919.

Indonesia. — Decree issuing new regulations respecting the employment of women at night, No. 45 of 1941.

Convention No. 12. Workmen's Compensation (Agriculture), 1921.

Curaçao. — Sickness and Accident Regulations, Nos. 101 and 103 of 1946.

Convention No. 13. White Lead (Painting), 1921.

Surinam. — Order No. 145 of 1947.

Conventions Nos. 18 and 42. Workmen's Compensation, 1925 and 1934 (Revised).

Indonesia. — Workmen's Compensation Ordinance No. 265 of 1939.

Seamen's Accident Compensation Ordinance No. 447 of 1940.

Curaçao. — Order of 1943, amending Workmen's Regulations, 1936.

Convention No. 19. Equality of Treatment (Accident Compensation), 1925.

Surinam. — Accident Regulations, No. 145 of 1947.

Convention No. 26. Minimum Wage-Fixing Machinery, 1928.

Curaçao. — Ordinance No. 2 of 1947.

Convention No. 27. Marking of Weight (Packages Transported by Vessels), 1929.

Surinam. — Safety Law, No. 142 of 1947.

Convention No. 29. Forced Labour, 1930.

Indonesia. — Road Tax Ordinance, abolishing *Heerendiensten* Ordinance No. 97 of 1941.

PORTUGAL

Convention No. 17. Workmen's Compensation (Accidents), 1925.

Convention No. 18. Workmen's Compensation (Occupational Diseases), 1925.

Convention No. 19. Equality of Treatment (Accident Compensation), 1925.

Territories administered by Portugal. — Ordinance No. 10698 of 6 July 1944.

UNITED KINGDOM

Convention No. 2. Unemployment, 1919.

British Guiana. — Employment Exchanges Ordinance No. 21, 1944.

Nigeria. — Labour Code Ordinance No. 54 of 1945 : Chapter XIV Industrial Workers (Registration Rules) 1945. Public Notice No. 362 of 1945.

Convention No. 5. Minimum Age (Industry), 1919.

Bahamas. — Employment of Children, Prohibition Amendment Act, 1939. (Chapter 3.)

Barbados. — Employment of Women, Young Persons and Children (Amendment) Act, No. 35 of 1940.

British Guiana. — Employment of Women, Young Persons and Children (Amendment) Ordinance, 1940 (Ordinance No. 7 of 1940). Education (Amendment) Ordinance No. 19 of 1947.

Ceylon. — Children and Young Persons Ordinance No. 48 of 1939.

Cyprus. — Employment of Children and Young Persons (Amendment) Law No. 3 of 1942.

Fiji. — Employment of Women, Young Persons and Children (Amendment) Ordinance No. 5 of 1942. Labour Ordinance, No. 23 of 1947.

Gambia. — Labour (Amendment) Ordinance No. 31, 1940 and Labour Ordinance 1944, Part 3.

Gold Coast. — Master and Servant (Amendment) Ordinance No. 19 of 1940.

Grenada. — Employment of Women, Young Persons and Children (Amendment) Ordinance No. 9, 1945.

Jamaica. — Children and Young Persons (Amendment) Law, No. 57 of 1941.

Kedah. — Children (Amendment) Enactment No. 1359.

Kenya. — Government Notice No. 337 of 1943 ; Employment of Juveniles (Restriction) Rules, 1943 ; Employment of Servants (Engagement of Unregistered Natives) Rules, 1945.

Leeward Islands. — Employment of Children Prohibition Act, No. 5 of 1939.

Malayan Union. — Children and Young Persons Ordinance, No. 33 of 1947.

Mauritius. — Employment of Women, Young Persons and Children, Ordinance No. 43 of 1945 ; Labour (Amendment 102) Ordinance No. 44, 1945.

Nigeria. — Labour Code Ordinance No. 54, 1945, Chapter X, paragraph 160.

Nyasaland. — Employment of Women, Young Persons and Children Ordinance, 1939 (Ordinance No. 22 of 1939) ; Employment of Women, Young Persons and Children (Amendment) Ordinance No. 29, 1940 ; and Employment of Women, Young Persons (Amendment) Ordinance No. 9 of 1942.

Palestine. — Employment of Children and Young Persons Ordinance No. 19, 1945.

St. Lucia. — Employment of Children (Restriction) Ordinance, No. 28 of 1939.

St. Vincent. — Employment of Women, Young Persons and Children (Amendment) Ordinance No. 14 of 1939.

Tanganyika. — Employment of Women and Young Persons Ordinance, No. 5 of 1940 ; Women and Young Persons (Amendment) Ordinance, 1946, Article 19.

Trinidad. — The Factories Ordinance No. 44 of 1946, repealing the Children Ordinance.

Convention No. 6. Night Work (Young Persons), 1919.

Barbados. — Employment of Women, Young Persons and Children (Amendment) Act 35 of 1940.

British Guiana. — Employment of Women, Young Persons and Children (Amendment) Ordinance No. 7, 1940.

Ceylon. — Children and Young Persons Ordinance No. 48 of 1939.

Fiji. — Employment of Women, Young Persons and Children (Amendment) Ordinance No. 5 of 1942. Employment of Women, Young Persons and Children (Amendment) Ordinance No. 2 of 1943. Labour Ordinance No. 23 of 1947.

Grenada. — Employment of Women, Young Persons and Children (Amendment) Ordinance, No. 9, 1945.

Jamaica. — Children and Young Persons (Amendment) Law No. 57 of 1941.

Kenya. — Government Notice No. 337 of 1943. Employment of Juveniles (Restriction) Rules, 1943.

Malayan Union. — Children and Young Persons Ordinance No. 33 of 1947.

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

Nyasaland. — Employment of Women, Young Persons and Children Ordinance No. 22 of 1939 ; Employment of Women, Young Persons and Children (Amendment) Ordinance No. 29 of 1940. Employment of Women, Young Persons and Children (Amendment) Ordinance No. 9 of 1942.

Palestine. — Employment of Children and Young Persons Ordinance No. 19, 1945.

Tanganyika. — Employment of Women and Young Persons Ordinance No. 5 of 1940.

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

Barbados. — Employment of Women, Young Persons and Children (Amendment) Act No. 35, 1940.

British Guiana. — Employment of Women, Young Persons and Children (Amendment) Ordinance No. 7, 1940.

Fiji. — Labour Ordinance No. 23 of 1947.

Gambia. — Labour Ordinance 1944.

Jamaica. — Children and Young Persons (Amendment) Law No. 57 of 1941.

Kedah. — Children (Amendment) Enactment No. 7 of 1939.

Malayan Union. — Children and Young Persons Ordinance No. 37 of 1947.

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.

St. Vincent. — Employment of Women, Young Persons and Children (Amendment) Ordinance No. 14, 1939.

Tanganyika. — Employment of Women and Young Persons Ordinance No. 5 of 1940 ; Women and Young Persons (Amendment) Ordinance of 1946. Article 2 (a).

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

Aden. — Imperial Order in Council of 14 March 1941.

British Guiana. — Imperial Order in Council of 6 August 1942.

British Solomon Islands. — Imperial Order in Council of 5 May 1939.

Brunei. — Seamen's Unemployment Indemnity Enactment, 1939 (Enactment No. 8 of 1939).

Cyprus. — Registration of Ships (International Labour Conventions) Law, 1939. (Law No. 24 of 1939.)

Falkland Islands. — Imperial Order in Council of 14 March 1941.

Gambia. — Merchant Shipping (International Labour Convention) Ordinance, 1940. (Ordinance No. 16 of 1940.)

Grenada, St. Lucia, St. Vincent. — Merchant Shipping (Colonies) Amendment Order in Council, 1940.

Nigeria. — Imperial Order in Council of 7 March 1940.

Straits Settlements. — The Merchant Shipping (Amendment) Ordinance, 1940 (Ordinance No. 22 of 1940).

Tanganyika. — Native Vessels (Amendment) Ordinance, 1940. (Ordinance No. 27 of 1940.)

*Convention No. 12. Workmen's Compensation (Agriculture), 1921.**Convention No. 19. Equality of Treatment (Accident Compensation), 1925.**Convention No. 42. Workmen's Compensation (Occupational Diseases) (Revised), 1934.*

Aden. — Workmen's Compensation Ordinance, No. 40 of 1939. (This replaces the Indian legislation.) Workmen's Compensation (Amendment) Ordinance No. 35 of 1940.

Bahamas. — Workmen's Compensation Act No. 25 of 1943. Workmen's Compensation (Amendment) Act No. 9 of 1944.

Barbados. — Workmen's Compensation Act No. 2 of 1943. Workmen's Compensation (Amendment) Act No. 47 of 1943.

Regulations made under Workmen's Compensation Act of 1943.

British Guiana. — The Workmen's Compensation (Amendment) Ordinance No. 14 of 1947.

British Honduras. — Workmen's Compensation Ordinance No. 4 of 1942. Workmen's Compensation (Amendment) Ordinance No. 18 of 1942.

Workmen's Compensation Regulations No. 14 of 1942.

Workmen's Compensation (Medical Referees and Return of Injuries) Order No. 35 of 1943.

Workmen's Compensation (Amendment) Ordinance No. 7 of 1943.

Workmen's Compensation (Amendment) Regulations No. 67 of 1945.

Cyprus. — Workmen's Compensation Law No. 30 of 1942.

Fiji. — Workmen's Compensation Ordinance No. 23 of 1940.

Workmen's Compensation (Amendment) Ordinance No. 44 of 1940.

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

Gambia. — Workmen's Compensation (Ordinance) No. 18 of 1940.

Workmen's Compensation Order No. 47 of 1940.

Workmen's Compensation (Amendment) Ordinance No. 35 of 1940.

Workmen's Compensation Regulations No. 17 of 1941.

Workmen's Compensation (Rules of Court) Rules, No. 43 of 1941.

Workmen's Compensation (Amendment) Ordinance, No. 16 of 1942.

Workmen's Compensation (Amendment) Order, No. 5 of 1943.

Gold Coast. — Workmen's Compensation Ordinance No. 52 of 1940.

Workmen's Compensation (Application) Order No. 8 of 1941.

Workmen's Compensation (Rules of Court) Rules No. 59 of 1941.

Workmen's Compensation Rules No. 5 of 1942.

Workmen's Compensation (Application) (Amendment) Order No. 21 of 1942.

Master and Servant (Amendment) Ordinance No. 4 of 1943.

Workmen's Compensation (Amendment) Rules No. 19 of 1943.

Workmen's Compensation (Application) (Amendment) Order No. 16 of 1943.

Jamaica. — Workmen's Compensation (Amendment, Law No. 35 of 1939.

Workmen's Compensation (Amendment) Law No. 71 of 1941.

Workmen's Compensation (Amendment) Law No. 45 of 1942.

Johore. — Workmen's Compensation (Amendment) Enactment, No. 9 of 1940.

Kedah. — Fatal Accidents Enactment No. 2 of 1360 (Islamic calendar).

Kelantan. — Workmen's Compensation Enactment No. 43, 1939.

Government Gazette Notification No. 185 of 1940, removing certain occupational diseases from Schedule 3 of the Workmen's Compensation Enactment, 1939.

Kenya. — Mining Ordinance No. 29 of 1940.

The Workmen's Compensation Ordinance No. LIV of 1946.

Leeward Islands. — Workmen's Compensation (Amendment) Act No. 8, of 1939.

Workmen's Compensation (Amendment) Act No. 16, of 1941.

Malayan Union. — The Workmen's Compensation (Amendment) Ordinance No. 23 of 1947.

Malta. — Workmen's Compensation (Amendment) Ordinance No. 7 of 1943.

Nigeria. — Workmen's Compensation Ordinance No. 51 of 1941.

Workman's Compensation (Employment) Order-in-Council No. 31 of 1941.

Workmen's Compensation Rules, No. 4 of 1942.

Minerals (Amendment) Ordinance No. 4 of 1942.

Northern Rhodesia. — Employment of Natives (Amendment No. 2), Ordinance No. 55 of 1940.

Workmen's Compensation Ordinance No. 2 of 1944.

Silicosis (Temporary Arrangements).
Ordinance No. 22 of 1945, to make temporary provisions for the payment of compensation to

persons who have acquired certain industrial diseases.

The Silicosis (Temporary Arrangements) (Amendment) Ordinance, No. 20 of 1946.

Nyasaland. — Workmen's Compensation Ordinance, 1944, brought into force 1 July, 1946.

Workmen's Compensation (Amendments) Ordinance, No. 15 of 1946.

Workmen's Compensation (Application), No. 41 of 1946.

Palestine. — Workmen's Compensation (Amendment) Ordinance No. 27 of 1942.

Workmen's Compensation (Temporary Increases) Ordinance No. 21 of 1945.

The Workmen's Compensation Ordinance No. 33 of 1947.

St. Lucia. — Workmen's Compensation Ordinance No. 7 of 1941.

Workmen's Compensation Regulations No. 58 of 1942.

Workmen's Compensation (Amendment) Ordinance No. 4 of 1942.

St. Vincent. — Workmen's Compensation Ordinance No. 21 of 1939.

Workmen's Compensation Regulations, 1940.

Workmen's Compensation (Amendment) Ordinance, No. 8 of 1943.

Sierra Leone. — Workmen's Compensation Ordinance No. 35 of 1939.

Workmen's Compensation (Amendment) Ordinance, No. 28 of 1940.

Workmen's Compensation (Amendment) Ordinance, No. 5 of 1941.

Workmen's Compensation (Application to Certain Employments) Order-in-Council No. 79 of 1940.

Workmen's Compensation (Application to Certain Employment) (Amendment) Order-in-Council No. 39 of 1941.

Workmen's Compensation (Notification of Injuries) Rules, No. 118 of 1940.

Workmen's Compensation (Amendment) Ordinance, No. 12 of 1942.

Minerals (Amendment) Ordinance No. 11 of 1942.

Singapore. — The Workmen's Compensation (Amendment) Ordinance, No. 16 of 1947.

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

Uganda. — Workmen's Compensation Ordinance, 1946.

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

Cyprus. — Registration of Ships (International Labour Conventions) Law, 1939.

Gambia. — Merchant Shipping (International Labour Convention) Ordinance, 1940. (Ordinance No. 16 of 1940.)

Mauritius. — Employment of Women, Young Persons and Children (Amendment) Ordinance No. 43 of 1945, Section 3, paragraph 2 (b).

Nigeria. — Labour Code Ordinance No. 54, 1945, Chapter X, paragraph 172.

Nigeria. — Labour Code Ordinance No. 54, 1945, Chapter X, paragraph 192.

Tanganyika. — Employment of Women and Young Persons Ordinance, 1940 (Ordinance No. 5 of 1940).

The provisions in this Ordinance replace those in Section 101 of the Shipping Ordinance, 1937 (No. 28 of 1937) which have been repealed by the Shipping (Amendment) Ordinance, 1940 (No. 33 of 1940).

Aden, British Guiana, Falkland Islands, Grenada, Nigeria, Solomon Islands, St. Lucia, St. Vincent. — As under Convention No. 8.

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

Mauritius. — Ordinance No. 43 of 1945.

Nigeria. — Labour Code Ordinance No. 54, 1945, Chapter X, paragraph 173.

Aden, British Guiana, Falkland Islands, Grenada, Nigeria, Solomon Islands, St. Lucia, St. Vincent. — As under Convention No. 8.

Convention No. 26. Minimum Wage-Fixing Machinery, 1928.

Aden. — Minimum Wage and Wages Regulation, Ordinance No. 17 of 1940.

Bahamas. — Abaco Lumber Company (Minimum Wage) Order, 1942.

Minimum Wage (Stevedores) Order, 1946.

- Barbados.* — Wages Boards Act No. 32 of 1943.
 Defence (Trade Disputes) Regulations, 1943.
 Defence (Trade Disputes) Order, 1943.
 Defence (Trade Disputes) (Amendment) Order, 1943.
 Defence (Trade Disputes) (Amendment) Order, 1943, No. 2.
 Regulations made under Section 25 of the Wages Board Act of 1943.
British Guiana. — Bakeries (Hours of Work) Ordinance, No. 4, 1946.
 Minimum Wages (Georgetown Waterfront Workers) Order No. 25, 1942.
 Minimum Wages (Georgetown Waterfront Workers) (Amendment), Order No. 9 of 1946.
 Labour Ordinance No. 2, 1942, Part III, Order-in-Council made under Ordinance No. 2, 1942; No. 35 of 1943.
British Honduras. — Proclamation dated 29 October, 1941, fixing Minimum Rates for Crews on Vessels plying from the Belise River.
 Proclamation declaring a Minimum Wage for Mahogany Workers, No. 64, 1945.
 Proclamation declaring a Minimum Rate of Wages for Persons employed in the Collection of Chicle, No. 65, 1945.
British Solomon Islands. — Regulation No. 5 of 1947, Part IV.
Ceylon. — Wages Board Ordinance No. 27 of 1941.
 Ordinance No. 40 of 1943, amending the Wages Board Ordinance No. 27 of 1941.
 Ordinance No. 19 of 1945, amending the Wages Board Ordinance No. 27 of 1941.
Cyprus. — Minimum Wage Law No. 17, 1941.
 Minimum Wage (Nahieh of Khrysokhou) Order, 1941.
 Minimum Wage (Commerce and Trade) Regulations, 1942.
Dominica. — Proclamation made on 15 December 1939, fixing the minimum rates of wages for shop assistants in the towns of Roseau and Portsmouth.
 The Labour (Minimum Wage) (Advisory Board) Rules, 1944.
 Minimum Wage (Agricultural Labourers), Proclamation, 1945.
 Minimum Wage (Bakers) Proclamation, 1945.
 Minimum Wage (Shop assistants) (Amendment) Proclamation, 1945.
Falkland Islands. — Minimum Wage Ordinance No. 2 of 1942.
Gambia. — The Minimum Wage (Unskilled Manual Labour) Order No. 5 of 1947.
Grenada. — Minimum Wage (Agriculture) Order No. 19, 1940.
 Department of Labour Ordinance, No. 16 of 1940.
 Department of Labour (Amendment) Ordinance, No. 6 of 1941.
 Department of Labour Order, No. 68, 1942, as amended by Department of Labour (Amendment) Order, No. 88 of 1942.
Hong Kong. — Trade Ports Ordinance No. 15, 1940. (This repeals the Minimum Wage Ordinance No. 28, of 1932).
Jamaica. — Advisory Board (Sugar Industry) Regulations, 1940.
 Advisory Board (Sugar Industry) (Amendment) Regulations, 1941.
 Advisory Board (Bakery Trade) Regulations, 1942.
 Minimum Wage (Sugar Industry) Proclamation No. 39 of 1942.
 Advisory Board (Alcoholic and Non-Alcoholic Beverage Trade) Regulations, 1943.
 Advisory Board (Printing Trade) Regulations, 1944.
 Minimum Wage (Catering Trade) (Kingston and St. Andrew) Proclamation No. 8 of 1944.
 Minimum Wage (Bread and Cake Bakery Trade) (Kingston and St. Andrew) Proclamation No. 9 of 1944.
 Minimum Wage (Biscuit Trade) (Kingston and St. Andrew) Proclamation 1944.
 The Advisory Board (Dry Goods Trade) Regulations, 1945.
 Factories Regulations (Variation) Order, 1945.
 Minimum Wage (Biscuit Trade) (Amendment) Order of 1945.
 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.
Kenya. — Defence (Fixing of Wages) Regulations, 1940.
 The Minimum Wage (Kisumu Municipality) Order No. 29 of 1947.
 The Minimum Wage (Nairobi Municipality) (No. 2) Order, 1947.
Malayan Union. — Wages Councils Ordinance No. 41 of 1947.
Mauritius. — Order made under the Minimum Wages Ordinance, 1934, fixing minimum rates of wages for all agricultural labourers employed in the Colony as from the 1st September 1941.
 Government Notice No. 210, dated 30th August 1941.
 Minimum Wage (Baking Industry) Government Notice No. 55 of 1943.
 Minimum Wage (Printing Trade) Government Notice No. 310 of 1943.
 Minimum Wage (Sugar Industry) Government Notices Nos. 170, 369 and 379 of 1944.
 Minimum Wages (Amendment) Ordinance, No. 42, 1944 amending Article 10 of the Minimum Wages Ordinance No. 41, 1934.
 Table of minimum wages payable to persons employed in the shopping trade. Government notice No. 251 of 1944.
 Table of minimum wages payable to labourers employed on sugar estates. Government notice No. 156 of 1945.
 Government Notice No. 126 of 1946 prescribing minimum rates of wages payable to labourers employed on sugar estates in the Colony.
 Regulations under Minimum Wages Ordinance, 1934, Government Notice No. 159 of 1947.
Nigeria. — Mining Industry (Control of Wages) (Northern Provinces) (No. 2) Regulations, 1942 (Regulation No. 91 of 1942).
 Mining Industry (Compulsory Service) (Northern Provinces) Wage-Fixing Notice No. 201 of 1942.
 Labour (Wage-Fixing and Registration) Ordinance No. 40 of 1943.
 Labour (Wage-Fixing and Registration) (Publication of Notices) Rules, No. 17 of 1943.
 Wage-Fixing (Tailoring, Shirtmaking and Ancillary Trades or occupations) Order-in-Council No. 33 of 1944, Labour (Wage and Registration) (Amendment) Ordinance No. 22 of 1944.
 Subsidiary Legislation under the Labour (Wage-Fixing and Registration) Ordinance 1943.
 1. The Registration (Lagos Township) (Miscellaneous Occupations) (No. 3) Order, 1944.
 Public Notice No. 230 of 1944.
 2. The Registered Industrial Workers (Lagos Township) (Employment in Scheduled Occupations) Order, 1944.
 3. The Registration (Lagos Township) (Miscellaneous Occupations) Order, 1944. Public Notice No. 7 of 1945.
 4. The Registered Industrial Workers (Lagos Township) (Employment in Scheduled Occupations) Order, 1944.
 Public Notice No. 234 of 1944.
 5. The Registered Industrial Workers (Lagos Township) (Employment in Scheduled Occupations) Order, 1944.
 Public Notice No. 234 of 1944.
 6. The Registration (Lagos Township) (Miscellaneous Occupations) No. 4 Order, 1944.
 Public Notice No. 270 of 1944.
 7. The Registration of Employers Order, 1944. Order No. 3 of 1945.
 8. The Employer's Registration Rules, 1944. Public Notice No. 16 of 1945.
 9. The Registration of Employers Order, 1945, Order No. 4 of 1945.
 Order-in-Council Nos. 7, 25 and 26 of 1946, and Public Notice No. 51 of 1946, made under the Labour (Wage-Fixing and Registration) Ordinance No. 40 of 1943, and Order-in-Council No. 33 of 1946, made under the Labour Code Ordinance No. 54 of 1945.
Northern Rhodesia. — Government Notice No. 99 of 1947.
Nyasaland. — Minimum Wage (Amendment) Ordinance No. 3, 1940.

Minimum Wages Regulations, 1944. Appointment to the Minimum Wage Advisory Board. Government Notice No. 42 of 1945.

Minimum Wage (Amendment) Regulations, 1945. Government Notice No. 32 of 1945.

Government Notice No. 99 of 1946, made under the Minimum Wage Ordinance of 1939, prescribing a minimum basic wage for adult African manual labour.

Government Notice No. 61 of 1947.

St. Lucia. — Minimum Wage (Agricultural Labourers) Order No. 25 of 1940.

Minimum Wage (Shop Assistants) Order No. 26, 1940.

Minimum Wages (Agricultural Labourers) Order No. 101 of 1940.

Labour (Minimum Wage) (Amendment Ordinance) No. 24 of 1941.

Labour (Coaling Industry) (Minimum Wages) Order No. 63 of 1941.

Labour (Minimum Wages) (Shop Assistants) Order No. 64 of 1941.

Labour (Minimum Wage) (Agricultural Labourers) Order No. 65 of 1941.

Labour (Minimum Wage) (Agricultural Labourers) Order No. 32 of 1944.

The Labour (Minimum Wage) (Agricultural Labourers) (Amendment) Order, 1947.

St. Vincent. — Agricultural Workers (Minimum Wage) (Amendment) Order, 1940.

Agricultural Workers (Minimum Wage) (Amendment) Order, No. 94 of 1942.

Labour Ordinance No. 14, 1942 repealing previous Minimum Wage Legislation.

Department of Labour (Agricultural Workers) Order, No. 18, 1943.

Department of Labour (Agricultural Workers) (Amendment) Order No. 1, 1945.

Department of Labour (Agricultural Workers) (Amendment No. 2), Order No. 61 of 1945.

Sierra Leone. — Ordinance to Provide for the Establishment of Wages Boards No. 16, 1945.

Wages Boards (Application to Mining Workers) Order-in-Council No. 15, 1946.

Wages Boards (Mining Workers) Rules No. 12, 1946.

Wages Boards (Mining Workers) (Amendment) Rules, No. 89, 1946.

Tanganyika. — The Minimum Wage (Amendment) Ordinance, 1947, No. 14 of 1947.

Turks and Caicos Islands. — Salt Industry Control Ordinance No. 1 of 1940. Section 10 (VIII).

The Salt Industry Regulations, 1940, as amended by Notification No. 5 of 1941.

Minimum Wage Ordinance No. 4 of 1941.

Uganda. — Defence (Fixing of Wages) Regulations, 1940.

Defence (Fixing of Wages) Regulations No. 15, 1941.

Legal Notice No. 43 of 1945, made under the Minimum Wages Ordinance which provides for the establishment of an Advisory Board.

Convention No. 29. Forced Compulsory Labour, 1930.

Nigeria. — Forced Labour (Amendment) Ordinance No. 60 of 1942.

Labour Code Ordinance No. 54 of 1945.

Convention No. 32. Protection against Accidents (Dockers) (Revised), 1932.

British Guiana. — Docks Regulations, 1943, made under Section 3 of the Regulation of Dangerous Trades Ordinance 1938 (came into effect on 1 July 1943).

Cyprus. — The Docks (Amendment) Regulations No. 307 of 1940.

Federated Malay States. — Ports (Amendment) Enactment, No. 8 of 1941.

Gambia. — Regulation of Docks Ordinance No. 33 of 1940.

Jamaica. — Dock Workers (Protection against Accidents) Law No. 18 of 1941.

Kelantan. — Ports (Amendment No. 1) Enactment No. 13, 1941.

Malta. — Order made by the Governor on 23 June, 1939, under the Workmen's Compensation Ordinance, 1934, with regulations for the loading, unloading, moving and handling of goods at docks, wharves and quays.

Nigeria. — Docks (Safety of Labourers) Regulations, No. 35, 1940.

Docks (Safety of Labourers) (Amendment) Regulations No. 18, 1941.

General Port (Amendment) Regulations No. 19, 1941.

Ports (Amendment) Regulations, No. 22, 1941.

Palestine. — Factories (Docks) Rules, 1947.

Sierra Leone. — Wharves (Safety of Workers) Rules, 1940, made under the Regulation of Docks Ordinance, 1938, as amended by the Wharves (Safety of Workers) (Amendment) Rules, 1940.

Trinidad. — Factories Ordinance No. 44 of 1946, which will be brought into operation on proclamation.

Convention No. 35. Old-Age Pensions (Industry, etc.), 1933.

Convention No. 36. Old-Age Pensions (Agriculture), 1933.

Barbados. — Old-Age Pensions Act, No. 48 of 1937.

Trinidad. — Old-Age Pensions Ordinance No. 15 of 1939.

Convention No. 41. Night Work (Women) (Revised), 1934.

British Guiana. — Employment of Women, Young Persons and Children (Amendment) Ordinance, No. 7 of 1940.

Ceylon. — Employment of Women (Revised Convention) Ordinance No. 16 of 1940.

Employment of Women (Revised Convention) (Amendment) Ordinance No. 46 of 1941.

Fiji. — Employment of Women, Young Persons and Children (Amendment) Ordinance No. 5 of 1942.

Labour Ordinance, No. 23 of 1947.

Gambia. — Labour Ordinance 1944, Part 2.

Grenada. — Employment of Women, Young Persons and Children (Amendment) Ordinance No. 9 of 1945.

Jamaica. — Employment of Women Law No. 33 of 1941.

Employment of Women Regulations No. 51 of 1942.

Nigeria. — Labour Code Ordinance, No. 54 of 1945, Paragraphs 148, 149 and 150.

Nyasaland. — Employment of Women, Young Persons and Children, Ordinance No. 22 of 1939.

Employment of Women, Young Persons and Children (Amendment) Ordinance No. 29 of 1940.

Palestine. — Defence (Amendment) of Women and Children (Industrial Employment Rules) Regulations, 1941.

Defence (Amendment) of Women and Children (Industrial Employment Rules) Regulations, 1942.

Employment of Women Ordinance No. 20 of 1945.

Tanganyika. — Employment of Women and Young Persons Ordinance No. 5 of 1940.

Trinidad. — Employment of Women (Night Work) Regulations, 1940.

Convention No. 45. Underground Work (Women) 1935.

Fiji. — Regulation 18 of the Quarries Regulations, 1939.

Gold Coast. — (Colony of Ashanti) Mining Rights (Amendment No. 2) Regulations No. 15 of 1940.

(Northern Territories) Minerals (Amendment) Regulations, No. 16 of 1940.

Mining (Northern Territories) Regulations No. 47 of 1942.

Nigeria. — Labour Code Ordinance No. 54 of 1945, Chapter IX, paragraphs 151-153.

Nyasaland. — Employment of Women, Young Persons and Children Ordinance No. 22 of 1939.

Palestine. — Employment of Women Ordinance No. 20 of 1945.

Tanganyika. — Section 62 of the Mining (Safe Working) Regulations 1930, as amended by the Mining (Safe Working) (Amendment) Regulations 1940. Women and Young Persons (Amendment) Ordinance 1946, Article 14.

Convention No. 50. Recruiting of Indigenous Workers, 1936.

Bahamas. — Recruiting of Workers Act, 1939.

Recruiting of Workers Regulations, 1940.

Imperial Order in Council of 25 January 1944.

Barbados. — Recruiting of Workers Act, No. 59 of 1938.

Recruiting of Workers Regulations, 1941.

Recruiting of Workers (Amendment) Act, No. 45 of 1941.

Regulations made under the Labour Department Act, 1943 (Section 8).

Basutoland. — Native Labour Proclamation No. 5 of 1942.

High Commissioner Notices Nos. 62 and 134 of 1942.

Bechuanaland Protectorate. — Native Labour Proclamation No. 56 of 1941.

British Guiana. — Recruiting of Workers Ordinance, No. 9 of 1943.

British Honduras. — Recruiting of Workers Ordinance No. 25 of 1938.

Recruiting of Workers Regulations No. 74 of 1941.

Recruiting of Workers (Amendment) Ordinance, No. 20 of 1941.

Dominica. — Recruiting of Workers Ordinance No. 3 of 1943.

Recruiting of Workers Regulations No. 2 of 1944.

Gambia. — Recruiting of Workers Ordinance No. 1 of 1940.

Recruiting of Workers (Amendment) Ordinance No. 10 of 1941.

Labour Ordinance, 1944.

Grenada. — Recruiting of Workers Ordinance No. 17 of 1939.

Recruiting of Workers (Amendment) Ordinance No. 5 of 1941.

Recruiting of Workers (Amendment) Regulations No. 58 of 1942.

Recruiting of Workers (Amendment) Regulations No. 25 of 1943.

Statutory Rules and Orders, 1945.

Jamaica. — Recruiting of Workers Law No. 30 of 1940.

Recruiting of Workers (Defence) Regulations, 1943.

Recruiting of Workers (Revocation) (Defence) Regulations, 1944.

Recruiting of Workers Regulations, 1944.

Jamaica Constabulary Force (Amendment) Law, No. 47 of 1944.

Kenya. — Employment of Servants Ordinance 1937, as amended by the Employment of Servants (Amendment) Ordinance No. 35 of 1938.

Leeward Islands. — Recruiting of Workers Act No. 4 of 1941.

Mauritius. — Recruitment of Workers Ordinance No. 3 of 1939.

Regulations made on 3 October 1942, under the Labour Ordinance 1938. (Government Notice No. 275 of 1942).

Labour (Amendment) Ordinance No. 20 of 1945, amending Article 3 of the Labour Ordinance No. 47 of 1938.

New Hebrides. — Native Recruiting and Employment Registration, Regulations No. 20 of 1941.

Natives of North Malekula Recruiting and Employment (Prohibition) Regulation No. 21 of 1941.

Joint Regulation No. 28 of 1941.

Labour (Amendment) Regulation, 1941.

King's Regulation No. 16, 1941.

Nigeria. — Labour Code Ordinance No. 54 of 1945, Chapter V, paragraphs 60-92.

North Borneo. — Labour Recruiting Rules, 1940. Gazette Notification No. 224, 1940, amending the Labour Ordinance, 1936.

Northern Rhodesia. — Employment of Natives (Amendment) Ordinance, No. 27 of 1940.

Employment of Natives (Amendment) Regulations, 1941.

Employment of Natives (Amendment No. 2).

Ordinance No. 39 of 1941.

Government Notice No. 109 of 1942.

Nyasaland. — Employment of Natives (Amendment) Ordinance No. 25 of 1939.

Native Labour (Amendment) Ordinance No. 8 of 1944.

Native Labour (Amendment No. 3) Ordinance No. 24 of 1944.

Native Labour (Recruiting Permits) Rules of 1946.

St. Lucia. — Recruiting of Workers Ordinance No. 31 of 1939.

Recruiting of Workers (Amendment) Ordinance No. 2, 1941.

Recruiting of Workers Regulations, 1942.

Recruiting of Workers (Amendment) Regulations, No. 81 of 1942.

Factories Ordinance No. 8 of 1942 (to come into effect on a date to be appointed by the Governor).

St. Vincent. — Recruiting of Workers Ordinance No. 3, 1940.

Recruiting of Workers Regulations, 1940.

Recruiting of Workers (Amendment) Ordinance No. 1, 1941.

Recruiting of Workers (Amendment) Regulations No. 96 of 1941.

Recruiting of Workers (Native Places) Notice, 1942.

Recruiting of Workers (Amendment) Regulations, No. 14, 1942.

Recruiting of Workers (Amendment No. 2) Regulations No. 29, 1942.

Recruiting of Workers (Amendment) Regulations, No. 26, 1944.

Recruiting of Workers (Amendment) Regulations No. 70 of 1944.

Seychelles. — Recruiting of Workers Ordinance (not yet brought into operation).

Sierra Leone. — Recruiting of Workers Ordinance No. 22 of 1941.

Somaliland. — Native Labour (Amendment) Ordinance, No. 21 of 1937.

Tanganyika Territory. — Defence (Recruitment of Servants) Regulations No. 50 of 1942.

Master and Native Servants (Recruitment) Ordinance No. 6 of 1946.

Trinidad. — Recruiting of Workers Ordinance No. 29 of 1938.

Uganda. — Employment Ordinance No. 13 of 1946. Employment Rules, 1946.

Convention No. 64. Contracts of Employment of Indigenous Workers, 1939.

Aden. — Contracts of Employment (Indigenous Workers) Ordinance No. 45 of 1942.

British Honduras. — Employers and Workers Ordinance No. 16 of 1943 and Regulations No. 46 of 1943 made under that Ordinance.

Fiji. — Labour Ordinance, No. 23 of 1947.

Mauritius. — Ordinances Nos. 14 of 1944, 44 of 1945, 20 of 1946, 6 of 1947 and 36 of 1947.

Nigeria. — Labour Code Ordinance No. 55 of 1945, Chapters III, IV, paragraphs 34 to 57.

Nyasaland. — Native Labour Ordinance No. 4 of 1944 as amended by Ordinances Nos. 18 and 24 of 1944.

Seychelles. — Employment of Servants Ordinance, 1945.

Outlying Islands (Employment of Servants) Ordinance of 1945.

Zanzibar. — Labour Decree No. 11 of 1946.

Plantation Workers (Clove Picking Contracts) Regulations, 1946.