INTERNATIONAL LABOUR OFFICE

Resolutions and Various Texts
Adopted by the 30th Session of the International Labour Conference

(Geneva, June-July 1947)
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International Labour Conference
at its 30th Session

I

Resolution concerning Freedom of Association and Protection of the Right to Organise and to Bargain Collectively

(Adopted on 11 July 1947)

Whereas the Preamble to the Constitution of the International Labour Organisation expressly declares "recognition of the principle of freedom of association" to be a means of improving conditions of labour and of establishing peace; and

Whereas the Declaration of Philadelphia reaffirms that "freedom of expression and of association are essential to sustained progress" and recognises the solemn obligation of the International Labour Organisation to further among the nations of the world programmes which will achieve, among other things: "the effective recognition of the right of collective bargaining, the co-operation of management and labour in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures"; and

Whereas it also affirms that "the principles set forth in this Declaration are fully applicable to all peoples everywhere and that, while the manner of their application must be determined with due regard to the stage of social and economic development reached by each people, their progressive application to peoples who are still dependent, as well as to those who have already achieved self-government, is a matter of concern to the whole civilised world"; and

Whereas standards of living, normal functioning of national economy and social and economic stability depend to a considerable degree on a properly organised system of industrial relations founded on the recognition of freedom of association; and

Whereas, moreover, in many countries, employers' and workers' organisations have been associated with the preparation and application of economic and social measures; and
Whereas the International Labour Conference, the regional conferences of the American States Members of the International Labour Organisation and the various industrial committees have, in numerous Resolutions, called the attention of the States Members of the International Labour Organisation to the need for establishing an appropriate system of industrial relations founded on the guarantee of the principle of freedom of association;

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirtieth Session on 19 June 1947,

adopts this eleventh day of July of the year one thousand nine hundred and forty-seven the following Resolution:

I. FREEDOM OF ASSOCIATION

1. Employers and workers, without distinction whatsoever, should have the inviolable right to establish or join organisations of their own choosing without previous authorisation.

2. Employers' and workers' organisations should have the right to draw up their constitutions and rules, to organise their administration and activities and to formulate their programmes; there should be no interference on the part of the public authorities which would restrict this right or impede the organisations in the lawful exercise of this right.

3. Employers' and workers' organisations should not be liable to be dissolved or have their activities suspended by administrative authority.

4. Employers' and workers' organisations should have the right to establish federations and confederations as well as the right of affiliation with international organisations of employers and workers.

5. The guarantees defined in paragraphs 1, 2 and 3 herein with regard to the establishment, functioning, dissolution and suspension of employers' and workers' organisations should apply to federations and confederations of such organisations.

6. The acquisition of legal personality by employers' and workers' organisations should not be made subject to conditions of such a character as to restrict freedom of association as hereinbefore defined.

7. The acquisition and exercise of the rights as outlined in this part should not exempt the employers' and workers' organisations from their full share of responsibilities and obligations.
II. PROTECTION OF THE RIGHT TO ORGANISE
AND TO BARGAIN COLLECTIVELY

8. There should be agreement between organised employers and workers mutually to respect the exercise of the right of association.

9. (1) Where full and effective protection is not already afforded, appropriate measures should be taken to enable guarantees to be provided for:
   (a) the exercise of the right of freedom of association without fear of intimidation, coercion or restraint from any source with the object of:
      (i) making the employment of the worker conditional on his not joining a trade union or on his withdrawing from a trade union of which he is a member;
      (ii) prejudicing a worker because he is a member or agent or official of a trade union;
      (iii) dismissing a worker because he is a member or agent or official of a trade union.
   (b) the exercise of the right of association by workers' organisations in such a way as to prevent any acts on the part of the employer or employers' organisations or their agents with the object of:
      (i) furthering the establishment of trade unions under the domination of employers;
      (ii) interfering with the formation or administration of a trade union or contributing financial or other support to it;
      (iii) refusing to give practical effect to the principles of trade union recognition and collective bargaining.

   (2) It should be understood, however, that a provision in a freely concluded collective agreement making membership of a certain trade union a condition precedent to employment or a condition of continued employment does not fall within the terms of this Resolution.

10. Appropriate agencies should be established, if necessary, for the purpose of ensuring the protection of the right of association as defined in paragraph 9 herein.

II

Resolution concerning the Agenda of the 1948 Session of the International Labour Conference

(Adopted on 11 July 1947)

The Conference,

Having approved the report of the Committee appointed to consider the seventh item on its agenda,
Decides:

(1) to place on the agenda of its next general session the question of freedom of association and of the protection of the right to organise with a view to the adoption of one or several Conventions at that Session, and

(2) to place on the agenda of its next general session, as one item for first discussion, the application of the principles of the right to organise and to bargain collectively, collective agreements, conciliation and arbitration, and co-operation between the public authorities and employers' and workers' organisations.

After having adopted the Resolution concerning the agenda of the 1948 Session of the International Labour Conference, the Conference adopted the two following lists of points, which enumerate a number of questions already suitable to serve as a basis for the adoption of one or several international labour Conventions in 1948:

LISTS OF POINTS TO SERVE AS A BASIS FOR THE ADOPTION OF ONE OR SEVERAL INTERNATIONAL LABOUR CONVENTIONS IN 1948

(Adopted on 11 July 1947)

I. FREEDOM OF ASSOCIATION

1. Desirability of drawing up a proposed international Convention concerning freedom of association.

2. Need to provide that employers and workers, without distinction whatsoever, should have the inviolable right to establish or join organisations of their own choosing without previous authorisation.

3. (1) Need to provide that employers' and workers' organisations should have the right to draw up their constitutions and rules, to organise their administration and activities and to formulate their programmes.

   (2) Need to provide further that the public authorities should refrain from any interference which would restrict this right or impede the organisations in the lawful exercise of this right.

4. Need to provide that employers' and workers' organisations may not be dissolved or suspended by administrative authority.

5. Need to recognise the right of employers' and workers' organisations to establish federations and confederations of such organisations and to affiliate with international organisations of employers and workers.

6. Need to provide that the guarantees defined in paragraphs 2, 3 and 4 with regard to the establishment, functioning, dissolution and suspension of employers' and workers' organisations should apply to federations and confederations of such organisations.

7. Need to provide that the acquisition of legal personality by employers' and workers' organisations should not be made subject to conditions of such a character as to restrict freedom of association as hereinbefore defined.

8. Desirability of providing that the acquisition and exercise of the rights as outlined in this Part should not exempt employers' and workers' organisations from their full share of responsibilities and obligations.
II. PROTECTION OF THE RIGHT TO ORGANISE

1. Desirability of drawing up a proposed Convention concerning the protection of the right to organise.
2. Need to provide that where full and effective protection is not already afforded appropriate measures should be taken to enable guarantees to be provided for the exercise of the right of freedom of association without fear of intimidation, coercion or restraint from any source.
3. Desirability of making such provision as may be necessary for the establishment of appropriate agencies for the purpose of ensuring the protection of the right of association.

III

Resolution concerning International Machinery for Safeguarding Freedom of Association

(Adopted on 11 July 1947)

The Conference,

(1) Recalling the references to freedom of association in the Declaration of Philadelphia and the Constitution of the International Labour Organisation, reaffirms belief in and attachment to the principle of freedom of association in all countries as an essential element in those wider personal freedoms which are the foundation of peace, prosperity and happiness;
(2) Is concerned at the widespread reports that conditions may exist prejudicial to freedom of association in many countries;
(3) Feels that steps should be taken to encourage, expand and universally establish freedom of association both by reminding Governments of all States, whether Members of the I.L.O. or not, of their obligations in this respect under the Constitution of the I.L.O. and/or the Charter of the United Nations, and by other practicable means;
(4) In this connection has noted with interest the proposals made by the W.F.T.U. and the A.F. of L. for the establishment of international machinery for safeguarding freedom of association and feels that these proposals deserve close and careful examination;
(5) Recognises that the proposals raise issues of great complexity and difficulty including, for example,
   (i) questions involving the sovereignty of States;
   (ii) the relationship of any such machinery to the proposals under examination by the United Nations for giving effect to a Bill of Rights and establishing machinery for supervising the exercise of other fundamental freedoms, including freedom of speech, of information and of lawful assembly;
(iii) the composition, scope, powers (including powers of enquiry and investigation) and procedure of the proposed machinery;
(iv) the authority under which the proposed machinery would act;

(6) Considers it essential to give to such questions, which may involve changes in the inter-relationship of States, the detailed examination and careful preparation which they merit and without which any international action would be bound to fail and likely to leave the situation worse than it is at present;

(7) Recognises however that the establishment in consultation with the United Nations of permanent international machinery may be an indispensable condition for the full observance of freedom of association throughout the world and that any such machinery should, if established, operate under the guarantees provided by the tripartite Constitution of the International Labour Organisation;

(8) Accordingly requests the Governing Body to examine this question in all its aspects and to report back to the Conference at the 31st Session in 1948.

IV

Resolution concerning the Re-admission of Austria to the International Labour Organisation

(Adopted on 24 June 1947)

The General Conference of the International Labour Organisation,

Having been seized of an application from the Government of Austria for the re-admission of Austria to the International Labour Organisation; and

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

Decides to re-admit Austria to the International Labour Organisation with the same rights and obligations as the other Members of the Organisation.

The Conference takes note that Austria recognises the principle that the obligations resulting from Conventions ratified by her prior to 13 March 1938 continue to be binding and that the Austrian Federal Government will eliminate as soon as possible changes in its laws and regulations bearing upon the application of these Conventions which were made by the German authorities during the occupation of Austria.

The Conference authorises the Governing Body to make the necessary arrangements with the Government of Austria in regard to its financial contribution.
The re-admission of Austria will take effect as soon as the Government of Austria has communicated to the Director-General of the International Labour Office its formal acceptance of the provisions of the Constitution of the International Labour Organisation, of the Constitution of the International Labour Organisation Instrument of Amendment, 1946, and of the present Resolution.

V

Resolution concerning the General Questions of Social Insurance in Non-Metropolitan Territories
(Adopted on 9 July 1947)

Considering that the general questions of social insurance in non-metropolitan territories require further study,

The Conference,

Requests the Governing Body of the International Labour Office to consider the question of instructing the Office or the Committee of Experts on Social Policy in Non-Metropolitan Territories to conduct further studies in these fields with particular reference to conditions in non-metropolitan territories, with a view to placing the question on the agenda of an early session of the Conference.

VI

Resolution concerning Employment Service Organisation
(Adopted on 8 July 1947)

The Conference,

Having approved the report of the Committee appointed to examine item V on its agenda,

Having in particular approved as general conclusions, with a view to the consultation of Governments, proposals for a Convention and a Recommendation relating to employment service organisation,

Having also considered proposals for the revision of the Fee-Charging Employment Agencies Convention, 1933 (No. 34),

Decides to place on the agenda of its next general session:

1. The question of employment service organisation with a view to final decision on a Convention and a Recommendation on the subject, and

2. the question of the revision of the Fee-Charging Employment Agencies Convention, 1933 (No. 34).
Resolution concerning the Scope of Labour Inspection

(Adopted on 11 July 1947)

Whereas the Labour Inspection Convention, 1947, applies only to undertakings in respect of which legal provisions for the protection of workers are enforceable by labour inspection; whereas this scope of application may leave Governments free to exclude large numbers of workers from the application of the Convention; and whereas all workers in industrial and commercial undertakings are in need of the protection afforded by the appointment of an inspectorate to enforce proper conditions of work;

The Thirtieth Session of the International Labour Conference—

Urges the Governments to apply to all workers employed in industrial and commercial undertakings the legal provisions for the protection of workers which are enforceable by labour inspectors.

Resolution concerning Women's Work, submitted by the United States Government Delegation

(Adopted on 8 July 1947)

Whereas in the Declaration of Philadelphia the International Labour Organisation affirmed that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity";

Whereas the International Labour Organisation has since its inception endeavoured to afford to women workers an opportunity for full participation in the economic life of their countries;

Whereas the principles and procedures advocated by the International Labour Organisation relate to educational and vocational opportunities, employment opportunities, the recognition of the principle of equal remuneration for work of equal value, conditions of work, and safeguards for motherhood and the health, safety and welfare of women workers; and whereas it is important that these principles and procedures should be known and applied as widely as practicable,

The International Labour Conference,
Having been convened at Geneva by the Governing Body of
the International Labour Office and having met in its 30th Session on 19 June 1947,

Desires to bring to the attention of States Members of the Organisation the following statement of principles and procedures contained in Conventions and Recommendations adopted by the International Labour Conference:

1. The Employment (Transition from War to Peace) Recommendation, 1944, enunciates the principles that

"The redistribution of women workers in the economy should be organised on the principle of complete equality of opportunity for men and women on the basis of their individual merit, skill and experience, without prejudice to the provisions of the International Labour Conventions and Recommendations concerning the employment of women.

In order to place women on a basis of equality with men in the employment market, and thus to prevent competition among the available workers prejudicial to the interests of both men and women workers, steps should be taken to encourage the establishment of wage rates based on job content, without regard to sex.

The employment of women in industries and occupations in which large numbers of women have traditionally been employed should be facilitated by action to raise the relative status of these industries and occupations and to improve conditions of work and methods of placement therein."

2. The Minimum Wage-Fixing Machinery Convention, 1928, provides that "minimum rates of wages can be fixed for workers employed in certain of the trades or parts of trades (and in particular in home working trades) in which no arrangements exist for the effective regulation of wages by collective agreement or otherwise and wages are exceptionally low", and the Minimum Wage-Fixing Machinery Recommendation, 1928, provides that «special regard might usefully be had to trades or parts of trades in which women are ordinarily employed ».

3. The Vocational Training Recommendation, 1939, provides that "Workers of both sexes should have equal rights of admission to all technical and vocational schools"; that "Appropriate facilities for technical and vocational training should be provided for occupations in which women and girls are mainly employed, including domestic employments and activities"; and that "Persons of both sexes should have equal rights to obtain the same certificates and diplomas on completion of the same studies."

4. The Childbirth Convention, 1919, the Childbirth (Agriculture) Recommendation, 1921, the Income Security Recommendation, 1944, and the Medical Care Recommendation, 1944, make provision for maternity protection of women workers, and various other Conventions, including the Night Work (Women) Conventions, 1919 and 1934, the White Lead (Painting) Convention, 1921, and the Underground Work (Women) Convention,
1935, safeguard the health of women workers with regulations as to night work, underground work in mines or occupations involving risks such as those of industrial poisoning, if and when such work threatens the vitality and welfare of women workers.

II

Recognising that the employment of women and particularly of mothers has physical and psychological consequences for the women themselves and economic and social consequences for society and that the status of women workers is closely related to the social and economic structure and to the technical and industrial development of the different countries,

And considering the desirability of eliminating the inequitable treatment of women workers with full understanding of the specific problems which arise from actual but changing social, economic and industrial conditions in the various parts of the world,

The Conference:

1. Notes with satisfaction the work already done by the regional conferences of States Members of the International Labour Organisation to further the foregoing principles and procedures as well as to promote the provision of social aids to working mothers, assurance of wages to women adequate to a decent standard of life, and the principle of "the right to work of every individual irrespective of sex or marital condition", with due regard for occupational qualifications and physical capacity and for the economic and social conditions of every country,

2. Recommends that other regional conferences should consider these matters, and

3. Expresses the hope that the Governing Body
(i) will instruct the International Labour Office to continue the detailed study of the employment of women and its effect on the labour market, and to undertake the study of the problems of the employment of mothers of families, industrial home work, the status of domestic workers and the steps to be taken to protect women workers, bearing in mind their rôle as mothers and home-makers, and
(ii) will consider the desirability of placing these questions on the agenda of future sessions of the Conference.

IX

Resolution concerning Welfare Facilities for Workers, submitted by the Belgian Government Delegation
(Adopted on 8 July 1947)

Whereas the Declaration of Philadelphia reaffirms the fundamental principle that labour is not a commodity and recognises...
the solemn obligation of the International Labour Organisation to further among the nations of the world programmes which will achieve adequate protection for the life and health of workers in all occupations and the provision of adequate nutrition, housing and facilities for recreation and culture;

Whereas it is desirable to encourage the establishment in undertakings of services, amenities and facilities designed to meet the needs of the workers in these respects; and

Whereas such policies result in increased efficiency and higher productivity;

The International Labour Conference, meeting in its 30th Session,

1. Draws attention to the importance of establishing in undertakings, wherever appropriate, in co-operation with representatives of the workers concerned and under properly qualified management, such services, facilities and amenities as adequate canteens, rest and recreation facilities, sanitary and medical facilities, arrangements for travel to and from work and for the accommodation of workers employed at a distance from their homes, and such other services, amenities and facilities as contribute to improve the conditions under which workers are employed; and

2. Requests the Governing Body

(a) to instruct the International Labour Office to expand its studies of the administration and working of such services, facilities and amenities;

(b) to consider the desirability of placing the question, or such aspects of it as may be appropriate, on the agenda of an early session of the Conference; and

(c) to refer to future regional conferences and to the industrial committees for consideration such aspects of the question as may present special problems in particular regions or industries.

X

Resolution concerning Maintenance of Rights of Migrant Workers under Social Insurance Schemes, submitted by the Polish Government Delegation

(Adopted on 8 July 1947)

Whereas the General Conference of the International Labour Organisation adopted at its 19th Session a Convention (No. 48), concerning the establishment of an international scheme for the maintenance of rights under invalidity, old-age, widows' and orphans' insurance;

Whereas by the adoption of this Convention the General Conference of the International Labour Organisation thereby
recognised as useful and equitable the establishment by the Members of the Organisation of standards guaranteeing to migrants and their dependants the maintenance of rights acquired with insurance institutions, either in a single country or in two or more countries successively or alternately;

Whereas the adoption of this Convention represented a measure of social progress intended to protect migrants and their dependants against occupational and social risks and against poverty;

Whereas social protection of migrants in the spirit of the said Convention is of quite special importance at present, since the recent war has caused a considerable increase in the migration of wage-earners from one country to another and the effects of this increase are still being felt;

The Conference

Requests the Governing Body to have prepared as soon as possible a periodical report on the application of the above-mentioned Convention with a view to re-examining the situation and ascertaining the difficulties which have impeded ratification of the Convention.

XI

Resolution concerning European and World Reconstruction, submitted by Mr. Jouhaux, Workers' Delegate, France

(Adopted on 28 June 1947)

The International Labour Conference, assembled in its 30th Session at Geneva while the Ministers of Foreign Affairs of the United Kingdom, the Union of Soviet Socialist Republics and France are meeting in Paris to examine, as suggested by United States Secretary of State Marshall, means for speedy reconstruction of a devastated Europe, which is a first condition of world reconstruction, welcomes with great satisfaction this event of decisive importance for the future of the world;

Aware of the growing poverty imposed on the peoples by the economic disorganisation caused by the war and prolonged by their divisions, the Conference, in accordance with the unbroken tradition of the International Labour Organisation, declares that only close and confident co-operation among the nations can ensure the termination of these hardships, a return to prosperity and the establishment of a stable and lasting peace;

In this spirit, in the spirit of the Agreement between the International Labour Organisation and the United Nations, and in the conviction that questions relating to labour will be of primordial importance in connection with the action to be undertaken, the Conference affirms its readiness, within the scope of
its functions, to make its full contribution, and that of the forces which it represents, to the great work of world reconstruction of which this date should be the starting point.

XII

Resolution for the Adoption of the Budget for the 30th Financial Period (1948) and for the Allocation of Expenses among States Members for 1948

(Adopted on 10 July 1947)

By virtue of the Financial Regulations the Conference passes for the 30th Financial Period ending 31 December 1948 the budget of expenditure of the International Labour Organisation amounting to 19,042,983 Swiss francs or 4,449,295 dollars (13,469,226 gold francs) and the budget of income amounting to 13,469,226 gold francs (19,042,983 Swiss francs) or 4,449,295 dollars, and resolves that the budget of income from States Members shall be allocated among them in accordance with the scale of contributions recommended by the Finance Committee of Government Representatives.

XIII

Resolution concerning the Contributions payable to the Pensions Fund in 1948

(Adopted on 10 July 1947)

The International Labour Conference

Decides that the contribution of the International Labour Organisation to the Pensions Fund for 1948 under Article 7, paragraph (a), of the Staff Pensions Regulations shall be 14 per cent. of the pensionable emoluments of the members of the Fund,

Decides that, for the year 1948, the officials mentioned in Article 4, paragraph (a) (i), of the Staff Pensions Regulations shall continue to pay an additional one per cent. of their pensionable emoluments, and those mentioned in Article 4, paragraph (a) (ii), an additional half per cent. if their pensionable emoluments exceed 6,500 francs per annum, and an additional quarter per cent. if these emoluments are 6,500 francs or below that figure,

Resolves that, in continuation of the arrangement approved in previous years, the whole budgetary vote for 1948 in respect of Part II of the budget shall be paid to the Fund.
XIV

Resolution concerning the Election of Members of the Administrative Board of the Staff Pensions Fund
(Adopted on 10 July 1947)

The Conference, in accordance with Article 3 of the revised Staff Pensions Regulations, elects on the nomination of the Governing Body of the International Labour Office for a period of three years from 9 October 1947 as members of the Administrative Board of the Staff Pensions Fund Mr. F. T. Cremins (Ireland), Professor W. Rappard (Switzerland), and Mr. Jack Tate (United States of America), and as substitute members Miss Sternberg (Netherlands), Professor Kirkaldy (United Kingdom), and Mr. Charles McCord (Canada).

XV

Resolution concerning the Election of Members of the I.L.O. Staff Benefit Committee
(Adopted on 10 July 1947)

The Conference, considering that the Governing Body of the International Labour Office has decided that immediate negotiations should be set on foot with the United Nations for the International Labour Organisation to become a Member Organisation of the United Nations Joint Staff Pension Scheme in respect of all regular full-time members of the staff who are at present uninsured and taking account of Section 21 of the Provisional Regulations of the United Nations Joint Staff Pension Scheme, elects on the nomination of the Governing Body of the International Labour Office for a period of three years from 11 July 1947 as members of the I.L.O. Staff Benefit Committee Mr. F. T. Cremins (Ireland), Professor W. Rappard (Switzerland), and Mr. Jack Tate (United States of America), and as substitute members Miss Sternberg (Netherlands), Professor Kirkaldy (United Kingdom), and Mr. Charles McCord (Canada).

XVI

Resolution concerning the Appointment of a Deputy Judge for the Administrative Tribunal
(Adopted on 10 July 1947)

The Conference, in accordance with Article 3 of the Statute of the Administrative Tribunal (revised), elects for a period of three years Mr. Charles E. Wyzanski (United States of America) as a Deputy Judge of the Administrative Tribunal.
XVII

Resolution concerning the Working Capital Fund

(Adopted on 10 July 1947)

Whereas a Working Capital Fund of an adequate amount is necessary to ensure the smooth financing of the work of the International Labour Organisation; and

Whereas the present amount of the Fund (3,756,824.55 Swiss francs or 877,762 U.S. dollars) is inadequate for this purpose; and

Whereas the shares in the Fund of States Members of the Organisation remain their property; and

Whereas only 16 States Members of the Organisation at present own shares in the Fund;

The Conference decides that the Working Capital Fund of the International Labour Organisation should be increased as soon as possible to 7 million Swiss francs (1,635,514 U.S. dollars). For this purpose it recommends that States Members who have at present no share in the Fund should examine the possibility of placing to their credit in the Fund sums corresponding to those already placed in the Fund by other Members, and that States who already have a share in the Fund should, if the total of 7 million Swiss francs (1,635,514 U.S. dollars) is not thus achieved, examine the possibility of placing such further sums in the Fund as may be required for this purpose.

The Conference further recommends that States Members which were Members of the League of Nations on its dissolution and are entitled to receive a share of the cash assets to be distributed by the Board of Liquidation of the League of Nations should authorise the Board of Liquidation to transfer to the Working Capital Fund on their behalf a sum calculated on the basis indicated in the previous paragraph.

Various Texts Adopted by the International Labour Conference at its 30th Session

I

Financial Regulations

(Adopted by the Conference on 10 July 1947)

At its 29th Session, the Conference adopted the Provisional Financial Regulations submitted by the Governing Body, on the understanding that these Regulations would be referred
to the Governing Body for further examination in the interval between the 29th and 30th Sessions. The text of these Financial Regulations was published in Official Bulletin, Vol. XXIX, No. 4 (15 November 1946).

On 10 July 1947 the Conference, at its 30th Session, adopted the amendments proposed by the Governing Body, which refer to Articles 2, 6 and 18 of the original text.
The text of the articles thus amended is given below 1.

**Article 2**

1. For every financial year, estimates shall be made of the expenditure to be incurred by the Organisation.

2. The estimates shall be divided into separate parts: (a) for the ordinary budget; (b) for the Working Capital Fund when it is necessary to ask for contributions, or to restore advances, to this Fund; and (c) for such other funds as it may be decided to make provision for.

3. The ordinary budget shall be divided into four sections, the first for ordinary expenditure, the second for capital expenditure, the third for unforeseen expenditure and the fourth for reserve fund.

4. The sections referred to in paragraph 3 shall be subdivided into chapters corresponding to the various services or categories of expenditure.

**Article 6**

The Director-General shall arrange for the budget, the annexes, as described in the preceding Chapter, and the list mentioned in the previous Article, together with an explanatory note, to be submitted to the Governing Body before 15 March each year.

**Article 18**

1. All payments in respect of transactions for which provision is made in the budget of the particular year, and which take place before 31 December of that year, shall be charged to the accounts of that year if they are made not later than 31 January of the following year.

2. Persons to whom any payment is due out of the budget for any year shall be requested to submit their accounts in good time before 31 January of the following year, and shall, so far as is possible, be tendered payment before that date.

3. Notwithstanding the provisions of paragraph 1 above, debts which are due in respect of transactions covered by the budget of the previous year, which could not be paid in time to be chargeable to such year, owing to unavoidable delay in the presentation or settlement of accounts, may, if the Director-General shall so decide, be paid from the appropriate item of the budget of the year following. Nevertheless, there shall be included in the budget for each year a fund known as "Unpaid Liabilities Fund" to which may be charged any payments of a similar character which it would not be appropriate to charge to any other item of the budget.

4. Creditors who, after their attention has been called to the provisions of this Article, neglect to present their accounts in time to allow of payment by the prescribed date, if they cannot be paid in the manner indicated in paragraph 3 above without preventing payment therefrom of creditors who satisfy the requirements of paragraph 3, shall be informed that their accounts cannot be paid until the necessary sum has again been voted by the Conference.

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1 Amendments are shown in italics.
Staff Pensions Regulations of the International Labour Office

At its 29th Session the Conference provisionally adopted the Staff Pensions Regulations. The text of these Regulations was published in *Official Bulletin*, Vol. XXIX, No. 4 (15 November 1946).

In the interval between the 29th and 30th Sessions, the Governing Body re-examined the Regulations and proposed amendments to Articles 1, 9 and 19.

On 10 July 1947, the Conference, at its 30th Session, adopted the amendments proposed by the Governing Body.

The text of the articles thus amended is given below. ¹

*Article 1*

1. Persons appointed after January 1st, 1931, as officials of the International Labour Office, with salaries borne on the budget of the International Labour Organisation, shall be subject to the present Regulations, provided that the appointment is made without any fixed limit of time, or for a fixed period not less than seven years, and after a medical examination showing that the official is in good health, that he is free from any defect or disease likely to interfere with the proper discharge of his duties, and that there is no pathological personal or family history of, or definite predisposition to, any disease which might result in premature invalidity or premature death.

Provided always that as from September 30th, 1938, no official who has reached the age of forty-five years shall become subject to the present Regulations unless he is appointed as a Principal Officer.

2. The present Regulations shall also apply to officials appointed before the date fixed in paragraph 1. Their application to persons who, after having been subject to the Regulations and having left the service of the League of Nations or the International Labour Office, enter or re-enter the service of the International Labour Office, is subject to the provisions of Article 19.

3. If they are below the age of forty-five years when they become subject to the present Regulations, officials who are classed as Principal Officers shall have the choice between the system of pensions provided by the Regulations and the conclusion of policies of insurance on their lives on the terms provided for in Article 8. If they have reached the age of forty-five years, they shall have no option, but must contract such insurances.

As Principal Officers shall be considered the Director-General, Deputy Director-General and Assistant Directors-General.

4. Retired officials of the Secretariat of the League of Nations and of the Registry of the Permanent Court of International Justice and their widows and children shall all continue to receive any benefits due to them from the Pensions Fund.

*Article 9*

On the termination of his service otherwise than through retirement on the ground of invalidity, the official shall be awarded a retiring annuity or a capital sum in accordance with the following provisions:

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¹Amendments are shown in italics.
1. The maximum annuity allowable shall be one half of the official's average annual pensionable emoluments calculated in the manner laid down in Article 6 during his last three years of service.

2. If the official has both attained the age of sixty years and completed not less than twenty-five years' service, he shall be awarded at his option either:
   (a) the maximum annuity mentioned in paragraph 1; or
   (b) a sum equal to the present value of the annuity which could be awarded to him under subparagraph (a) of the present paragraph.

3. If the official has attained the age of sixty years and completed more than ten but less than twenty-five years' service, he shall be awarded at his option either:
   (a) an annuity proportionate to his length of service (disregarding fractions of a month) and calculated for each completed year of service at the rate of one fiftieth of the official's average annual pensionable emoluments during his last three years of service; or
   (b) a sum equal to the present value of the annuity which could be awarded to him under subparagraph (a) of the present paragraph.

4. If the official has not attained the age of sixty years but has completed not less than ten years' service, he shall be awarded at his option either:
   (a) an annuity proportionate to the length of service calculated as provided in paragraph 3 (a), but reduced by a coefficient depending on his age in accordance with the following table, the coefficients for the intervening ages being determined by interpolation:

<table>
<thead>
<tr>
<th>Age</th>
<th>Coefficient of reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>60</td>
<td>0</td>
</tr>
<tr>
<td>55</td>
<td>17</td>
</tr>
<tr>
<td>50</td>
<td>30</td>
</tr>
<tr>
<td>45</td>
<td>40</td>
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<tr>
<td>40</td>
<td>50</td>
</tr>
<tr>
<td>35</td>
<td>60</td>
</tr>
<tr>
<td>33 . 64</td>
<td>64</td>
</tr>
</tbody>
</table>

   or

   (b) a sum equal to the present value of the annuity which could be awarded to him under subparagraph (a) of the present paragraph.

5. Whatever be the age of the official, if he has completed more than three but less than ten years' service, he shall be awarded a capital sum equal to his own contributions to the Pensions Fund and the payments due in respect of him to that Fund from the International Labour Organisation, plus simple interest as the rate fixed by Article 21, provided that such sum shall not exceed the value of the annuity which the official would receive after completing ten years' service.

6. The retiring pension shall not in any case exceed 25,000 Swiss francs.

**Article 19**

1. If a former official who is in receipt of a retiring annuity under Article 9, paragraphs 1 to 4, or has received the present value of such an annuity, or has received a capital sum under Article 9, paragraph 5, again enters the service of the International Labour Office with a salary borne on the International Labour Organisation's budget, the following provisions shall apply:
   (i) If the new appointment is such that its holder would normally be subject to the present Regulations, the former official shall nevertheless only become subject to these Regulations in respect of the new appointment if he undertakes to repay to the Fund the benefits which he has already received from it, together with compound interest at 4 1/4 per cent. per annum reckoned from the date on which the bene-
fits became due down to the date on which he again became subject to these Regulations. In that case, any annuity payable as the result of his first period of service shall be finally terminated and his two periods of service shall (disregarding the intervening period) be treated for all the purposes of the present Regulations as though they constituted a single period. In order to become subject to the Regulations, the former official must notify to the Director-General and to the Administrative Board (through the Director-General), within thirty days of entering upon the duties of his new post, his decision to make the necessary repayment. The payments due from officials under the present paragraph shall be made in such instalments and within such periods as the Administrative Board may fix in exercise of its powers under Article 4, paragraph (b).

(ii) If the former official does not become subject to the present Regulations in respect of the new appointment, then:

(a) if he is in receipt of a retiring annuity, such annuity shall be suspended during the continuance of the new appointment, unless the annual emoluments of the new appointment are less than the average annual pensionable emoluments of his last three years of service under the old appointment, in which case the difference shall continue to be paid;

(b) if he has received the present value of an annuity, he shall, while holding the new appointment, pay each year to the Fund by monthly instalments such amount (not exceeding the amount of the said annuity) as is equal to the amount (if any) by which the emoluments of the new appointment, together with the amount of the said annuity, exceed his average annual pensionable emoluments for his last three years of service under the old appointment;

(c) if he has received a capital sum under Article 9, paragraph 5, he shall, while holding the new appointment, pay each year to the Fund by monthly instalments such amount (not exceeding the annuity for life which is estimated to correspond to the sum which he has received) as is equal to the amount (if any) by which the emoluments of the new appointment, together with the amount of such annuity, exceed his average annual pensionable emoluments for the last three years of service under the old appointment. The amount of the estimated annuity referred to above shall be determined by using the following formula:

\[
\text{Annuity} = \frac{\text{Amount of contributions refunded under Article 9, para. 5}}{\text{Commutation rate under Administrative Rule 24}}
\]

in which the age to be taken in calculating the commutation rate is the age at the end of the first period of service.

(iii) As an exceptional measure the provisions of the present paragraph shall not apply in the case of former officials of the Secretariat of the League of Nations, the International Labour Office or the Registry of the Permanent Court of International Justice who left the service of these organisations under the emergency measures of 1939.

2. (i) If a former official who is in receipt of an invalidity annuity again enters the service of the International Labour Office with a salary borne on the International Labour Organisation's budget, the annuity shall be subject to revision in the manner provided in Article 10, last paragraph, even if more than three years have elapsed since it was granted. The annuity may be finally terminated by the Board. If not terminated by the Board, the annuity shall be suspended unless the emoluments of the new appointment are less than the
annuity, in which case the difference shall continue to be paid. Pending the Board's decision, no payment in respect of the pension shall be made.

(ii) At the end of the second appointment, the official, if his invalidity annuity has been terminated and he has not been subject to the present Regulations in respect of that appointment, shall be entitled, as the case may be, to a retiring annuity (of which he may take the present value) or to a capital sum, such annuity or capital sum to be equal to the annuity or capital sum (if any) which he would have received if Article 9 had been applicable on the termination of his first appointment.

3. (i) If a widow at the time when she becomes eligible for an annuity under Article 11 (widow's pension) is herself employed as an official of the International Labour Office with a salary borne on the International Labour Organisation's budget, she shall, during the continuance of the appointment, receive only 25 per cent. of the annuity, unless her annual emoluments are less than the annuity, in which case the difference shall continue to be payable in addition to the said 25 per cent. On the termination of her service, she shall receive the said annuity in full or, if she is eligible for benefits under Article 9 or Article 10, she shall choose whether she will henceforth receive the full annuity alone or 50 per cent. thereof together with the said benefits.

(ii) If a widow having become entitled to an annuity under Article 11 (widow's pension) subsequently enters the service of the International Labour Office with a salary borne on the International Labour Organisation's budget, the provisions of subparagraph (i) shall apply.

(iii) If an official's widow is herself a former official who is in receipt of a retiring annuity or an invalidity annuity or has received the present value of her retiring annuity or a capital sum under Article 9, paragraph 5, she shall receive only so much of the annuity provided for by Article 11 (widow's pension) as amounts to 50 per cent. of such annuity, plus the amount (if any) by which the full annuity exceeds the amount of her retiring annuity or invalidity annuity, or, if she has received the present value of her retiring annuity or a capital sum, exceeds the annuity which is estimated to correspond to such payment, the said annuity to be calculated as provided in paragraph 1, subparagraph (ii) (c), of the present article.

(iv) If the Administrative Board decides to award an annuity to the widower of a female official, it shall make such annuity tenable on the conditions imposed above in respect of annuities awarded to widows.

(v) The annuities for the children of officials which are provided for under Article 12 shall always be payable whether the provisions of the present article apply or not.

4. For all the purposes of the present article, the emoluments of an official are to be calculated in the manner laid down in Article 6, paragraph (a).

5. The payments due from officials by virtue of the present article shall be payable by deduction from their salaries, unless some other method of payment is accepted by the Administrative Board.

6. Subparagraphs (i) and (ii) of paragraph 3 of the present article shall not apply if the date of the widow's marriage to the official and the date on which she became subject to the present Regulations, or, if she has not become subject thereto, the date of her entry into the service, are both earlier than October 5th, 1937.
7. The provisions of the present article shall not apply to cases in which the period for which the former official is re-employed does not exceed three months in any period of twelve months.

8. The present article shall not be interpreted as permitting the payment out of the Pensions Fund to a former official or to a widow of more than the total annual payment to which the pensioner would be entitled under the other provisions of these Regulations.

III

Confirmation of the Adoption of the Statute of the Administrative Tribunal

At its 29th Session, the International Labour Conference provisionally adopted the Statute of the Administrative Tribunal, subject to further examination at its 30th Session. The text of this Statute was published in Official Bulletin, Vol. XXIX, No. 4 (15 November 1946).

Since no suggestion or observation concerning this Statute was received from the Governments and since the Governing Body did not propose any amendment to it, the Conference confirmed the adoption of the Statute of the Administrative Tribunal on 10 July 1947.