

INTERNATIONAL LABOUR OFFICE

REPORT FORM
FOR THE
SOCIAL POLICY
(NON-METROPOLITAN TERRITORIES)
CONVENTION, 1947 (No. 82)

The present report form is for the use of countries which have ratified the Convention. It has been approved by the Governing Body of the International Labour Office, in accordance with article 22 of the ILO Constitution, which reads 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."

REPORT

for the period to , made by the Government of , in accordance with article 22 of the Constitution of the International Labour Organisation, on the measures taken to give effect to the provisions of the

SOCIAL POLICY (NON-METROPOLITAN TERRITORIES) CONVENTION, 1947

ratification of which was registered on

- I. Please give a list of the legislation and administrative regulations, etc., which apply the provisions of the Convention. Where this has not already been done, please forward copies of the said legislation, etc., to the International Labour Office with this report.

Please give any available information concerning the extent to which these laws and regulations have been enacted or modified to permit of, or as a result of, ratification.

- II. Please give available information concerning the policies, practices or any other measures (indicating, where appropriate, the relevant provisions of the above-mentioned legislation or administrative regulations, etc.) the effect of which is to ensure the application of each of the following Articles of the Convention.

If in your country ratification of the Convention gives the force of national law to its terms, please indicate by virtue of what constitutional provisions the ratification has had this effect. Please also specify what action has been taken to make effective those provisions of the Convention which require the competent authority to take certain specific steps for its implementation.

If the Committee of Experts or the Conference Committee on the Application of Conventions and Recommendations has requested additional information or has made an observation on the measures adopted to apply the Convention, please supply the information asked for or indicate the action taken by your Government to settle the points in question.

PART I. OBLIGATIONS OF PARTIES

Article 1

1. Each Member of the International Labour Organisation which ratifies this Convention undertakes that the policies and measures set forth in the Convention shall be applied in the non-metropolitan territories for which it has or assumes responsibilities, including any trust territories for which it is the administering authority, other than the territories referred to in paragraphs 2 and 3 of this Article, subject to the concurrence of the Governments of the territories concerned in respect of any matters which are within the self-governing powers of the territories.

2. Where the subject-matter of this Convention is wholly or primarily within the self-governing powers of any non-metropolitan territory, the Member responsible for the international relations of that territory may, in agreement with the Government of the territory, communicate to the Director-General of the International Labour Office a declaration accepting on behalf of the territory the obligations of this Convention.

3. A declaration accepting the obligations of this Convention may be communicated to the Director-General of the International Labour Office—

- (a) by two or more Members of the Organisation in respect of any territory which is under their joint authority; or
(b) by any international authority responsible for the administration of any territory, in virtue of the Charter of the United Nations or otherwise, in respect of any such territory.

PART II. GENERAL PRINCIPLES

Article 2

1. All policies designed to apply to non-metropolitan territories shall be primarily directed to the well-being and development of the peoples of such territories and to the promotion of the desire on their part for social progress.

2. Policies of more general application shall be formulated with due regard to their effect upon the well-being of the peoples of non-metropolitan territories.

Article 3

1. In order to promote economic advancement and thus to lay the foundations of social progress, every effort shall be made to secure, on an international, regional, national or territorial basis, financial and technical assistance to the local administrations in order to further the economic development of non-metropolitan territories.

2. The terms under which such assistance is granted shall provide for such control by or co-operation with the local administrations in determining the nature of the economic development and the conditions under which the resulting work is undertaken as may be necessary to safeguard the interests of the peoples of such territories.

3. It shall be an aim of policy for the responsible government authorities to arrange that adequate funds are made available to provide public or private capital or both for development purposes on terms which secure to the peoples of non-metropolitan territories the fullest possible benefits from such development.

4. In appropriate cases, international, regional, or national action shall be taken with a view to establishing conditions of trade which will encourage production at a high level of efficiency and make possible the maintenance of a reasonable standard of living in non-metropolitan territories.

1. *Please state briefly—*

- (a) *what efforts have been made on an international, regional, national or territorial basis to assist the local administrations to further the economic development of non-metropolitan territories;*
- (b) *the forms of such assistance;*
- (c) *the nature of control or co-operation with the local administrations instituted to safeguard the interests of the peoples of the territories concerned when the nature of the economic development is determined.*

2. *Please state briefly in what manner the terms prescribed for private or public investment secure the fullest possible benefits from this development for the peoples of the territories concerned.*

Article 4

All possible steps shall be taken by appropriate international, regional, national and territorial measures to promote improvement in such fields as public health, housing, nutrition, education, the welfare of children, the status of women, conditions of employment, the remuneration of wage earners and independent producers, the protection of migrant workers, social security, standards of public services and general production.

Article 5

All possible steps shall be taken effectively to interest and associate the peoples of non-metropolitan territories in the framing and execution of measures of social progress, preferably through their own elected representatives where appropriate and possible.

Please state what steps have been taken effectively to associate the peoples of the territories concerned in the framing and execution of measures of social progress, particularly through their own elected representatives.

PART III. IMPROVEMENT OF STANDARDS OF LIVING

Article 6

The improvement of standards of living shall be regarded as the principal objective in the planning of economic development.

Article 7

1. All practicable measures shall be taken in the planning of economic development to harmonise such development with the healthy evolution of the communities concerned.

2. In particular, efforts shall be made to avoid the disruption of family life and of traditional social units, especially by—

- (a) close study of the causes and effects of migratory movements and appropriate action where necessary;
- (b) the promotion of town and village planning in areas where economic needs result in the concentration of population;
- (c) the prevention and elimination of congestion in urban areas;
- (d) the improvement of living conditions in rural areas and the establishment of suitable industries in rural areas where adequate manpower is available.

1. *Please state briefly what measures have been taken in the planning of economic development to harmonise such development with the healthy evolution of the communities concerned.*

2. *In particular, please state what measures are taken—*

- (a) *to study the causes and effects of migratory movements which may cause disruption of family life and other traditional social units and to control those movements;*
- (b) *to promote town planning in regions where economic needs result in the concentration of population;*
- (c) *to prevent and eliminate congestion in urban areas;*
- (d) *to improve living conditions in rural areas and establish suitable industries in such areas.*

Article 8

The measures to be considered by the competent authorities for the promotion of productive capacity and the improvement of standards of living of agricultural producers shall include—

- (a) the elimination to the fullest practicable extent of the causes of chronic indebtedness;
- (b) the control of the alienation of agricultural land to non-agriculturalists so as to ensure that such alienation takes place only when it is in the best interests of the territory;
- (c) the control, by the enforcement of adequate laws or regulations, of the ownership and use of land and resources to ensure that they are used, with due regard to customary rights, in the best interests of the inhabitants of the territory;
- (d) the supervision of tenancy arrangements and of working conditions with a view to securing for tenants and labourers the highest practicable standards of living and an equitable share in any advantages which may result from improvements in productivity or in price levels;
- (e) the reduction of production and distribution costs by all practicable means and in particular by forming, encouraging and assisting producers' and consumers' co-operatives.

Please state briefly what measures have been taken—

- (a) *to eliminate the causes of chronic indebtedness;*
- (b) *to control the alienation of agricultural land to non-agriculturalists;*
- (c) *to control the ownership and use of land and other natural resources so as to ensure that they are used, with due regard to customary rights, in the best interests of the population;*
- (d) *to supervise tenancy arrangements and working conditions with a view to securing for tenants and agricultural labourers the highest practicable standard of living and an equitable share in any advantages which may result from improvements in productivity or in price levels;*
- (e) *to encourage and assist producers' and consumers' co-operatives.*

Article 9

1. Measures shall be taken to ensure for independent producers and wage earners conditions which will give them scope to improve living standards by their own efforts and will ensure the maintenance of minimum standards of living as ascertained by means of official inquiries into living conditions, conducted after consultation with the representative organisations of employers and workers.

2. In ascertaining the minimum standards of living, account shall be taken of such essential family needs of the workers as food and its nutritive value, housing, clothing, medical care and education.

Please state what measures have been taken—

- (a) *to secure for independent producers and wage earners conditions which will give them scope to improve living standards by their own efforts;*
- (b) *to ensure the maintenance of minimum standards of living to those persons;*
- (c) *to ascertain the minimum standards of living by means of official inquiries into living conditions, conducted after consultation with the representative organisations of employers and workers;*
- (d) *to take into account, in ascertaining the minimum standard of living, such essential family needs of the workers as food and its nutritive value, housing, clothing, medical care and education.*

PART IV. PROVISIONS CONCERNING MIGRANT WORKERS

Article 10

Where the circumstances under which workers are employed involve their living away from their homes, the terms and conditions of their employment shall take account of their normal family needs.

Please state what measures have been taken to ensure such conditions of employment for migrant workers living away from their homes as shall take account of their normal family needs.

Article 11

Where the labour resources of one area of a non-metropolitan territory are used on a temporary basis for the benefit of another area, measures shall be taken to encourage the transfer of part of the workers' wages and savings from the area of labour utilisation to the area of labour supply.

Please state what measures have been taken to encourage the transfer of part of the wages and savings of workers who are called upon to work temporarily in a different area from that of their origin, from the area of labour utilisation to the area of labour supply.

Article 12

1. Where the labour resources of a territory are used in an area under a different administration, the competent authorities of the territories concerned shall, whenever necessary or desirable, enter into agreements for the purpose of regulating matters of common concern arising in connection with the application of the provisions of this Convention.

2. Such agreements shall provide that the worker shall enjoy protection and advantages not less than those enjoyed by workers resident in the area of labour utilisation.

3. Such agreements shall provide for facilities for enabling the worker to transfer part of his wages and savings to his home.

1. Please state whether recourse has been had in any region of the territory to the labour resources of a territory under a different administration.

2. If so, please indicate whether it has been found necessary or desirable for the competent authorities of the territory concerned to enter into agreements for the purpose of regulating matters of common concern arising in connection with the application of this Convention. In that case, please state—

- (a) whether those agreements provide for migrant workers protection and advantages not less than those enjoyed by workers resident in the area of labour utilisation;*
- (b) whether those agreements provide for facilities for enabling the migrant workers to transfer part of their wages and savings to their homes.*

Article 13

Where workers and their families move from low-cost to higher-cost areas, account shall be taken of the increased cost of living resulting from the change.

Please state what measures have been adopted to take into account the increased cost of living resulting from the change of residence of workers in cases where those workers and their families move from a low-cost to a higher-cost area.

PART V. REMUNERATION OF WORKERS AND RELATED QUESTIONS

Article 14

1. The fixing of minimum wages by collective agreements freely negotiated between trade unions which are representative of the workers concerned and employers or employers' organisations shall be encouraged.

2. Where no adequate arrangements exist for the fixing of minimum wages by collective agreement, the necessary arrangements shall be made whereby minimum rates of wages can be fixed in consultation with representatives of the employers and workers, including representatives of their respective organisations, where such exist.

3. The necessary measures shall be taken to ensure that the employers and workers concerned are informed of the minimum rates in force and that wages are not paid at less than these rates in cases where they are applicable.

4. A worker to whom minimum rates are applicable and who, since they became applicable, has been paid wages at less than these rates shall be entitled to recover, by judicial or other means authorised by law, the amount by which he has been underpaid, subject to such limitation of time as may be determined by law or regulation.

Please state what measures have been taken—

1. *to encourage the fixing of minimum wages by collective agreements, freely negotiated between trade unions which are representative of the workers concerned and employers or employers' organisations;*
2. *in cases where no adequate arrangements exist for the fixing of minimum wages by collective agreement, to facilitate the fixing of minimum wages in consultation with representatives of the employers and workers, including representatives of their respective organisations, where such exist;*
3. *to ensure that the employers and workers concerned are informed of the minimum wage rates in force and that the wages actually paid out shall not be less than those rates in cases where they are applicable;*
4. *to enable a worker to whom minimum rates are applicable and who, since they became applicable, has been paid wages at less than these rates, to recover within a prescribed limit of time the amount due to him.*

Article 15

1. The necessary measures shall be taken to ensure the proper payment of all wages earned and employers shall be required to keep registers of wage payments, to issue to workers statements of wage payments and to take other appropriate steps to facilitate the necessary supervision.

2. Wages shall normally be paid in legal tender only.

3. Wages shall normally be paid direct to the individual worker.

4. The substitution of alcohol or other spirituous beverages for all or any part of wages for services performed by the worker shall be prohibited.

5. Payment of wages shall not be made in taverns or stores, except in the case of workers employed therein.

6. Unless there is an established local custom to the contrary, and the competent authority is satisfied that the continuance of this custom is desired by the workers, wages shall be paid regularly at such intervals as will lessen the likelihood of indebtedness among the wage earners.

7. Where food, housing, clothing and other essential supplies and services form part of remuneration, all practicable steps shall be taken by the competent authority to ensure that they are adequate and their cash value properly assessed.

8. All practicable measures shall be taken—

- (a) to inform the workers of their wage rights;
- (b) to prevent any unauthorised deductions from wages; and
- (c) to restrict the amounts deductible from wages in respect of supplies and services forming part of remuneration to the proper cash value thereof.

Please state what measures have been taken—

1. *to ensure the proper payment of all wages earned, and the keeping by employers of registers of wage payments, and the issue to workers of statements of such payments and to facilitate the necessary supervision;*

2 and 3. *to ensure that wages are normally paid direct to the individual workers in legal tender;*

4. *to prohibit the total or partial substitution of alcohol and other spirituous beverages for wages due for services performed by the workers;*

5. *to forbid the payment of wages in taverns or stores except to workers employed therein;*

6. *to ensure the regular payment of wages at such intervals as will lessen the likelihood of indebtedness among the wage earners unless there is an established local custom to the contrary and the competent authority is satisfied that the continuance of this custom is desired by the workers;*

7. *to ensure, in cases where food, housing, clothing and other essential supplies and services form part of the remuneration, that such supplies and services shall be adequate and their cash value properly assessed;*

8. (a) *to inform the workers of their wage rights;*

(b) *to prevent any unauthorised deductions from wages;*

(c) *to restrict the amounts deductible from wages in respect of supplies and services forming part of the remuneration to the proper cash value thereof.*

Article 16

1. The maximum amounts and manner of repayment of advances on wages shall be regulated by the competent authority.

2. The competent authority shall limit the amount of advances which may be made to a worker in consideration of his taking up employment; the amount of advances permitted shall be clearly explained to the worker.

3. Any advance in excess of the amount laid down by the competent authority shall be legally irrecoverable and may not be recovered by the withholding of amounts of pay due to the worker at a later date.

Please state what measures have been taken by the competent authority—

- 1. to regulate the maximum amounts and manner of repayment of advances on wages;*
- 2. to limit the amounts of advances which may be made to a worker in consideration of his taking up employment and clearly to explain to the worker the amount of advances permitted;*
- 3. to make legally irrecoverable any advance in excess of the amount laid down by the competent authority and to prevent such an advance being recovered by the withholding of the amounts of pay due to the worker at a later date.*

Article 17

1. Voluntary forms of thrift shall be encouraged among wage earners and independent producers.

2. All practicable measures shall be taken for the protection of wage earners and independent producers against usury, in particular by action aiming at the reduction of rates of interest on loans, by the control of the operations of money lenders, and by the encouragement of facilities for borrowing money for appropriate purposes through co-operative credit organisations or through institutions which are under the control of the competent authority.

1. Please state what measures have been taken to encourage voluntary forms of thrift among wage earners and independent producers.

2. Please state what measures have been taken to protect wage earners and independent producers against usury, in particular by measures aimed at the reduction of rates of interest on loans by the control of the operation of money lenders, and by the encouragement of facilities for borrowing money for appropriate purposes through co-operative credit organisations or through institutions which are under the control of the competent authority.

PART VI. NON-DISCRIMINATION ON GROUNDS OF RACE, COLOUR, SEX, BELIEF,
TRIBAL ASSOCIATION OR TRADE UNION AFFILIATION

Article 18

1. It shall be an aim of policy to abolish all discrimination among workers on grounds of race, colour, sex, belief, tribal association or trade union affiliation in respect of—

- (a) labour legislation and agreements which shall afford equitable economic treatment to all those lawfully resident or working in the territory;*
- (b) admission to public or private employment;*
- (c) conditions of engagement and promotion;*
- (d) opportunities for vocational training;*
- (e) conditions of work;*
- (f) health, safety and welfare measures;*
- (g) discipline;*
- (h) participation in the negotiation of collective agreements;*
- (i) wage rates, which shall be fixed according to the principle of equal pay for work of equal value in the same operation and undertaking to the extent to which recognition of this principle is accorded in the metropolitan territory.*

2. Subject to the provisions of subparagraph (i) of the preceding paragraph, all practicable measures shall be taken to lessen, by raising the rates applicable to the lower-paid workers, any existing differences in wage rates due to discrimination by reason of race, colour, sex, belief, tribal association or trade union affiliation.

3. Workers from one territory engaged for employment in another territory may be granted in addition to their wages benefits in cash or in kind to meet any reasonable personal or family expenses resulting from employment away from their homes.

4. The foregoing provisions of this Article shall be without prejudice to such measures as the competent authority may think it necessary or desirable to take for the safeguarding of motherhood and for ensuring the health, safety and welfare of women workers.

1. *Please state what measures have been taken to abolish all discrimination among workers on grounds of race, colour, sex, belief, tribal association or trade union affiliation in respect of the cases enumerated in subparagraphs (a) to (i) of paragraph 1 of this Article.*

2. *Please state what measures have been taken, subject to the provisions of subparagraph (i) of paragraph 1 of this Article, in order to lessen, by raising the rates applicable to the lower-paid workers, any difference in existing wage rates due to discrimination by reason of race, colour, sex, belief, tribal association or trade union affiliation.*

PART VII. EDUCATION AND TRAINING

Article 19

1. Adequate provision shall be made in non-metropolitan territories, to the maximum extent possible under local conditions, for the progressive development of broad systems of education, vocational training and apprenticeship, with a view to the effective preparation of children and young persons of both sexes for a useful occupation.

2. Territorial laws or regulations shall prescribe the school-leaving age and the minimum age for and conditions of employment.

3. In order that the child population may be able to profit by existing facilities for education and in order that the extension of such facilities may not be hindered by a demand for child labour, the employment of persons below the school-leaving age during the hours when the schools are in session shall be prohibited in areas where educational facilities are provided on a scale adequate for the majority of the children of school age.

1. *Please state what provision has been made for the progressive development of education, vocational training and apprenticeship with a view to the preparation of children and young persons of both sexes for a useful occupation.*

2. *Please state what laws or regulations prescribe the school-leaving age as well as the minimum age and conditions of employment.*

3. *Please state what measures have been taken to prohibit the employment of persons below the school-leaving age during the hours when the schools are in session in areas where educational facilities are provided on a scale adequate for the majority of the children of school age.*

Article 20

1. In order to secure high productivity through the development of skilled labour in non-metropolitan territories, training in new techniques of production shall be provided in suitable cases in local, regional or metropolitan centres.

2. Such training shall be organised by or under the supervision of the competent authorities, in consultation with the employers' and workers' organisations of the territory from which the trainees come and of the country of training.

1. *Please state what measures have been taken to provide training in new techniques of production, in accordance with the provisions of paragraph 1 of this Article.*

2. *Please state whether the competent authorities assume the organisation and supervision of these centres and whether consultation takes place with the employers' and workers' organisations of the territory from which the trainees come and of the country of training.*

PART VIII. MISCELLANEOUS PROVISIONS

Article 21

1. In respect of the territories covered by paragraph 1 of Article 1 of this Convention, each Member of the Organisation which ratifies this Convention shall append to its ratification, or communicate to the Director-General of the International Labour Office as soon as possible after ratification, a declaration stating—

(a) the territories in respect of which it undertakes that the provisions of the Convention shall be applied without modification;

- (b) the territories in respect of which it undertakes that the provisions of the Convention shall be applied subject to modifications, together with details of the said modifications;
- (c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;
- (d) the territories in respect of which it reserves its decision.

2. The undertakings referred to in subparagraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.

3. Any Member may at any time by a subsequent declaration cancel in whole or in part any reservations made in its original declaration in virtue of subparagraphs (b), (c) or (d) of paragraph 1 of this Article.

4. Any Member may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 27, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of such territories as it may specify.

Article 22

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraphs 2 and 3 of Article 1 of this Convention shall indicate whether the provisions of the Convention will be applied in the territory concerned without modification or subject to modifications; when the declaration indicates that the provisions of the Convention will be applied subject to modifications it shall give details of the said modifications.

2. The Member, Members or international authority concerned may at any time by a subsequent declaration renounce in whole or in part the right to have recourse to any modification indicated in any former declaration.

3. The Member, Members or international authority concerned may, at any time at which this Convention is subject to denunciation in accordance with the provisions of Article 27, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of the application of the Convention.

Article 23

In respect of each territory for which there is in force a declaration specifying modifications of the provisions of this Convention, the annual reports on the application of the Convention shall indicate the extent to which any progress has been made with a view to making it possible to renounce the right to have recourse to the said modifications.

Please supply the information required under this Article, indicating in particular what are the modifications to the provisions of this Convention recourse to which changes in local conditions have made it possible to renounce. Please state also what modifications to the provisions of this Convention it is still necessary to maintain, and give all available information on the local conditions which necessitate the retention of the said modifications.

Article 24

If any Convention which may subsequently be adopted by the Conference concerning any subject or subjects dealt with in this Convention so provides, such provisions of this Convention as may be specified in the said Convention shall cease to apply to any territory in respect of which there has been communicated to the Director-General of the International Labour Office a declaration—

- (a) undertaking that the provisions of the said Convention shall be applied in pursuance of paragraph 2 of article 35 of the Constitution of the International Labour Organisation as amended by the Constitution of the International Labour Organisation Instrument of Amendment, 1946, or
- (b) accepting the obligations of the said Convention in pursuance of paragraph 5 of the said article 35.

III. Please state to what authority or authorities the application of the above-mentioned legislation and administrative regulations, etc., is entrusted, and by what methods application is supervised and enforced. In particular, please supply information on the organisation and working of inspection.

IV. Please state whether courts of law or other tribunals have given decisions involving questions of principle relating to the application of the Convention. If so, please supply the text of these decisions.

V. Please add a general appreciation of the manner in which the Convention is applied, including, for instance, extracts from official reports, copies of collective agreements or of conciliation awards, together with information on any practical difficulties which may have arisen in applying the Convention.

VI. Please indicate the representative organisations of employers and workers to which copies of the present report have been communicated in accordance with article 23, paragraph 2, of the Constitution of the

International Labour Organisation.¹ If copies of the report have not been communicated to representative organisations of employers and/or workers, or if they have been communicated to bodies other than such organisations, please supply information on any particular circumstances existing in your country which explain the procedure followed.

Please indicate whether you have received from the organisations of employers or workers concerned any observations, either of a general kind or in connection with the present or the previous report, regarding the practical application of the provisions of the Convention or the application of the legislation or other measures implementing the Convention. If so, please communicate a summary of the observations received, together with any comments that you consider useful.

¹ Article 23, paragraph 2, of the Constitution reads as follows: " Each Member shall communicate to the representative organisations recognised for the purpose of article 3 copies of the information and reports communicated to the Director-General in pursuance of articles 19 and 22."