

1926.

NEW ZEALAND.

LEAGUE OF NATIONS.

INTERNATIONAL LABOUR CONFERENCE.

DRAFT CONVENTIONS AND RECOMMENDATIONS ADOPTED BY THE CONFERENCE AT ITS SEVENTH SESSION, 19TH MAY TO 10TH JUNE, 1925.

Presented to both Houses of the General Assembly by leave.

Geneva, 10th July, 1925.

THE draft conventions and recommendations here reprinted were adopted by the International Labour Conference at its seventh session, Geneva, 19th May—10th June, 1925. The draft convention and the recommendation concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents were adopted on 5th June, 1925; the draft convention concerning night-work in bakeries was adopted on 8th June, 1925; and the draft convention and the recommendation concerning workmen's compensation for occupational diseases, the draft convention concerning workmen's compensation for accidents, and the recommendations concerning the minimum scale of workmen's compensation and concerning jurisdiction in disputes on workmen's compensation were adopted on 10th June, 1925.

The texts of the draft conventions and recommendations as here presented are true copies of the texts authenticated by the signatures of the President of the International Labour Conference and of the Director of the International Labour Office, and deposited with the Secretary-General of the League of Nations.

J. AVENOL,
Secretary-General of the League of Nations.

DRAFT CONVENTION CONCERNING WORKMEN'S COMPENSATION FOR ACCIDENTS.

The General Conference of the International Labour Organization of the League of Nations, having been convened at Geneva by the governing body of the International Labour Office, and having met in its seventh session on 19th May, 1925, and having decided upon the adoption of certain proposals with regard to workmen's compensation for accidents, which is included in the first item of the agenda of the session, and having determined that these proposals shall take the form of a draft international convention, adopts, this tenth day of June of the year one thousand nine hundred and twenty-five, the following draft convention for ratification by the members of the International Labour Organization, in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding parts of the other Treaties of Peace.

Article 1.—Each member of the International Labour Organization which ratifies this convention undertakes to ensure that workmen who suffer personal injury due to an industrial accident, or their dependants, shall be compensated on terms at least equal to those provided by this convention.

Article 2.—The laws and regulations as to workmen's compensation shall apply to workmen, employees, and apprentices employed by any enterprise, undertaking, or establishment, of whatsoever nature, whether public or private. It shall nevertheless be open to any member to make such exceptions in its national legislation as it deems necessary in respect of (a) persons whose employment is of a casual nature, and who are employed otherwise than for the purpose of the employer's trade or business; (b) out-workers; (c) members of the employer's family who work exclusively on his behalf and who live in his house; (d) non-manual workers whose remuneration exceeds a limit to be determined by national laws or regulations.

Article 3.—This convention shall not apply to (1) seamen and fishermen, for whom provision shall be made by a later convention; (2) persons covered by some special scheme the terms of which are not less favourable than those of this convention.

Article 4.—This convention shall not apply to agriculture, in respect of which the convention concerning workmen's compensation in agriculture adopted by the International Labour Conference at its third session remains in force.

Article 5.—The compensation payable to the injured workman, or his dependants, where permanent incapacity or death results from the injury, shall be paid in the form of periodical payments: Provided that it may be wholly or partially paid in a lump sum if the competent authority is satisfied that it will be properly utilized.

Article 6.—In case of incapacity, compensation shall be paid not later than as from the fifth day after the accident, whether it be payable by the employer, the accident-insurance institution, or the sickness-insurance institution concerned.

Article 7.—In cases where the injury results in incapacity of such a nature that the injured workman must have the constant help of another person, additional compensation shall be provided.

Article 8.—The national laws or regulations shall prescribe such measures of supervision and methods of review as are deemed necessary.

Article 9.—Injured workmen shall be entitled to medical aid and to such surgical and pharmaceutical aid as is recognized to be necessary in consequence of accidents. The cost of such aid shall be defrayed either by the employer, by accident-insurance institutions, or by sickness or invalidity insurance institutions.

Article 10.—Injured workmen shall be entitled to the supply and normal renewal, by the employer or insurer, of such artificial limbs and surgical appliances as are recognized to be necessary: Provided that national laws or regulations may allow in exceptional circumstances the supply and renewal of such artificial limbs and appliances to be replaced by the award to the injured workman of a sum representing the probable cost of the supply and renewal of such appliances, this sum to be decided at the time when the amount of compensation is settled or revised.

National laws or regulations shall provide for such supervisory measures as are necessary, either to prevent abuses in connection with the renewal of appliances, or to ensure that the additional compensation is utilized for this purpose.

Article 11.—The national laws or regulations shall make such provision as, having regard to national circumstances, is deemed most suitable for ensuring in all circumstances, in the event of the insolvency of the employer or insurer, the payment of compensation to workmen who suffer personal injury due to industrial accidents, or, in case of death, to their dependants.

Article 12.—The formal ratifications of this convention under the conditions set forth in Part XIII of the Treaty of Versailles, and in the corresponding parts of the other Treaties of Peace, shall be communicated to the Secretary-General of the League of Nations for registration.

Article 13.—This convention shall come into force at the date on which the ratifications of two members of the International Labour Organization have been registered by the Secretary-General. It shall be binding only upon those members whose ratifications have been registered with the Secretariat. Thereafter the convention shall come into force for any member at the date on which its ratification has been registered with the Secretariat.

Article 14.—As soon as the ratifications of two members of the International Labour Organization have been registered with the Secretariat, the Secretary-General of the League of Nations shall so notify all the members of the International Labour Organization. He shall likewise notify them of the registration of ratifications, which may be communicated subsequently by other members of the organization.

Article 15.—Subject to the provisions of Article 13, each member which ratifies this convention agrees to bring the provisions of Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 into operation not later than 1st January, 1927, and to take such action as may be necessary to make these provisions effective.

Article 16.—Each member of the International Labour Organization which ratifies this convention engages to apply it to its colonies, possessions, and protectorates, in accordance with the provisions of Article 421 of the Treaty of Versailles and of the corresponding articles of the other Treaties of Peace.

Article 17.—A member which has ratified this convention may denounce it after the expiration of five years from the date on which the convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the Secretariat.

Article 18.—At least once in ten years the governing body of the International Labour Office shall present to the General Conference a report on the working of this convention, and shall consider the desirability of placing on the agenda of the conference the question of its revision or modification.

Article 19.—The French and English texts of this convention shall both be authentic.

The foregoing is the authentic text of the draft convention duly adopted by the General Conference of the International Labour Organization during its seventh session, which was held at Geneva and declared closed the 10th day of June, 1925.

In faith whereof we have appended our signatures this 24th day of June, 1925.

The President of the Conference:

DR. EDVARD BENEŠ.

The Director of the International Labour Office:

ALBERT THOMAS.

RECOMMENDATION CONCERNING THE MINIMUM SCALE OF WORKMEN'S
COMPENSATION.

The General Conference of the International Labour Organization of the League of Nations, having been convened at Geneva by the governing body of the International Labour Office, and having met in its seventh session on 19th May, 1925, and having decided upon the adoption of certain proposals with regard to the minimum scale of workmen's compensation, which is included in the first item of the agenda of the session, and having determined that these proposals should take the form of a recommendation, adopts, this tenth day of June of the year one thousand nine hundred and twenty-five, the following recommendation, to be submitted to the members of the International Labour Organization for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding parts of the other Treaties of Peace.

The General Conference recommends that each member of the International Labour Organization should take the following principles and rules into consideration :—

I.

Where incapacity for work results from the injury, the national laws or regulations should provide for the payment of compensation at rates not lower than those hereinafter indicated :—

- (1.) In the case of permanent total incapacity, a periodical payment equivalent to two-thirds of the workman's annual earnings :
- (2.) In case of permanent partial incapacity, a proportion of the periodical payment due in the event of permanent total incapacity calculated in reference to the reduction of earning-power caused by the injury :
- (3.) In case of temporary total incapacity, a daily or weekly payment equivalent to two-thirds of the workman's basic earnings as calculated for purposes of compensation :
- (4.) In case of temporary partial incapacity, a proportion of the daily or weekly payment payable in the case of temporary total incapacity calculated in reference to the reduction of earning-power caused by the injury.

Where compensation is paid in a lump sum, the sum should not be less than the capitalized value of the periodical payment which would be payable under the foregoing paragraphs.

II.

Where the injury is such that the workman requires the constant help of another person, additional compensation should be paid to the workman, which should not be less than half the amount payable in the case of permanent total incapacity.

III.

Where death results from the injury, those entitled to be regarded as dependants for purposes of compensation should include at least the following :—

- (1.) Deceased's husband or wife :
- (2.) Deceased's children under eighteen years of age, or above that age if, by reason of physical or mental infirmity, they are incapable of earning :
- (3.) Deceased's ascendants (parents or grandparents), provided that they are without means of subsistence and were dependent on the deceased, or the deceased was under an obligation to contribute towards their maintenance :
- (4.) Deceased's grandchildren and brothers and sisters, if below eighteen years of age, or above that age if, by reason of physical or mental infirmity, they are incapable of earning, and if they are orphans, or if their parents, though still living, are incapable of providing for them.

Where compensation is paid by means of periodical payments, the maximum total of the yearly sum payable to all dependants should not be less than two-thirds of the deceased's annual earnings.

Where compensation is paid in a lump sum, the maximum sum payable to all the dependants should not be less than the capitalized value of periodical payments equivalent to two-thirds of the deceased's annual earnings.

IV.

The vocational re-education of injured workmen should be provided by such means as the national laws or regulations deem most suitable. Governments should encourage institutions which undertake such re-education.

The foregoing is the authentic text of the recommendation duly adopted by the General Conference of the International Labour Organization during its seventh session, which was held at Geneva and declared closed the 10th day of June, 1925.

In faith whereof we have appended our signatures this 24th day of June, 1925.

The President of the Conference :

DR. EDVARD BENES.

The Director of the International Labour Office :

ALBERT THOMAS.

RECOMMENDATION CONCERNING JURISDICTION IN DISPUTES ON WORKMEN'S COMPENSATION.

The General Conference of the International Labour Organization of the League of Nations, having been convened at Geneva by the governing body of the International Labour Office, and having met in its seventh session on 19th May, 1925, and having decided upon the adoption of certain proposals with regard to jurisdiction in disputes on workmen's compensation, which is included in the first item of the agenda of the session, and having determined that these proposals should take the form of a recommendation, adopts, this tenth day of June of the year one thousand nine hundred and twenty-five, the following recommendation, to be submitted to the members of the International Labour Organization for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding parts of the other Treaties of Peace.

Whereas disputes on workmen's compensation turn not only on the interpretation of laws and regulations, but also on questions of an occupational character requiring a thorough knowledge of working conditions—for example, questions as to the nature of the undertaking, the kind of risk inherent in it, the relation between the workman's employment and the accident, the method of computing earnings, the degree of incapacity for work, the possibility of the workman's adapting himself to some other occupation: And whereas workmen and employers have the necessary knowledge and experience on these questions, and disputes on compensation matters might be more equitably settled if they were members of or associated with the Courts which have to decide such disputes: And whereas it is possible in many countries to secure the association of employers and workmen with such Courts, as members or otherwise, without departing radically from the existing judicial system: The General Conference recommends that each member of the International Labour Organization should take the following principles and rules into consideration:—

I.

That every dispute relating to workmen's compensation should preferably be dealt with by a special Court or Board of Arbitration comprising, with or without the addition of regular Judges, an equal number of employers' and workmen's representatives appointed to act as adjudicators by their respective organizations or on the nomination of such organizations, or comprising employers' and workmen's representatives drawn from other social institutions or elected by separate electoral bodies of employers and workmen.

II.

That, where disputes relating to workmen's compensation are dealt with by the ordinary Courts of law, such Courts shall be required, on the request of either of the parties concerned, to hear employers' and workmen's representatives as experts in any case where the dispute involves a question of an occupational character, and in particular the question of the degree of incapacity for work.

The foregoing is the authentic text of the recommendation duly adopted by the General Conference of the International Labour Organization during its seventh session, which was held at Geneva and declared closed the 10th day of June, 1925.

In faith whereof we have appended our signatures this 24th day of June, 1925.

The President of the Conference:

DR. EDVARD BENES.

The Director of the International Labour Office:

ALBERT THOMAS.

DRAFT CONVENTION CONCERNING WORKMEN'S COMPENSATION FOR OCCUPATIONAL DISEASES.

The General Conference of the International Labour Organization of the League of Nations, having been convened at Geneva by the governing body of the International Labour Office, and having met in its seventh session on 19th May, 1925, and having decided upon the adoption of certain proposals with regard to workmen's compensation for occupational diseases, which is included in the first item of the agenda of the session, and having determined that these proposals shall take the form of a draft international convention, adopts, this tenth day of June of the year one thousand nine hundred and twenty-five, the following draft convention for ratification by the members of the International Labour Organization, in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding parts of the other Treaties of Peace.

Article I.—Each member of the International Labour Organization which ratifies this convention undertakes to provide that compensation shall be payable to workmen incapacitated by occupational diseases, or, in case of death from such diseases, to their dependants, in accordance with the general principles of the national legislation relating to compensation for industrial accidents. The rates of such compensation shall be not less than those prescribed by the national legislation for injury resulting from industrial accidents. Subject to this provision, each member, in determining in its national law or regulations the conditions under which compensation for the said diseases shall be payable, and in applying to the said diseases its legislation in regard to compensation for industrial accidents, may make such modifications and adaptations as it thinks expedient.

Article 2.—Each member of the International Labour Organization which ratifies this convention undertakes to consider as occupational diseases those diseases and poisonings produced by the substances set forth in the schedule appended hereto, when such diseases or such poisonings affect workers engaged in the trades or industries placed opposite in the said schedule, and result from occupation in an undertaking covered by the said national legislation.

SCHEDULE.

<i>List of Diseases and Toxic Substances.</i>	<i>List of Corresponding Industries and Processes.</i>
Poisoning by lead, its alloys or compounds and their sequelæ	Handling of ore containing lead, including fine shot in zinc-factories. Casting of old zinc and lead in ingots. Manufacture of articles made of cast lead or of lead alloys. Employment in the polygraphic industries. Manufacture of lead compounds. Manufacture and repair of electric accumulators. Preparation and use of enamels containing lead. Polishing by means of lead files or putty powder with a lead content. All painting operations involving the preparation and manipulation of coating substances, cements, or colouring substances containing lead pigments.
Poisoning by mercury, its amalgams and compounds and their sequelæ	Handling of mercury-ore. Manufacture of mercury compounds. Manufacture of measuring and laboratory apparatus. Preparation of raw material for the hatmaking industry. Hot gilding. Use of mercury-pumps in the manufacture of incandescent lamps. Manufacture of fulminate of mercury primers.
Anthrax infection	Work in connection with animals infected with anthrax. Handling of animal carcasses or parts of such carcasses, including hides, hoofs, and horns. Loading and unloading or transport of merchandise.

Article 3.—The formal ratifications of this convention under the conditions set forth in Part XIII of the Treaty of Versailles and in the corresponding parts of the other Treaties of Peace shall be communicated to the Secretary-General of the League of Nations for registration.

Article 4.—This convention shall come into force at the date on which the ratifications of two members of the International Labour Organization have been registered by the Secretary-General. It shall be binding only upon those members whose ratifications have been registered with the Secretariat. Thereafter, the convention shall come into force for any member at the date on which its ratification has been registered with the Secretariat.

Article 5.—As soon as the ratifications of two members of the International Labour Organization have been registered with the Secretariat, the Secretary-General of the League of Nations shall so notify all the members of the International Labour Organization. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other members of the Organization.

Article 6.—Subject to the provisions of Article 4, each member which ratifies this convention agrees to bring the provisions of Articles 1 and 2 into operation not later than 1st January, 1927, and to take such action as may be necessary to make these provisions effective.

Article 7.—Each member of the International Labour Organization which ratifies this convention engages to apply it to its colonies, possessions, and protectorates, in accordance with the provisions of Article 421 of the Treaty of Versailles and of the corresponding Articles of the other Treaties of Peace.

Article 8.—A member which has ratified this convention may denounce it after the expiration of five years from the date on which the convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the Secretariat.

Article 9.—At least once in ten years, the governing body of the International Labour Office shall present to the General Conference a report on the working of this convention, and shall consider the desirability of placing on the agenda of the Conference the question of its revision or modification.

Article 10.—The French and English texts of this convention shall both be authentic.

The foregoing is the authentic text of the draft convention duly adopted by the General Conference of the International Labour Organization during its seventh session, which was held at Geneva and declared closed the 10th day of June, 1925.

In faith whereof we have appended our signatures this 24th day of June, 1925.

The President of the Conference :

DR. EDVARD BENES.

The Director of the International Labour Office :

ALBERT THOMAS.

RECOMMENDATION CONCERNING WORKMEN'S COMPENSATION FOR OCCUPATIONAL DISEASES.

The General Conference of the International Labour Organization of the League of Nations, having been convened at Geneva by the governing body of the International Labour Office, and having met in its seventh session on 19th May, 1925, and having decided upon the adoption of certain proposals with regard to workmen's compensation for occupational diseases, which is included in the first item of the agenda of the session, and having determined that these proposals should take the form of a recommendation, adopts, this tenth day of June of the year one thousand nine hundred and twenty-five, the following recommendation, to be submitted to the members of the International Labour Organiza-

tion for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding parts of the other Treaties of Peace :—

Whereas it is recognized that each State is free to establish under its national legislation a more complete list than that embodied in the schedule appended to Article 2 of the convention concerning workmen's compensation for occupational diseases : The Conference recommends that each member of the International Labour Organization should adopt, where such procedure does not already exist, a simple procedure by which the list of diseases considered occupational in its national legislation may be revised.

The foregoing is the authentic text of the recommendation duly adopted by the General Conference of the International Labour Organization during its seventh session, which was held at Geneva and declared closed the 10th day of June, 1925.

In faith whereof we have appended our signatures this 24th day of June, 1925.

The President of the Conference :

DR. EDVARD BENEŠ.

The Director of the International Labour Office :

ALBERT THOMAS.

DRAFT CONVENTION CONCERNING EQUALITY OF TREATMENT FOR NATIONAL AND FOREIGN WORKERS AS REGARDS WORKMEN'S COMPENSATION FOR ACCIDENTS.

The General Conference of the International Labour Organization of the League of Nations, having been convened at Geneva by the governing body of the International Labour Office, and having met in its seventh session on 19th May, 1925, and having decided upon the adoption of certain proposals with regard to the equality of treatment for national and foreign workers as regards workmen's compensation for accidents, the second item in the agenda of the session, and having determined that these proposals shall take the form of a draft international convention, adopts, this fifth day of June of the year one thousand nine hundred and twenty-five the following draft convention for ratification by the members of the International Labour Organization, in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding parts of the other Treaties of Peace :—

Article 1.—Each member of the International Labour Organization which ratifies this convention undertakes to grant to the nationals of any other member which shall have ratified the convention, who suffer personal injury due to industrial accidents happening in its territory, or to their dependants, the same treatment in respect of workmen's compensation as it grants to its own nationals. This equality of treatment shall be guaranteed to foreign workers and their dependants without any condition as to residence. With regard to the payments which a member or its nationals would have to make outside that member's territory in the application of this principle, the measures to be adopted shall be regulated, if necessary, by special arrangements between the members concerned.

Article 2.—Special agreements may be made between the members concerned to provide that compensation for industrial accidents happening to workers whilst temporarily or intermittently employed in the territory of one member on behalf of an undertaking situated in the territory of another member shall be governed by the laws and regulations of the latter member.

Article 3.—The members which ratify this convention and which do not already possess a system, whether by insurance or otherwise, of workmen's compensation for industrial accidents agree to institute such a system within a period of three years from the date of their ratification.

Article 4.—The members which ratify this convention further undertake to afford each other mutual assistance with a view to facilitating the application of the convention and the execution of their respective laws and regulations on workmen's compensation, and to inform the International Labour Office, which shall inform the other members concerned, of any modifications in the laws and regulations in force on workmen's compensation.

Article 5.—The formal ratifications of this convention under the conditions set forth in Part XIII of the Treaty of Versailles and in the corresponding parts of the other Treaties of Peace shall be communicated to the Secretary-General of the League of Nations for registration.

Article 6.—This convention shall come into force at the date on which the ratifications of two members of the International Labour Organization have been registered by the Secretary-General. It shall be binding only upon those members whose ratifications have been registered with the Secretariat. Thereafter, the convention shall come into force for any member at the date on which its ratification has been registered with the Secretariat.

Article 7.—As soon as the ratifications of two members of the International Labour Organization have been registered with the Secretariat, the Secretary-General of the League of Nations shall so notify all the members of the International Labour Organization. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other members of the Organization.

Article 8.—Subject to the provisions of Article 6, each member which ratifies this convention agrees to bring the provisions of Articles 1, 2, 3, and 4 into operation not later than 1st January, 1927, and to take such action as may be necessary to make these provisions effective.

Article 9.—Each member of the International Labour Organization which ratifies this convention engages to apply it to its colonies, possessions, and protectorates in accordance with the provisions of Article 421 of the Treaty of Versailles and of the corresponding articles of the other Treaties of Peace.

Article 10.—A member which has ratified this convention may denounce it after the expiration of ten years from the date on which the convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the Secretariat.

Article 11.—At least once in ten years the governing body of the International Labour Office shall present to the General Conference a report on the working of this convention, and shall consider the desirability of placing on the agenda of the Conference the question of its revision or modification.

Article 12.—The French and English texts of this convention shall both be authentic.

The foregoing is the authentic text of the draft convention duly adopted by the General Conference of the International Labour Organization during its seventh session, which was held at Geneva and declared closed the 10th day of June, 1925.

In faith whereof we have appended our signatures this 24th day of June, 1925.

The President of the Conference :

DR. EDVARD BENES.

The Director of the International Labour Office :

ALBERT THOMAS.

RECOMMENDATION CONCERNING EQUALITY OF TREATMENT FOR NATIONAL AND FOREIGN WORKERS AS REGARDS WORKMEN'S COMPENSATION FOR ACCIDENTS.

The General Conference of the International Labour Organization of the League of Nations, having been convened at Geneva by the governing body of the International Labour Office, and having met in its seventh session on 19th May, 1925, and having decided upon the adoption of certain proposals with regard to the equality of treatment for national and foreign workers as regards workmen's compensation for accidents, the second item in the agenda of the session, and having determined that these proposals shall take the form of a recommendation, adopts, this fifth day of June of the year one thousand nine hundred and twenty-five, the following recommendation, to be submitted to the members of the International Labour Organization for consideration with a view to effect being given to it by national legislation or otherwise, in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding parts of the other Treaties of Peace :—

I.

In order to facilitate the application of the convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents, the Conference recommends that—

- (a.) When a person to whom compensation is due under the laws and regulations of one member resides in the territory of another member, the necessary measures be taken to facilitate the payment of such compensation and to ensure the observance of the conditions governing such payment laid down by the said laws and regulations.
- (b.) In case of dispute concerning the non-payment, cessation of payment, or reduction of the compensation due to a person residing elsewhere than in the territory of the member where his claim to compensation originated, facilities be afforded for taking proceedings in the competent Courts of law in such territory without requiring the attendance of the person concerned.
- (c.) Any advantage in respect of exemption from duties and taxes, free issue of official documents, or other privileges granted by the law of any member for purposes connected with workmen's compensation, be extended under the same conditions to the nationals of the other members which shall have ratified the afore-mentioned convention.

II.

The Conference recommends that, where in any country there exists no system, whether by insurance or otherwise, of workmen's compensation for industrial accidents, the Government shall, pending the institution of such a system, afford facilities to alien workers enabling them to benefit by the laws and regulations on workmen's compensation in their own countries.

The foregoing is the authentic text of the recommendation duly adopted by the General Conference of the International Labour Organization during its seventh session, which was held at Geneva and declared closed the 10th day of June, 1925.

In faith whereof we have appended our signatures this 24th day of June, 1925.

The President of the Conference :

DR. EDVARD BENES.

The Director of the International Labour Office :

ALBERT THOMAS.

DRAFT CONVENTION CONCERNING NIGHT-WORK IN BAKERIES.

The General Conference of the International Labour Organization of the League of Nations, having been convened at Geneva by the governing body of the International Labour Office, and having met in its seventh session on 19th May, 1925, and having decided upon the adoption of certain proposals with regard to night-work in bakeries, the fourth item in the agenda of the session, and having determined that these proposals shall take the form of a draft international convention, adopts, this eighth day of June of the year one thousand nine hundred and twenty-five, the following draft convention for ratification by the members of the International Labour Organization, in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding parts of the other Treaties of Peace :—

Article 1.—Subject to the exceptions hereinafter provided, the making of bread, pastry, or other flour confectionery during the night is forbidden. This prohibition applies to the work of all persons,

including proprietors as well as workers, engaged in the making of such products; but it does not apply to the making of such products by members of the same household for their own consumption.

This convention has no application to the wholesale manufacture of biscuits. Each member may, after consultation with the employers' and workers' organizations concerned, determine what products are to be included in the term "biscuits" for the purpose of this convention.

Article 2.—For the purpose of this convention the term "night" signifies a period of at least seven consecutive hours. The beginning and end of this period shall be fixed by the competent authority in each country after consultation with the organizations of employers and workers concerned, and the period shall include the interval between eleven o'clock in the evening and five o'clock in the morning. When it is required by the climate or season, or when it is agreed between the employers' and workers' organizations concerned, the interval between ten o'clock in the evening and four o'clock in the morning may be substituted for the interval between eleven o'clock in the evening and five o'clock in the morning.

Article 3.—After consultation with the employers' and the workers' organizations concerned, the competent authority in each country may make the following exceptions to the provisions of Article 1 :—

- (a.) The permanent exceptions necessary for the execution of preparatory or complementary work as far as it must necessarily be carried on outside the normal hours of work, provided that no more than the strictly necessary number of workers and that no young persons under the age of eighteen years shall be employed in such work :
- (b.) The permanent exceptions necessary for requirements arising from the particular circumstances of the baking industry in tropical countries :
- (c.) The permanent exceptions necessary for the arrangement of the weekly rest :
- (d.) The temporary exceptions necessary to enable establishments to deal with unusual pressure of work or national necessities.

Article 4.—Exceptions may also be made to the provisions of Article 1 in case of accident, actual or threatened, or in case of urgent work to be done to machinery or plant, or in case of *force majeure*, but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking.

Article 5.—Each member which ratifies this convention shall take appropriate measures to ensure that the prohibition prescribed in Article 1 is effectively enforced, and shall enable the employers, the workers, and their respective organizations to co-operate in such measures, in conformity with the recommendation adopted by the International Labour Conference at its fifth session (1923).

Article 6.—The provisions of this convention shall not take effect until 1st January, 1927.

Article 7.—The formal ratifications of this convention under the conditions set forth in Part XIII of the Treaty of Versailles and in the corresponding parts of the other Treaties of Peace shall be communicated to the Secretary-General of the League of Nations for registration.

Article 8.—This convention shall come into force at the date on which the ratifications of two members of the International Labour Organization have been registered by the Secretary-General. It shall be binding only upon those members whose ratifications have been registered with the Secretariat. Thereafter the convention shall come into force for any member at the date on which its ratification has been registered with the Secretariat.

Article 9.—As soon as the ratifications of two members of the International Labour Organization have been registered with the Secretariat, the Secretary-General of the League of Nations shall so notify all the members of the International Labour Organization. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other members of the organization.

Article 10.—Each member of the International Labour Organization which ratifies this convention engages to apply it to its colonies, possessions, and protectorates, in accordance with the provisions of Article 421 of the Treaty of Versailles and of the corresponding articles of the other Treaties of Peace.

Article 11.—A member which has ratified this convention may denounce it after the expiration of ten years from the date on which the convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the Secretariat.

Article 12.—At least once in ten years the governing body of the International Labour Office shall present to the General Conference a report on the working of this convention, and shall consider the desirability of placing on the agenda of the Conference the question of its revision or modification.

Article 13.—The French and English texts of this convention shall both be authentic.

The foregoing is the authentic text of the draft convention duly adopted by the General Conference of the International Labour Organization during its seventh session, which was held at Geneva and declared closed the 10th day of June, 1925.

In faith whereof we have appended our signatures this 24th day of June, 1925.

The President of the Conference :
DR. EDVARD BENEŠ.

The Director of the International Labour Office :
ALBERT THOMAS.

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