

RECOMMENDATION (No. 52) CONCERNING THE MINIMUM AGE FOR ADMISSION OF CHILDREN TO INDUSTRIAL EMPLOYMENT IN FAMILY UNDERTAKINGS.

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-third Session on 3rd June, 1937, and

Having decided upon the adoption of certain proposals with regard to the partial revision of the Convention fixing the minimum age for admission of children to industrial employment which is the sixth item on the agenda of the session, and

Having adopted a Draft Convention revising the said Convention, and having decided to supplement the revised Convention by a Recommendation,

adopts, this twenty-second day of June, of the year one thousand nine hundred and thirty-seven, the following recommendation, which may be cited as the Minimum Age (Family Undertakings) Recommendation, 1937 :

Whereas the Minimum Age (Industry) Convention (revised, 1937), while restricting the scope of the exception for family undertakings contained in the 1919 Convention, still permits such undertakings to be excluded from its scope except in the case of employments which, by their nature or the circumstances in which they are carried on, are dangerous to the life, health, or morals of the persons employed therein : And whereas it is reasonable to hope that it will be possible to suppress this exception completely in the not distant future.

The Conference recommends that the members of the Organization should make every effort to apply their legislation relating to the minimum age of admission to all industrial undertakings, including family undertakings.

DRAFT CONVENTION (No. 60) CONCERNING THE AGE FOR ADMISSION OF CHILDREN TO NON-INDUSTRIAL EMPLOYMENT (REVISED, 1937).

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-third Session on 3rd June, 1937, and

Having decided upon the adoption of certain proposals with regard to the partial revision of the Convention concerning the age of admission of children to non-industrial employment adopted by the Conference at its sixteenth session, which is the seventh item on the agenda of the session, and

Considering that the proposals must take the form of a Draft International Convention, adopts, this twenty-second day of June, of the year one thousand nine hundred and thirty-seven, the following Draft Convention which may be cited as the Minimum Age (Non-industrial) Employment Convention (revised, 1937) :—

*Article 1.*

1. This Convention applies to any employment not dealt with in the Convention concerning the age for admission of children to employment in agriculture (Geneva, 1921), the Minimum Age (Sea) Convention (revised, 1936), or the Minimum Age (Industry) Convention (revised, 1937).

2. The competent authority in each country shall, after consultation with the principal organizations of employers and workers concerned, define the line of division which separates the employments covered by this Convention from those dealt with in the three aforesaid Conventions.

3. This Convention does not apply to—

(a) Employment in sea-fishing :

(b) Work done in technical and professional schools, provided that such work is essentially of an educative character, is not intended for commercial profit, and is restricted, approved, and supervised by public authority.

4. It shall be open to the competent authority in each country to exempt from the application of this Convention—

(a) Employment in establishments in which only members of the employer's family are employed, except employment which is harmful, prejudicial, or dangerous within the meaning of Articles 3 or 5 of this Convention :

(b) Domestic work in the family performed by members of that family.

*Article 2.*

Children under fifteen years of age, or children over fifteen years who are still required by national laws or regulations to attend primary school, shall not be employed in any employment to which this Convention applies, except as hereinafter otherwise provided.

*Article 3.*

1. Children over thirteen years of age may, outside the hours fixed for school attendance, be employed on light work which—

(a) Is not harmful to their health or normal development ; and

(b) Is not such as to prejudice their attendance at school or capacity to benefit from the instruction there given.

2. No child under fourteen years of age shall—

(a) Be employed on light work for more than two hours per day whether that day be a school-day or a holiday ; or

(b) Spend at school and on light work a total number of hours exceeding seven per day.

3. National laws or regulations shall prescribe the number of hours per day during which children over fourteen years of age may be employed on light work.