

No. 588

INTERNATIONAL LABOUR ORGANISATION

Convention fixing the minimum age for admission of children to industrial employment, adopted by the General Conference of the International Labour Organisation at its first session, Washington, 28 November 1919, as modified by the Final Articles Revision Convention, 1946

English and French official texts communicated by the Director-General of the International Labour Office. The registration took place on 15 September 1949.

ORGANISATION INTERNATIONALE DU TRAVAIL

Convention fixant l'âge minimum d'admission des enfants aux travaux industriels, adoptée par la Conférence générale de l'Organisation internationale du Travail à sa première session, Washington, 28 novembre 1919, telle qu'elle a été modifiée par la Convention portant révision des articles finals, 1946

Textes officiels anglais et français communiqués par le Directeur général de l'Organisation internationale du Travail. L'enregistrement a eu lieu le 15 septembre 1949.

No. 588. CONVENTION¹ FIXING THE MINIMUM AGE FOR ADMISSION OF CHILDREN TO INDUSTRIAL EMPLOYMENT, AS MODIFIED BY THE FINAL ARTICLES REVISION CONVENTION, 1946²

The General Conference of the International Labour Organisation,

Having been convened by the Government of the United States of America at Washington on the 29th day of October 1919, and

Having decided upon the adoption of certain proposals with regard to the "employment of children: minimum age of employment", which is part of the fourth item in the agenda for the Washington meeting of the Conference, and

Having determined that these proposals shall take the form of an international Convention,

adopts the following Convention, which may be cited as the Minimum Age (Industry) Convention, 1919, for ratification by the Members of the International Labour Organisation in accordance with the provisions of the Constitution of the International Labour Organisation :

Article 1

1. For the purpose of this Convention, the term "industrial undertaking" includes particularly—

- (a) mines, quarries and other works for the extraction of minerals from the earth;
- (b) industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding, and the generation, transformation, and transmission of electricity and motive power of any kind;
- (c) construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well,

¹ For the date of entry into force of the Convention and the list of ratifications see Certified Statement on page 90.

² See page 3.

telegraphic or telephonic installation, electrical undertaking, gas work, water work, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure;

(d) transport of passengers or goods by road or rail or inland waterway, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

2. The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

Article 2

Children under the age of fourteen years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

Article 3

The provisions of Article 2 shall not apply to work done by children in technical schools, provided that such work is approved and supervised by public authority.

Article 4

In order to facilitate the enforcement of the provisions of this Convention, every employer in an industrial undertaking shall be required to keep a register of all persons under the age of sixteen years employed by him, and of the dates of their births.

Article 5

1. In connection with the application of this Convention to Japan, the following modifications of Article 2 may be made :

- (a) children over twelve years of age may be admitted into employment if they have finished the course in the elementary school;
- (b) as regards children between the ages of twelve and fourteen already employed, transitional regulations may be made.

2. The provisions in the present Japanese law admitting children under the age of twelve years to certain light and easy employments shall be repealed.

Article 6

The provisions of Article 2 shall not apply to India, but in India children under twelve years of age shall not be employed—

- (a) in manufactories working with power and employing more than ten persons;
- (b) in mines, quarries, and other works for the extraction of minerals from the earth;
- (c) in the transport of passengers or goods, or mails, by rail, or in the handling of goods at docks, quays, and wharves, but excluding transport by hand.

Article 7

The formal ratifications of this Convention, under the conditions set forth in the Constitution of the International Labour Organisation, shall be communicated to the Director-General of the International Labour Office for registration.

Article 8

1. Each Member of the International Labour Organisation which ratifies this Convention engages to apply it to its colonies, protectorates, and possessions which are not fully self-governing—

- (a) except where owing to the local conditions its provisions are inapplicable; or
- (b) subject to such modifications as may be necessary to adapt its provisions to local conditions.

2. Each Member shall notify to the International Labour Office the action taken in respect to each of its colonies, protectorates, and possessions which are not fully self-governing.

Article 9

As soon as the ratifications of two Members of the International Labour Organisation have been registered with the International Labour Office, the Director-General of the International Labour Office shall so notify all the Members of the International Labour Organisation.

Article 10

This Convention shall come into force at the date on which such notification is issued by the Director-General of the International Labour Office, but it shall then be binding only upon those Members which have registered their ratifications with the International Labour Office. Thereafter this Convention will come into force for any other Member at the date on which its ratification is registered with the International Labour Office.

Article 11

Each Member which ratifies this Convention agrees to bring its provisions into operation not later than 1 July 1922, and to take such action as may be necessary to make these provisions effective.

Article 12

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 Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the International Labour Office.

Article 13

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 14

The French and English texts of this Convention shall both be authentic.

The foregoing is the authentic text of the Minimum Age (Industry) Convention, 1919, as modified by the Final Articles Revision Convention, 1946.

The original text of the Convention was authenticated on 1 December 1919 by the signatures of W. B. Wilson, President of the Conference, and H. B. Butler, Secretary-General of the Conference.

The Convention first came into force on 13 June 1921.

IN FAITH WHEREOF I have, in pursuance of the provisions of Article 6 of the Final Articles Revision Convention, 1946, authenticated with my signature this thirtieth day of April 1948 two original copies of the text of the Convention as modified.

Edward PHELAN
Director-General
of the International Labour Office

CERTIFIED STATEMENT

This is to certify that the Minimum Age (Industry) Convention, 1919, adopted by the International Labour Conference on 28 November 1919 at its First Session, and which entered into force on 13 June 1921, has to date been ratified by the following countries¹ and that these ratifications were duly registered on the dates indicated²:

| <i>Country</i> | <i>Date of registration of ratification</i> | <i>Country</i> | <i>Date of registration of ratification</i> |
|------------------------|---|-----------------------|---|
| Albania | 17. 3. 1932 | * Ireland | 4. 9. 1925 |
| Argentina | 30. 11. 1933 | Japan | 7. 8. 1926 |
| * Austria | 26. 2. 1936 | Latvia | 3. 6. 1926 |
| * Belgium | 12. 7. 1924 | * Luxembourg | 16. 4. 1928 |
| * Brazil | 26. 4. 1934 | * Netherlands | 21. 7. 1928 |
| Bulgaria | 14. 2. 1922 | Nicaragua | 12. 4. 1934 |
| Chile | 15. 9. 1925 | * Norway | 7. 7. 1937 |
| * Colombia | 20. 6. 1933 | * Poland | 21. 6. 1924 |
| Cuba | 6. 8. 1928 | Rumania | 13. 6. 1921 |
| Czechoslovakia | 24. 8. 1921 | Spain | 29. 9. 1932 |
| * Denmark | 4. 1. 1923 | * Switzerland | 9. 10. 1922 |
| * Dominican Republic . | 4. 2. 1933 | * United Kingdom | 14. 7. 1921 |
| Estonia | 20. 12. 1922 | Uruguay | 6. 6. 1933 |
| * France | 29. 4. 1939 | * Venezuela | 20. 11. 1944 |
| Greece | 19. 11. 1920 | Yugoslavia | 1. 4. 1927 |

Geneva, 10 August 1949.

For the Director-General

C. W. JENKS
Legal Adviser

¹ It would not be appropriate for the International Labour Office to express an opinion with regard to the complex questions of a constitutional and juridical nature which may arise in regard to the effect of political or military events on the position of certain countries which have ratified the Convention.

² The names of Members Parties to the Final Articles Revision Convention, 1946, are marked by an asterisk.