

No. 596

INTERNATIONAL LABOUR ORGANISATION

Convention concerning the use of white lead in painting, adopted by the General Conference of the International Labour Organisation at its third session, Geneva, 19 November 1921, 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 concernant l'emploi de la céruse dans la peinture, adoptée par la Conférence générale de l'Organisation internationale du Travail à sa troisième session, Genève, 19 novembre 1921, 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. 596. CONVENTION¹ CONCERNING THE USE OF WHITE LEAD IN PAINTING, AS MODIFIED BY THE FINAL ARTICLES REVISION CONVENTION, 1946²

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 Third Session on 25 October 1921, and

Having decided upon the adoption of certain proposals with regard to the prohibition of the use of white lead in painting, which is the sixth item of the agenda of the Session, and

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

adopts the following Convention, which may be cited as the White Lead (Painting) Convention, 1921, 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. Each Member of the International Labour Organisation ratifying the present Convention undertakes to prohibit, with the exceptions provided for in Article 2, the use of white lead and sulphate of lead and of all products containing these pigments, in the internal painting of buildings, except where the use of white lead or sulphate of lead or products containing these pigments is considered necessary for railway stations or industrial establishments by the competent authority after consultation with the employers' and workers' organisations concerned.

2. It shall nevertheless be permissible to use white pigments containing a maximum of 2 per cent. of lead expressed in terms of metallic lead.

Article 2

1. The provisions of Article 1 shall not apply to artistic painting or fine lining.

2. The Governments shall define the limits of such forms of painting, and shall regulate the use of white lead, sulphate of lead, and all products containing these pigments, for these purposes in conformity with the provisions of Articles 5, 6 and 7 of the present Convention.

¹ For the date of entry into force of the Convention and the list of ratifications see Certified Statement on page 184.

² See page 3.

Article 3

1. The employment of males under eighteen years of age and of all females shall be prohibited in any painting work of an industrial character involving the use of white lead or sulphate of lead or other products containing these pigments.

2. The competent authorities shall have power, after consulting the employers' and workers' organisations concerned, to permit the employment of painters' apprentices in the work prohibited by the preceding paragraph, with a view to their education in their trade.

Article 4

The prohibitions prescribed in Articles 1 and 3 shall come into force six years from the date of the closure of the Third Session of the International Labour Conference.

Article 5

Each Member of the International Labour Organisation ratifying the present Convention undertakes to regulate the use of white lead, sulphate of lead and of all products containing these pigments, in operations for which their use is not prohibited, on the following principles :

- I. (a) White lead, sulphate of lead, or products containing these pigments shall not be used in painting operations except in the form of paste or of paint ready for use;
 - (b) measures shall be taken in order to prevent danger arising from the application of paint in the form of spray;
 - (c) measures shall be taken, wherever practicable, to prevent danger arising from dust caused by dry rubbing down and scraping.
- II. (a) Adequate facilities shall be provided to enable working painters to wash during and on cessation of work;
 - (b) overalls shall be worn by working painters during the whole of the working period;
 - (c) suitable arrangements shall be made to prevent clothing put off during working hours being soiled by painting material.
- III. (a) Cases of lead poisoning and of suspected lead poisoning shall be notified, and shall be subsequently verified by a medical man appointed by the competent authority;

- (b) the competent authority may require, when necessary, a medical examination of workers.
- IV. Instructions with regard to the special hygienic precautions to be taken in the painting trade shall be distributed to working painters.

Article 6

The competent authority shall take such steps as it considers necessary to ensure the observance of the regulations prescribed by virtue of the foregoing Articles, after consultation with the employers' and workers' organisations concerned.

Article 7

Statistics with regard to lead poisoning among working painters shall be obtained—

- (a) as to morbidity—by notification and certification of all cases of lead poisoning;
- (b) as to mortality—by a method approved by the official statistical authority in each country.

Article 8

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 9

1. This Convention shall come into force at the date on which the ratifications of two Members of the International Labour Organisation have been registered by the Director-General.

2. It shall be binding only upon those Members whose ratifications have been registered with the International Labour Office.

3. Thereafter, the Convention shall come into force for any Member at the date on which its ratification has been registered with the International Labour Office.

Article 10

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. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 11

Each Member which ratifies this Convention agrees to bring the provisions of Articles 1, 2, 3, 4, 5, 6 and 7 into operation not later than 1 January 1924 and to take such action as may be necessary to make these provisions effective.

Article 12

Each Member of the International Labour Organisation which ratifies this Convention engages to apply it to its colonies, possessions and protectorates in accordance with the provisions of Article 35 of the Constitution of the International Labour Organisation.

Article 13

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 14

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 15

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

The foregoing is the authentic text of the White Lead (Painting) Convention, 1921, as modified by the Final Articles Revision Convention, 1946.

The original text of the Convention was authenticated on 20 November 1921 by the signatures of Lord Burnham, President of the Conference, and Albert Thomas, Director of the International Labour Office.

The Convention first came into force on 31 August 1923.

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 White Lead (Painting) Convention, 1921, adopted by the International Labour Conference on 19 November 1921 at its Third Session, and which entered into force on 31 August 1923, 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>
Afghanistan	12. 6.1939	Latvia	9. 9.1924
Argentina	26. 5.1936	* Luxembourg	16. 4.1928
* Austria	12. 6.1924	* Mexico	7. 1.1938
* Belgium	19. 7.1926	* Netherlands	15.12.1939
Bulgaria	6. 3.1925	Nicaragua	12. 4.1934
Chile	15. 9.1925	* Norway	11. 6.1929
* Colombia	20. 6.1933	* Poland	21. 6.1924
Cuba	7. 7.1928	Rumania	4.12.1925
Czechoslovakia	31. 8.1923	Spain	20. 6.1924
Estonia	8. 9.1922	* Sweden	27.11.1923
* Finland	5. 4.1929	Uruguay	6. 6.1933
* France	19. 2.1926	* Venezuela	28. 4.1933
Greece	22.12.1926	Yugoslavia	30. 9.1929
Hungary ³	4. 1.1928		

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.

³ Ratification subject to the condition that the Convention shall only come into force for Hungary when it has been ratified by France, Great Britain and Germany.