

No. 603

INTERNATIONAL LABOUR ORGANISATION

Convention concerning night work in bakeries, adopted by the General Conference of the International Labour Organisation at its seventh session, Geneva, 8 June 1925, 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 le travail de nuit dans les boulangeries, adoptée par la Conférence générale de l'Organisation internationale du Travail à sa septième session, Genève, 8 juin 1925, telle qu'elle a été modifiée par la Convention portant revision 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. 603. CONVENTION¹ CONCERNING NIGHT WORK IN BAKERIES, 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 Seventh Session on 19 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 an international Convention,

adopts this eighth day of June of the year one thousand nine hundred and twenty-five the following Convention, which may be cited as the Night Work (Bakeries) Convention, 1925, 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. Subject to the exceptions hereinafter provided, the making of bread, pastry or other flour confectionery during the night is forbidden.

2. 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.

3. This Convention has no application to the wholesale manufacture of biscuits. Each Member may, after consultation with the employers' and workers' organisations 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

¹ For the date of entry into force of the Convention and the list of ratifications see Certified Statement on page 278.

² See page 3.

with the organisations 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' organisations 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' organisations 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 organisations 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 1 January 1927.

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

Article 10

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 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 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 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 Night Work (Bakeries) Convention, 1925, as modified by the Final Articles Revision Convention, 1946.

The original text of the Convention was authenticated on 24 June 1925 by the signatures of Dr. Edvard Benes, President of the Conference, and Albert Thomas, Director of the International Labour Office.

The Convention first came into force on 26 May 1928.

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 Night Work (Bakeries) Convention, 1925, adopted by the International Labour Conference on 8 June 1925 at its Seventh Session, and which entered into force on 26 May 1928, has to date been ratified by the following countries ¹ and that these ratifications were duly registered on the dates indicated ²:

<i>Country</i>	<i>Date of registration of ratification</i>	<i>Country</i>	<i>Date of registration of ratification</i>
Bulgaria	5. 9.1929	* Ireland	15. 3.1937
Chile	31. 5.1933	* Luxembourg	16. 4.1928
* Colombia	20. 6.1933	Nicaragua	12. 4.1934
Cuba	6. 8.1928	Spain	29. 8.1932
Estonia	28.12.1929	* Sweden	5. 1.1940
* Finland	26. 5.1928	Uruguay	6. 6.1933

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.