

No. 635

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## INTERNATIONAL LABOUR ORGANISATION

**Convention fixing the minimum age for the admission of children to employment at sea (revised 1936), adopted by the General Conference of the International Labour Organisation at its twenty-second session, Geneva, 24 October 1936, 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.*

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## ORGANISATION INTERNATIONALE DU TRAVAIL

**Convention fixant l'âge minimum d'admission des enfants au travail maritime (révisée en 1936) adoptée par la Conférence générale de l'Organisation internationale du Travail à sa vingt-deuxième session, Genève, 24 octobre 1936, 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. 635. CONVENTION<sup>1</sup> FIXING THE MINIMUM AGE FOR THE ADMISSION OF CHILDREN TO EMPLOYMENT AT SEA (REVISED 1936), AS MODIFIED BY THE FINAL ARTICLES REVISION CONVENTION 1946<sup>2</sup>

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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 Twenty-second Session on 22 October 1936, 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 employment at sea adopted by the Conference at its Second Session, the question forming the agenda of the present Session, and

Considering that these proposals must take the form of an international Convention,

adopts this twenty-fourth day of October of the year one thousand nine hundred and thirty-six the following Convention, which may be cited as the Minimum Age (Sea) Convention (Revised), 1936 :

*Article 1*

For the purpose of this Convention, the term "vessel" includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned; it excludes ships of war.

*Article 2*

1. Children under the age of fifteen years shall not be employed or work on vessels, other than vessels upon which only members of the same family are employed.

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<sup>1</sup> For the date of entry into force of the Convention and the list of ratifications see Certified Statement on page 214.

<sup>2</sup> United Nations, *Treaty Series*, Volume 38, page 3.

2. Provided that national laws or regulations may provide for the issue in respect of children of not less than fourteen years of age of certificates permitting them to be employed in cases in which an educational or other appropriate authority designated by such laws or regulations is satisfied, after having due regard to the health and physical condition of the child and to the prospective as well as to the immediate benefit to the child of the employment proposed, that such employment will be beneficial to the child.

#### *Article 3*

The provisions of Article 2 shall not apply to work done by children on school-ships or training-ships, 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 shipmaster shall be required to keep a register of all persons under the age of sixteen years employed on board his vessel, or a list of them in the articles of agreement, and of the dates of their births.

#### *Article 5*

This Convention shall not come into force until after the adoption by the International Labour Conference of a Convention revising the Convention fixing the minimum age for admission of children to industrial employment, 1919, and a Convention revising the Convention concerning the age for admission of children to non-industrial employment, 1982.

#### *Article 6*

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

#### *Article 7*

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. Subject to the provisions of Article 5 above it shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

*Article 8*

As soon as the ratifications of two Members of the International Labour Organisation have been registered, 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 9*

1. 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.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

*Article 10*

At the expiration of each period of ten years after the coming into force of this Convention, 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 in whole or in part.

*Article 11*

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides,

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 9 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

*Article 12*

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

The foregoing is the authentic text of the Minimum Age (Sea) Convention (Revised), 1936, as modified by the Final Articles Revision Convention, 1946.

The original text of the Convention was authenticated on 5 December 1936 by the signatures of Paal Berg, President of the Conference, and Harold Butler, Director of the International Labour Office.

The Convention first came into force on 11 April 1939.

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 thirty-first day of August 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 (Sea) Convention (Revised), 1936, adopted by the International Labour Conference on 24 October 1936, at its Twenty-second Session, and which entered into force on 11 April 1939, has to date been ratified by the following countries, and that these ratifications were duly registered on the dates indicated <sup>1</sup>:

<i>Country</i>	<i>Date of registration of ratification</i>	<i>Country</i>	<i>Date of registration of ratification</i>
Belgium .....	11. 4.1938	New Zealand .....	7. 6.1946
Brazil .....	12.10.1938	Norway .....	7. 7.1937
France .....	9.12.1948	Sweden .....	6. 1.1939
Iraq .....	30.12.1939	United States of	
Netherlands .....	8. 7.1947	America .....	29.10.1938

Geneva, 10 August 1949.

For the Director-General

C. W. JENKS

*Legal Adviser*

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<sup>1</sup> These States are Parties to the Final Articles Revision Convention, 1946.