No. 1016

INTERNATIONAL LABOUR ORGANISATION

Convention (No. 60) concerning the age for admission of children to non-industrial employment (revised 1937), adopted by the General Conference of the International Labour Organisation at its twenty-third session, Geneva, 22 June 1937, as modified by the Final Articles Revision Convention, 1946

Official texts: English and French.
Registered by the International Labour Organisation on 9 January 1951.

ORGANISATION INTERNATIONALE DU TRAVAIL

Convention (n° 60) concernant l'âge d'admission des enfants aux travaux non industriels (revisée en 1937), adoptée par la Conférence générale de l'Organisation internationale du Travail à sa vingt-troisième session, Genève, 22 juin 1937, telle qu'elle a été modifiée par la Convention portant revision des articles finals, 1946

Textes officiels anglais et français.
Enregistrée par l'Organisation internationale du Travail le 9 janvier 1951.

No. 1016. CONVENTION[1] (No. 60) CONCERNING THE AGE FOR ADMISSION OF CHILDREN TO NON-INDUSTRIAL EMPLOYMENT (REVISED 1937), ADOPTED BY THE GENERAL CONFERENCE OF THE INTERNATIONAL LABOUR ORGANISATION AT ITS TWENTY-THIRD SESSION, GENEVA, 22 JUNE 1937, AS MODIFIED BY THE FINAL ARTICLES REVISION CONVENTION, 1946[2]

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-third Session on 3 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 these proposals must take the form of an international Convention,

adopts this twenty-second day of June of the year one thousand nine hundred and thirty-seven the following 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),[3] the Minimum Age (Sea) Convention (Revised), 1936,[4] or the Minimum Age (Industry) Convention (Revised), 1937.[5]

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[1] In accordance with article 11, the Convention came into force on 29 December 1950, twelve months after the date on which the ratifications of two members of the International Labour Organisation had been registered with the Director-General of the International Labour Office. The Convention has been ratified by the following States and these ratifications were registered with the Director-General of the International Labour Office on the dates indicated:

NEW ZEALAND, 8 July 1947.

BULGARIA, 29 December 1949.

[2] United Nations, *Treaty Series*, Vol. 38, p. 3.

[3] United Nations, *Treaty Series*, Vol. 38, p. 143.

[4] United Nations, *Treaty Series*, Vol. 40, p. 205.

[5] United Nations, *Treaty Series*, Vol. 40, p. 217.

2. The competent authority in each country shall, after consultation with the principal organisations 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.

4. Light work shall be prohibited—

(*a*) on Sundays and legal public holidays; and
(*b*) during the night.

5. For the purpose of the preceding paragraph the term "night" means—

(*a*) in the case of children under fourteen years of age, a period of at least twelve consecutive hours comprising the interval between 8 p.m. and 8 a.m.;

(*b*) in the case of children over fourteen years of age, a period which shall be prescribed by national laws or regulations but the duration of which shall not, except in the case of tropical countries where a compensatory rest is accorded during the day, be less than twelve hours.

6. After the principal organisations of employers and workers concerned have been consulted, national laws or regulations shall—

(*a*) specify what forms of employment may be considered to be light work for the purpose of this Article; and

(*b*) prescribe the preliminary conditions to be complied with as safeguards before children may be employed on light work.

7. Subject to the provisions of sub-paragraph (*a*) of paragraph 1 above:

(*a*) national laws or regulations may determine work to be allowed and the number of hours per day to be worked during the holiday time of children referred to in Article 2 who are over fourteen years of age;

(*b*) in countries where no provision exists relating to compulsory school attendance, the time spent on light work shall not exceed four and a half hours per day.

Article 4

1. In the interests of art, science or education, national laws or regulations may, by permits granted in individual cases, allow exceptions to the provisions of Articles 2 and 3 of this Convention in order to enable children to appear in any public entertainment or as actors or supernumeraries in the making of cinematographic films.

2. Provided that—

(*a*) no such exception shall be allowed in respect of employment which is dangerous within the meaning of Article 5, such as employment in circuses, variety shows or cabarets;

(*b*) strict safeguards shall be prescribed for the health, physical development and morals of the children, for ensuring kind treatment of them, adequate rest, and the continuation of their education; and

(*c*) children to whom permits are granted in accordance with this Article shall not be employed after midnight.

Article 5

A higher age or ages than those referred to in Article 2 of this Convention shall be fixed by national laws or regulations for admission of young persons and adolescents to any employment which, by its nature, or the circumstances in which it is to be carried on, is dangerous to the life, health or morals of the persons employed in it.

Article 6

A higher age or ages than those referred to in Article 2 of this Convention shall be fixed by national laws or regulations for admission of young persons and adolescents to employment for purposes of itinerant trading in the streets or in places to which the public have access, to regular employment at stalls outside shops or to employment in itinerant occupations, in cases where the conditions of such employment require that a higher age should be fixed.

Article 7

In order to ensure the due enforcement of the provisions of this Convention, national laws or regulations shall—

(*a*) provide for an adequate system of public inspection and supervision;

(*b*) require every employer to keep a register of the names and dates of birth of all persons under the age of eighteen years employed by him in any employment to which this Convention applies other than an employment to which Article 6 applies;

(*c*) provide suitable means for facilitating the identification and supervision of persons under a specified age engaged in the employments and occupations covered by Article 6; and

(*d*) provide penalties for breaches of the laws or regulations by which effect is given to the provisions of this Convention.

Article 8

There shall be included in the annual reports to be submitted under Article 22 of the Constitution of the International Labour Organisation full information concerning all laws and regulations by which effect is given to the provisions of this Convention, including—

(*a*) a list of the forms of employment which national laws or regulations specify to be light work for the purpose of Article 3;

(*b*) a list of the forms of employment for which, in accordance with Articles 5 and 6, national laws or regulations have fixed ages for admission higher than those laid down in Article 2; and

(*c*) full information concerning the circumstances in which exceptions to the provisions of Articles 2 and 3 are permitted in accordance with the provisions of Article 4.

Article 9

1. The provisions of Articles 2, 3, 4, 5, 6 and 7 of this Convention shall not apply to India, but in India the following provisions shall apply to all territories in respect of which the Indian Legislature has jurisdiction to apply them.

2. Children under thirteen years of age shall not be employed—

(*a*) in shops, offices, hotels or restaurants;

(*b*) in places of public entertainment; or

(*c*) in any other non-industrial occupations to which the provisions of this paragraph may be extended by the competent authority.

3. In the interest of art, science or education, national laws or regulations may, by permits granted in individual cases, allow exceptions to the provisions of the preceding paragraph in order to enable children to appear in any public entertainment or as actors or supernumeraries in the making of cinematographic films.

4. Persons under seventeen years of age shall not be employed in any non-industrial employment which the competent authority, after consultation with the principal organisations of employers and workers concerned, may declare to involve danger to life, health or morals.

5. The International Labour Conference may, at any session at which the matter is included in its agenda, adopt by a two-thirds majority draft amendments to the preceding paragraphs of this Article.

6. Any such draft amendment shall, within the period of one year, or, in exceptional circumstances, of eighteen months, from the closing of the session of the Conference, be submitted in India to the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action.

7. India will, if it obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification of the amendment to the Director-General of the International Labour Office for registration.

8. Any such draft amendment shall take effect as an amendment to this Convention on ratification by India.

Article 10

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

Article 11

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. 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 12

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 13

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 14

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 15

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 13 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 16

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

The foregoing is the authentic text of the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, as modified by the Final Articles Revision Convention, 1946.

The original text of the Convention was authenticated on 10 August 1937 by the signatures of Seán F. Lemass, President of the Conference, and Harold Butler, Director of the International Labour Office.

The Convention had not come into force on 1 January 1947.

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