

No. 8718

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**INTERNATIONAL LABOUR ORGANISATION**

**Convention (No. 121) concerning benefits in the case of employment injury (with schedules and annex), adopted by the General Conference of the International Labour Organisation at its forty-eighth session, Geneva, 8 July 1964**

*Official texts: English and French.*

*Registered by the International Labour Organisation on 7 August 1967.*

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**ORGANISATION INTERNATIONALE DU TRAVAIL**

**Convention (n° 121) concernant les prestations en cas d'accidents du travail et de maladies professionnelles (avec tableaux et annexe), adoptée par la Conférence générale de l'Organisation internationale du Travail à sa quarante-huitième session, Genève, 8 juillet 1964**

*Textes officiels anglais et français.*

*Enregistrée par l'Organisation internationale du Travail le 7 août 1967.*

No. 8718. CONVENTION<sup>1</sup> (No. 121) CONCERNING BENEFITS IN THE CASE OF EMPLOYMENT INJURY, ADOPTED BY THE GENERAL CONFERENCE OF THE INTERNATIONAL LABOUR ORGANISATION AT ITS FORTY-EIGHTH SESSION, GENEVA, 8 JULY 1964

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 Forty-eighth Session on 17 June 1964, and

Having decided upon the adoption of certain proposals with regard to benefits in the case of industrial accidents and occupational diseases, which is the fifth item on the agenda of the session, and

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

adopts this eighth day of July of the year one thousand nine hundred and sixty-four the following Convention, which may be cited as the Employment Injury Benefits Convention, 1964 :

*Article 1*

In this Convention—

- (a) the term “ legislation ” includes any social security rules as well as laws and regulations;
- (b) the term “ prescribed ” means determined by or in virtue of national legislation;
- (c) the term “ industrial undertaking ” includes all undertakings in the following branches of economic activity: mining and quarrying; manufacturing; construction; electricity, gas, water and sanitary services; and transport, storage and communication;
- (d) the term “ dependent ” refers to a state of dependency which is presumed to exist in prescribed cases;

<sup>1</sup> Came into force, in accordance with article 33, on 28 July 1967, twelve months after the date on which the ratifications of the following two Members of the International Labour Organisation had been registered with the Director-General of the International Labour Organisation on the dates indicated :

Senegal .....	25 April 1966
Cyprus .....	28 July 1966

The Convention came into force for the Netherlands on 2 August 1967, twelve months after the date on which its ratification was registered with the Director-General of the International Labour Organisation (2 August 1966).

- (e) the term “ dependent child ” covers—
- (i) a child under school-leaving age or under 15 years of age, whichever is the higher, and
  - (ii) a child under a prescribed age higher than that specified in subclause (i) and who is an apprentice or student or has a chronic illness or infirmity disabling him for any gainful activity, on conditions laid down by national legislation : Provided that this requirement shall be deemed to be met where national legislation defines the term so as to cover any child under an age appreciably higher than that specified in subclause (i).

### Article 2

1. A Member whose economic and medical facilities are insufficiently developed may avail itself by a declaration accompanying its ratification of the temporary exceptions provided for in the following Articles : Article 5, Article 9, paragraph 3, clause (b), Article 12, Article 15, paragraph 2, and Article 18, paragraph 3. Any such declaration shall state the reason for such exceptions.

2. Each Member which has made a declaration under paragraph 1 of this Article shall include in its report upon the application of this Convention submitted under article 22 of the Constitution of the International Labour Organisation a statement in respect of each exception of which it avails itself—

- (a) that its reason for doing so subsists; or
- (b) that it renounces its right to avail itself of the exception in question as from a stated date.

### Article 3

1. Any Member which ratifies this Convention may, by a declaration accompanying its ratification, exclude from the application of the Convention—

- (a) seafarers, including seafishermen,
- (b) public servants,

where these categories are protected by special schemes which provide in the aggregate benefits at least equivalent to those required by this Convention.

2. Where a declaration under paragraph 1 of this Article is in force, the Member may exclude the persons belonging to the category or categories excluded from the application of the Convention from the number of employees when calculating the percentage of employees in compliance with paragraph 2, clause (d), of Article 4, and with Article 5.

3. Any Member which has made a declaration under paragraph 1 of this Article may subsequently notify the Director-General of the International Labour Office that it accepts the obligations of this Convention in respect of a category or categories excluded at the time of its ratification.

#### *Article 4*

1. National legislation concerning employment injury benefits shall protect all employees, including apprentices, in the public and private sectors, including co-operatives, and, in respect of the death of the breadwinner, prescribed categories of beneficiaries.

2. Any Member may make such exceptions as it deems necessary in respect of—

- (a) persons whose employment is of a casual nature and who are employed otherwise than for the purpose of the employer's trade or business;
- (b) out-workers;
- (c) members of the employer's family living in his house, in respect of their work for him;
- (d) other categories of employees, which shall not exceed in number 10 per cent. of all employees other than those excluded under clauses (a) to (c).

#### *Article 5*

Where a declaration provided for in Article 2 is in force, the application of national legislation concerning employment injury benefits may be limited to prescribed categories of employees, which shall total in number not less than 75 per cent. of all employees in industrial undertakings, and, in respect of the death of the breadwinner, prescribed categories of beneficiaries.

#### *Article 6*

The contingencies covered shall include the following where due to an employment injury :

- (a) a morbid condition;
- (b) incapacity for work resulting from such a condition and involving suspension of earnings, as defined by national legislation;
- (c) total loss of earning capacity or partial loss thereof in excess of a prescribed degree, likely to be permanent, or corresponding loss of faculty; and
- (d) the loss of support suffered as the result of the death of the breadwinner by prescribed categories of beneficiaries.

*Article 7*

1. Each Member shall prescribe a definition of “ industrial accident ”, including the conditions under which a commuting accident is considered to be an industrial accident, and shall specify the terms of such definition in its reports upon the application of this Convention submitted under article 22 of the Constitution of the International Labour Organisation.

2. Where commuting accidents are covered by social security schemes other than employment injury schemes, and these schemes provide in respect of commuting accidents benefits which, when taken together, are at least equivalent to those required under this Convention, it shall not be necessary to make provision for commuting accidents in the definition of “ industrial accident ”.

*Article 8*

Each Member shall—

- (a) prescribe a list of diseases, comprising at least the diseases enumerated in Schedule I to this Convention, which shall be regarded as occupational diseases under prescribed conditions; or
- (b) include in its legislation a general definition of occupational diseases broad enough to cover at least the diseases enumerated in Schedule I to this Convention; or
- (c) prescribe a list of diseases in conformity with clause (a), complemented by a general definition of occupational diseases or by other provisions for establishing the occupational origin of diseases not so listed or manifesting themselves under conditions different from those prescribed.

*Article 9*

1. Each Member shall secure to the persons protected, subject to prescribed conditions, the provision of the following benefits :

- (a) medical care and allied benefits in respect of a morbid condition;
- (b) cash benefits in respect of the contingencies specified in Article 6, clauses (b), (c) and (d).

2. Eligibility for benefits may not be made subject to the length of employment, to the duration of insurance or to the payment of contributions : Provided that a period of exposure may be prescribed for occupational diseases.

3. The benefits shall be granted throughout the contingency : Provided that in respect of incapacity for work the cash benefit need not be paid for the first three days—

- (a) where the legislation of a Member provides for a waiting period at the date on which this Convention comes into force, on condition that the Member includes in its reports upon the application of this Convention submitted under article 22 of the Constitution of the International Labour Organisation a statement that its reason for availing itself of this provision subsists; or
- (b) where a declaration provided for in Article 2 is in force.

#### *Article 10*

1. Medical care and allied benefits in respect of a morbid condition shall comprise—

- (a) general practitioner and specialist in-patient and out-patient care, including domiciliary visiting;
- (b) dental care;
- (c) nursing care at home or in hospital or other medical institutions;
- (d) maintenance in hospitals, convalescent homes, sanatoria or other medical institutions;
- (e) dental, pharmaceutical and other medical or surgical supplies, including prosthetic appliances kept in repair and renewed as necessary, and eyeglasses;
- (f) the care furnished by members of such other professions as may at any time be legally recognised as allied to the medical profession, under the supervision of a medical or dental practitioner; and
- (g) the following treatment at the place of work, wherever possible :
  - (i) emergency treatment of persons sustaining a serious accident;
  - (ii) follow-up treatment of those whose injury is slight and does not entail discontinuance of work.

2. The benefits provided in accordance with paragraph 1 of this Article shall be afforded, using all suitable means, with a view to maintaining, restoring or, where this is not possible, improving the health of the injured person and his ability to work and to attend to his personal needs.

#### *Article 11*

1. Any Member which provides medical care and allied benefits by means of a general health scheme or a medical care scheme for employed persons may specify in its legislation that such care shall be made available to persons who

have sustained employment injuries on the same terms as to other persons entitled thereto, on condition that the rules on the subject are so designed as to avoid hardship.

2. Any Member which provides medical care and allied benefits by reimbursing expenses may in its legislation make special rules in respect of cases in which the extent, duration or cost of such care exceed reasonable limits, on condition that the rules on the subject are not inconsistent with the purpose stated in paragraph 2 of Article 10 and are so designed as to avoid hardship.

#### *Article 12*

Where a declaration provided for in Article 2 is in force, medical care and allied benefits shall include at least—

- (a) general practitioner care, including domiciliary visiting;
- (b) specialist care at hospitals for in-patients and out-patients, and such specialist care as may be available outside hospitals;
- (c) the essential pharmaceutical supplies on prescription by a medical or other qualified practitioner;
- (d) hospitalisation, where necessary; and
- (e) wherever possible, emergency treatment at the place of work of persons sustaining an industrial accident.

#### *Article 13*

The cash benefit in respect of temporary or initial incapacity for work shall be a periodical payment calculated in such a manner as to comply either with the requirements of Article 19 or with the requirements of Article 20.

#### *Article 14*

1. Cash benefits in respect of loss of earning capacity likely to be permanent or corresponding loss of faculty shall be payable in all cases in which such loss, in excess of a prescribed degree, remains at the expiration of the period during which benefits are payable in accordance with Article 13.

2. In case of total loss of earning capacity likely to be permanent or corresponding loss of faculty, the benefit shall be a periodical payment calculated in such a manner as to comply either with the requirements of Article 19 or with the requirements of Article 20.

3. In case of substantial partial loss of earning capacity likely to be permanent which is in excess of a prescribed degree, or corresponding loss of faculty, the benefit shall be a periodical payment representing a suitable proportion of that provided for in paragraph 2 of this Article.

4. In case of partial loss of earning capacity likely to be permanent which is not substantial but which is in excess of the prescribed degree referred to in paragraph 1 of this Article, or corresponding loss of faculty, the cash benefit may take the form of a lump-sum payment.

5. The degrees of loss of earning capacity or corresponding loss of faculty referred to in paragraphs 1 and 3 of this Article shall be prescribed in such manner as to avoid hardship.

#### *Article 15*

1. In exceptional circumstances, and with the agreement of the injured person, all or part of the periodical payment provided for in paragraphs 2 and 3 of Article 14 may be converted into a lump sum corresponding to the actuarial equivalent thereof when the competent authority has reason to believe that such lump sum will be utilised in a manner which is particularly advantageous for the injured person.

2. Where a declaration provided for in Article 2 is in force and the Member concerned considers that it lacks the necessary administrative facilities for periodical payments, the periodical payment provided for in paragraphs 2 and 3 of Article 14 may be converted into a lump sum corresponding to the actuarial equivalent thereof, as computed on the basis of available data.

#### *Article 16*

Increments in periodical payments or other supplementary or special benefits, as prescribed, shall be provided for disabled persons requiring the constant help or attendance of another person.

#### *Article 17*

The conditions in which periodical payments due in respect of loss of earning capacity or corresponding loss of faculty shall be reassessed, suspended or cancelled by reference to a change in the degree of loss shall be prescribed.



*Article 18*

1. The cash benefit in respect of death of the breadwinner shall be a periodical payment to a widow as prescribed, a disabled and dependent widower, dependent children of the deceased and other persons as may be prescribed; this payment shall be calculated in such a manner as to comply either with the requirements of Article 19 or with the requirements of Article 20 : Provided that it shall not be necessary to make provision for a benefit to a disabled and dependent widower where the cash benefits to other survivors are appreciably in excess of those required by this Convention and where social security schemes other than employment injury schemes provide to such widower benefits which are appreciably in excess of those in respect of invalidity required under the Social Security (Minimum Standards) Convention, 1952.

2. In addition, a funeral benefit shall be provided at a prescribed rate which shall not be less than the normal cost of a funeral : Provided that where cash benefits to survivors are appreciably in excess of those required by this Convention the right to funeral benefit may be made subject to prescribed conditions.

3. Where a declaration provided for in Article 2 is in force and the Member concerned considers that it lacks the necessary administrative facilities for periodical payments, the periodical payment provided for in paragraph 1 of this Article may be converted into a lump sum corresponding to the actuarial equivalent thereof, as computed on the basis of available data.

*Article 19*

1. In the case of a periodical payment to which this Article applies, the rate of the benefit, increased by the amount of any family allowances payable during the contingency, shall be such as to attain, in respect of the contingency in question, for the standard beneficiary indicated in Schedule II to this Convention, at least the percentage indicated therein of the total of the previous earnings of the beneficiary or his breadwinner and of the amount of any family allowances payable to a person protected with the same family responsibilities as the standard beneficiary.

2. The previous earnings of the beneficiary or his breadwinner shall be calculated according to prescribed rules, and, where the persons protected or their breadwinners are arranged in classes according to their earnings, their previous earnings may be calculated from the basic earnings of the classes to which they belonged.

3. A maximum limit may be prescribed for the rate of the benefit or for the earnings taken into account for the calculation of the benefit, provided that the maximum limit is fixed in such a way that the provisions of paragraph 1

of this Article are complied with where the previous earnings of the beneficiary or his breadwinner are equal to or lower than the wage of a skilled manual male employee.

4. The previous earnings of the beneficiary or his breadwinner, the wage of the skilled manual male employee, the benefit and any family allowances shall be calculated on the same time basis.

5. For the other beneficiaries the benefit shall bear a reasonable relation to the benefit for the standard beneficiary.

6. For the purpose of this Article, a skilled manual male employee shall be—

- (a) a fitter or turner in the manufacture of machinery other than electrical machinery; or
- (b) a person deemed typical of skilled labour selected in accordance with the provisions of the following paragraph; or
- (c) a person whose earnings are such as to be equal to or greater than the earnings of 75 per cent. of all the persons protected, such earnings to be determined on the basis of annual or shorter periods as may be prescribed; or
- (d) a person whose earnings are equal to 125 per cent. of the average earnings of all the persons protected.

7. The person deemed typical of skilled labour for the purpose of clause (b) of the preceding paragraph shall be a person employed in the major group of economic activities with the largest number of economically active male persons protected in the contingency in question, or of the breadwinners of the persons protected, as the case may be, in the division comprising the largest number of such persons or breadwinners; for this purpose, the international standard industrial classification of all economic activities, adopted by the Economic and Social Council of the United Nations at its Seventh Session on 27 August 1948, as amended and reproduced in the Annex to this Convention, or such classification as at any time further amended, shall be used.

8. Where the rate of benefit varies by region, the skilled manual male employee may be determined for each region in accordance with paragraphs 6 and 7 of this Article.

9. The wage of the skilled manual male employee shall be determined on the basis of the rates of wages for normal hours of work fixed by collective agreements, by or in pursuance of national laws or regulations, where applicable, or by custom, including cost-of-living allowances, if any; where such rates differ by region but paragraph 8 of this Article is not applied, the median rate shall be taken.

10. No periodical payment shall be less than a prescribed minimum amount.

*Article 20*

1. In the case of a periodical payment to which this Article applies, the rate of the benefit, increased by the amount of any family allowances payable during the contingency, shall be such as to attain, in respect of the contingency in question, for the standard beneficiary indicated in Schedule II to this Convention, at least the percentage indicated therein of the total of the wage of an ordinary adult male labourer and of the amount of any family allowances payable to a person protected with the same family responsibilities as the standard beneficiary.

2. The wage of the ordinary adult male labourer, the benefit and any family allowances shall be calculated on the same time basis.

3. For the other beneficiaries, the benefit shall bear a reasonable relation to the benefit for the standard beneficiary.

4. For the purpose of this Article, the ordinary adult male labourer shall be—

- (a) a person deemed typical of unskilled labour in the manufacture of machinery other than electrical machinery; or
- (b) a person deemed typical of unskilled labour selected in accordance with the provisions of the following paragraph.

5. The person deemed typical of unskilled labour for the purpose of clause (b) of the preceding paragraph shall be a person employed in the major group of economic activities with the largest number of economically active male persons protected in the contingency in question, or of the breadwinners of the persons protected, as the case may be, in the division comprising the largest number of such persons or breadwinners; for this purpose the international standard industrial classification of all economic activities, adopted by the Economic and Social Council of the United Nations at its Seventh Session on 27 August 1948, as amended and reproduced in the Annex to this Convention, or such classification as at any time further amended, shall be used.

6. Where the rate of benefit varies by region, the ordinary adult male labourer may be determined for each region in accordance with paragraphs 4 and 5 of this Article.

7. The wage of the ordinary adult male labourer shall be determined on the basis of the rates of wages for normal hours of work fixed by collective agreements, by or in pursuance of national laws or regulations, where applicable, or by custom, including cost-of-living allowances if any; where such rates differ by region but paragraph 6 of this Article is not applied, the median rate shall be taken.

8. No periodical payment shall be less than a prescribed minimum amount.

*Article 21*

1. The rates of cash benefits currently payable pursuant to paragraphs 2 and 3 of Article 14 and paragraph 1 of Article 18 shall be reviewed following substantial changes in the general level of earnings where these result from substantial changes in the cost of living.

2. Each Member shall include the findings of such reviews in its reports upon the application of this Convention submitted under article 22 of the Constitution of the International Labour Organisation, and shall specify any action taken.

*Article 22*

1. A benefit to which a person protected would otherwise be entitled in compliance with this Convention may be suspended to such extent as may be prescribed—

- (a) as long as the person concerned is absent from the territory of the Member;
- (b) as long as the person concerned is maintained at public expense or at the expense of a social security institution or service;
- (c) where the person concerned has made a fraudulent claim;
- (d) where the employment injury has been caused by a criminal offence committed by the person concerned;
- (e) where the employment injury has been caused by voluntary intoxication or by the serious and wilful misconduct of the person concerned;
- (f) where the person concerned, without good cause, neglects to make use of the medical care and allied benefits or the rehabilitation services placed at his disposal, or fails to comply with rules prescribed for verifying the occurrence or continuance of the contingency or for the conduct of beneficiaries; and
- (g) as long as the surviving spouse is living with another person as spouse.

2. In the cases and within the limits prescribed, part of the cash benefit otherwise due shall be paid to the dependants of the person concerned.

*Article 23*

1. Every claimant shall have a right of appeal in the case of refusal of the benefit or complaint as to its quality or quantity.

2. Where in the application of this Convention a government department responsible to a legislature is entrusted with the administration of medical care,

the right of appeal provided for in paragraph 1 of this Article may be replaced by a right to have a complaint concerning the refusal of medical care or the quality of the care received investigated by the appropriate authority.

3. Where a claim is settled by a special tribunal established to deal with employment injury benefit questions or with social security questions in general and on which the persons protected are represented, no right of appeal shall be required.

#### *Article 24*

1. Where the administration is not entrusted to an institution regulated by the public authorities or to a government department responsible to a legislature, representatives of the persons protected shall participate in the management, or be associated therewith in a consultative capacity, under prescribed conditions; national legislation may likewise decide as to the participation of representatives of employers and of the public authorities.

2. The Member shall accept general responsibility for the proper administration of the institutions or services concerned in the application of this Convention.

#### *Article 25*

Each Member shall accept general responsibility for the due provision of the benefits provided in compliance with this Convention and shall take all measures required for this purpose.

#### *Article 26*

1. Each Member shall, under prescribed conditions—
- (a) take measures to prevent industrial accidents and occupational diseases;
  - (b) provide rehabilitation services which are designed to prepare a disabled person wherever possible for the resumption of his previous activity, or, if this is not possible, the most suitable alternative gainful activity, having regard to his aptitudes and capacity; and
  - (c) take measures to further the placement of disabled persons in suitable employment.

2. Each Member shall as far as possible furnish in its reports upon the application of this Convention submitted under article 22 of the Constitution of the International Labour Organisation information concerning the frequency and severity of industrial accidents.

*Article 27*

Each Member shall within its territory assure to non-nationals equality of treatment with its own nationals as regards employment injury benefits.

*Article 28*

1. This Convention revises the Workmen's Compensation (Agriculture) Convention, 1921, the Workmen's Compensation (Accidents) Convention, 1925, the Workmen's Compensation (Occupational Diseases) Convention, 1925, and the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934.

2. Ratification of this Convention by a Member which is a party to the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934, shall, in accordance with Article 8 thereof, *ipso jure* involve the immediate denunciation of that Convention, if and when this Convention shall have come into force, but the coming into force of this Convention shall not close that Convention to further ratification.

*Article 29*

In conformity with Article 75 of the Social Security (Minimum Standards) Convention, 1952, Part VI of that Convention and the relevant provisions of other Parts thereof shall cease to apply to any Member having ratified this Convention as from the date at which this Convention comes into force for that Member, but acceptance of the obligations of this Convention shall be deemed to constitute acceptance of the obligations of Part VI of the Social Security (Minimum Standards) Convention, 1952, and the relevant provisions of other Parts thereof, for the purpose of Article 2 of the said Convention.

*Article 30*

If any Convention which may be adopted subsequently by the Conference concerning any subject or subjects dealt with in this Convention so provides, such provisions of this Convention as may be specified in the said Convention shall cease to apply to any Member having ratified the said Convention as from the date at which the said Convention comes into force for that Member.

*Article 31*

1. The International Labour Conference may, at any session at which the matter is included in its agenda, adopt by a two-thirds majority amendments to Schedule I to this Convention.

2. Such amendments shall take effect in respect of any Member already a party to the Convention when such Member notifies the Director-General of the International Labour Office of its acceptance thereof.

3. Unless the Conference otherwise decides when adopting an amendment, an amendment shall be effective, by reason of its adoption by the Conference, in respect of any Member subsequently ratifying the Convention.

#### *Article 32*

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

#### *Article 33*

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 34*

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 35*

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

#### *Article 36*

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

#### *Article 37*

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

#### *Article 38*

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 34 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 39*

The English and French versions of the text of this Convention are equally authoritative.



SCHEDULE I  
LIST OF OCCUPATIONAL DISEASES

<i>Occupational diseases</i>	<i>Work involving exposure to risk</i>
1. Pneumoconioses caused by sclerogenetic mineral dust (silicosis, anthraco-silicosis, asbestosis) and silico-tuberculosis provided that silicosis is an essential factor in causing the resultant incapacity or death.	All work involving exposure to the risk concerned.
2. Diseases caused by beryllium or its toxic compounds.	All work involving exposure to the risk concerned.
3. Diseases caused by phosphorus or its toxic compounds.	All work involving exposure to the risk concerned.
4. Diseases caused by chrome or its toxic compounds.	All work involving exposure to the risk concerned.
5. Diseases caused by manganese or its toxic compounds.	All work involving exposure to the risk concerned.
6. Diseases caused by arsenic or its toxic compounds.	All work involving exposure to the risk concerned.
7. Diseases caused by mercury or its toxic compounds.	All work involving exposure to the risk concerned.
8. Diseases caused by lead or its toxic compounds.	All work involving exposure to the risk concerned.
9. Diseases caused by carbon bisulphide.	All work involving exposure to the risk concerned.
10. Diseases caused by the toxic halogen derivatives of hydrocarbons of the aliphatic series.	All work involving exposure to the risk concerned.
11. Diseases caused by benzene or its toxic homologues.	All work involving exposure to the risk concerned.
12. Diseases caused by nitro- and amido-toxic derivatives of benzene or its homologues.	All work involving exposure to the risk concerned.
13. Diseases caused by ionising radiations.	All work involving exposure to the action of ionising radiations.
14. Primary epitheliomatous cancer of the skin caused by tar, pitch, bitumen, mineral oil, anthracene, or the compounds, products or residues of these substances.	All work involving exposure to the risks concerned.

15. Anthrax infection.

Work in connection with animals infected with anthrax. Handling of animal carcasses or parts of such carcasses including hides, hoofs and horns. Loading and unloading or transport of merchandise which may have been contaminated by animals or animal carcasses infected with anthrax.

## SCHEDULE II

### PERIODICAL PAYMENTS TO STANDARD BENEFICIARIES

<i>Contingency</i>	<i>Standard beneficiary</i>	<i>Percentage</i>
1. Temporary or initial incapacity for work	Man with wife and two children	60
2. Total loss of earning capacity or corresponding loss of faculty	Man with wife and two children	60
3. Death of breadwinner	Widow with two children	50

## ANNEX

### INTERNATIONAL STANDARD INDUSTRIAL CLASSIFICATION OF ALL ECONOMIC ACTIVITIES

(Revised 1958)

#### LIST OF DIVISIONS AND MAJOR GROUPS

*Major  
group*

*Division*

*Division 0. Agriculture, Forestry, Hunting and Fishing*

01. Agriculture.
02. Forestry and logging.
03. Hunting, trapping and game propagation.
04. Fishing.

*Division 1. Mining and Quarrying*

11. Coal mining.
12. Metal mining.
13. Crude petroleum and natural gas.
14. Stone quarrying, clay and sand pits.
19. Other non-metallic mining and quarrying.

*Divisions 2-3. Manufacturing*

20. Food manufacturing industries, except beverage industries.
21. Beverage industries.
22. Tobacco manufacturers.
23. Manufacture of textiles.
24. Manufacture of footwear, other wearing apparel and made-up textile goods.
25. Manufacture of wood and cork, except manufacture of furniture.
26. Manufacture of furniture and fixtures.
27. Manufacture of paper and paper products.
28. Printing, publishing and allied industries.
29. Manufacture of leather, and leather and fur products, except footwear and other wearing apparel.
30. Manufacture of rubber products.
31. Manufacture of chemicals and chemical products.
32. Manufacture of products of petroleum and coal.
33. Manufacture of non-metallic mineral products, except products of petroleum and coal.
34. Basic metal industries.
35. Manufacture of metal products, except machinery and transport equipment.
36. Manufacture of machinery, except electrical machinery.
37. Manufacture of electrical machinery, apparatus, appliances and supplies.
38. Manufacture of transport equipment.
39. Miscellaneous manufacturing industries.

*Division 4. Construction*

40. Construction.

*Division 5. Electricity, Gas, Water and Sanitary Services*

51. Electricity, gas and steam.
52. Water and sanitary services.

*Division 6. Commerce*

61. Wholesale and retail trade.
62. Banks and other financial institutions.
63. Insurance.
64. Real estate.

*Division 7. Transport, Storage and Communication*

- 71. Transport.
- 72. Storage and warehousing.
- 73. Communication.

*Division 8. Services*

- 81. Government services.
- 82. Community services.
- 83. Business services.
- 84. Recreation services.
- 85. Personal services.

*Division 9. Activities Not Adequately Described*

- 90. Activities not adequately described.

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the International Labour Organisation during its Forty-eighth Session which was held at Geneva and declared closed the ninth day of July 1964.

IN FAITH WHEREOF we have appended our signatures this thirteenth day of July 1964.

The President of the Conference :

Andrés AGUILAR MAWDSLEY

The Director-General of the International Labour Office :

David A. MORSE

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