

1937.
NEW ZEALAND.

INTERNATIONAL LABOUR CONFERENCE, GENEVA, 1937.

REPORT OF NEW ZEALAND GOVERNMENT DELEGATION.

Presented to both Houses of the General Assembly by Leave.

INTERNATIONAL LABOUR CONFERENCE,

TWENTY-THIRD SESSION, GENEVA, 3rd to 23rd JUNE, 1937.

REPORT OF GOVERNMENT DELEGATION.

The Right Hon. the Prime Minister,—

I have the honour to transmit herewith report on the proceedings of the twenty-third session of the International Labour Conference, held at Geneva from 3rd to 23rd June, 1937.



Minister of Labour.

REPORT.

The names of the New Zealand delegates and of an adviser which were communicated to the International Labour Office in terms of paragraph 6 of Article 3 of the Constitution and Standing Orders of the International Labour Organization, were as under :—

Government Delegate.—The Hon. H. T. Armstrong, Minister of Labour and Minister of Immigration. *Adviser:* Mr. W. J. Shanly.

Workers' Delegate.—Mr. E. J. Dash, President of the Amalgamated Society of Railway Servants of New Zealand.

Employers' Delegate.—Mr. W. E. Anderson, Secretary of the Auckland Employers' Association.

The Government members of the delegation sailed from Wellington on the 6th April, and reached London, *en route* to Geneva, on the 11th May.

At London information was received from the Prime Minister that notification had been sent by him to the International Labour Office of an alteration in the status of the adviser to second Government delegate.

The Government delegates departed from London for Geneva on the 22nd May, and arrived at Geneva the following day.

Pending the commencement of the International Labour Conference on the 3rd June, the Government delegates were attached to the New Zealand delegation to the Extraordinary Session of the Assembly of the League of Nations convened for the purpose of considering the request of Egypt for admission to the League.

The Conference held its first sitting on the 3rd June, and its final sitting on the 23rd June.

The Conference hall was the Bâtiment Electoral, 24 Rue Général-Dufour, but it is expected that a hall will be completed in the new League of Nations building in time for the 1938 Conference.

Of the 62 member States of the organization, 53 were represented at the Conference.

There were 101 Government delegates and 97 advisers, 38 employers' delegates and 73 advisers, and 36 workers' delegates and 85 advisers, a total of 430 delegates and advisers. In addition, many of the delegations were accompanied by secretaries and other staff.

The President, chosen from the Government delegates, was Mr. Seán Lemas, member of the Dail Eireann for the South Division of Dublin City, and since 1932 Minister of Industry and Commerce in the Government of the Irish Free State.

Draft Conventions were adopted concerning minimum age for admission of children to industrial employment (revised, 1937); minimum age for admission of children to non-industrial employment (revised, 1937); reduction of hours in the textile industry and safety provisions in the building industry.

Recommendations were adopted concerning international co-operation in respect of public works; national planning of public works; minimum age for admission of children to industrial employment in family undertakings; safety provisions in the building industry; inspection in the building industry; co-operation in accident-prevention in the building industry; and vocational education for the building industry.

Resolutions were adopted concerning responsibility of machine builders, &c., as regards safety devices in the building industry; modifications of the reduction of hours of work (Textile Convention, 1937) in the case of certain countries; international co-operation with reference to public works; annual returns of employed children under the school-leaving age; the protection of migrant persons insured or pensioned under social insurance schemes; indigenous workers; women workers; uniformity of the protection of workers in China; obligation of members of the International Labour Organization; the collaboration of Burma with the International Labour Organization; the calling of an Advisory Tripartite Labour Conference of Asiatic countries and the establishment of an Asiatic Committee, and the generalization of the reduction of the hours of work.

The texts of the Draft Conventions, Recommendations, and Resolutions appear in the appendix.

Conventions were drafted relating (a) to reduction of hours in the chemical industry, and (b) reduction of hours in the printing and kindred trades; but both of these failed of adoption.

The New Zealand Government delegation is indebted for the willing and informed assistance which was extended to it by the Director of the International Labour Office (Mr. Harold Butler) and all members of his staff with whom it came in contact. The New Zealand member of the Office staff was particularly helpful to the delegation.

THE CONSTITUTION AND OBJECTS OF THE INTERNATIONAL LABOUR ORGANIZATION.

The International Labour Organization is the instrument created in Part XIII of the Treaty of Versailles to give expression to the belief expressed therein that universal peace "can be established only if it is based upon social justice." It was set up in 1919, and held its first Conference in Washington in that year. It is supported by contributions, on a quota basis, from the following member States:—

Afghanistan.	Ethiopia.	Nicaragua.
Albania.	Finland.	Norway.
Argentina.	France.	Panama.
Australia.	Guatemala.	Paraguay.
Austria.	Greece.	Peru.
Belgium.	Haiti.	Poland.
Bolivia.	Honduras.	Portugal.
Brazil.	Hungary.	(Rumania.
British Empire.	India.	Salvador.
Bulgaria.	Iraq.	Siam.
Canada.	Irish Free State.	South Africa.
Chile.	Iran.	Spain.
China.	Italy.	Sweden.
Colombia.	Japan.	Switzerland.
Cuba.	Latvia.	Turkey.
Czecho-Slovakia.	Liberia.	Union of Soviet Socialist
Denmark.	Lithuania.	Republics.
Dominican Republic.	Luxemburg.	United States of America.
Ecuador.	Mexico.	Uruguay.
Egypt.	Netherlands.	Venezuela.
Estonia.	New Zealand.	Yugoslavia.

GENERAL PRINCIPLES.

The high contracting parties to the Treaty laid down the following general principles and methods as being of special and urgent importance for regulating labour conditions:—

First.—The guiding principle that labour should not be regarded merely as a commodity or article of commerce.

Second.—The right of association for all lawful purposes by the employed as well as by the employers.

Third.—The payment to the employed of a wage adequate to maintain a reasonable standard of life as this is understood in their time and country.

Fourth.—The adoption of an eight-hour day or a forty-eight-hour week as the standard to be aimed at where it has not already been attained.

Fifth.—The adoption of a weekly rest of at least twenty-four hours, which should include Sunday wherever practicable.

Sixth.—The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development.

Seventh.—The principle that men and women should receive equal remuneration for work of equal value.

Eighth.—The standard set by law in each country with respect to the conditions of labour should have due regard to the equitable economic treatment of all workers lawfully resident therein.

Ninth.—Each State should make provision for a system of inspection, in which women should take part, in order to ensure the enforcement of the laws and regulations for the protection of the employed.

THE INTERNATIONAL LABOUR OFFICE.

The International Labour Office is situated at Geneva. It is controlled by the governing body (see page 24) which appoints the Director, determines the expenditure of the Office out of a budget appropriated for the purpose by the League of Nations, fixes the agenda of the conference, and exercises other duties. The Director is aided by Assistant Directors. The staff of the Office is appointed by the Director, and consists of officials of over forty nationalities, who are not dependent on the authorities in their countries of origin, but are immediately and solely responsible to the Director. The work of the International Labour Office falls into four main groups:—

- (1) It prepares the agenda of the governing body and the Conference, and attends to the execution of their decisions.
- (2) It conducts research into a wide field of industrial and economic problems, including conditions of work (contracts, hours, wages, &c.), unemployment, migration, health and safety, social insurance, agricultural work, technical education, labour statistics, &c.
- (3) It maintains relations with associations and institutions concerned with industrial and social affairs, collects information with regard to current events and movements in the world of labour, and supplies such information to inquirers.
- (4) It issues a series of periodical and other publications containing information on social and industrial affairs, including comparative studies on various questions in this field.

The Office has two official languages, English and French, but a number of other languages, including German, Spanish, and Italian, are in constant use. The standard of training and ability required in the Office interpreters is an exacting one. It is not sufficient in these officers for them to be competent to make leisurely written translations of printed papers. They must have the academic training and technical knowledge to make rapid and accurate oral translations before a large and critical audience at the same speed as that at which the speaker is proceeding. This is done by them with remarkable facility. One officer is able to translate from the Albanian, Bulgarian, Czech, Danish, Dutch, English, Finnish, German, Greek, Hungarian, Italian, Norwegian, Polish, Portuguese, Rumanian, Russian, Serbian, Spanish, and Swedish languages.

The Director of the Office is Mr. Harold Butler. After a career in the British Civil Service, Mr. Butler took an active part in the work preparatory to the creation of the Organization, and acted as Secretary-General of the first International Labour Conference in Washington. He was then appointed Deputy-Director. In 1932 he succeeded the first Director, the late Mr. Albert Thomas.

A monument to the memory of Albert Thomas was unveiled on Sunday morning, 20th June, 1937. The monument, which stands opposite the main entrance of the International Labour Office, is the work of Mr. Paul Landowsky. It consists of a lofty pedestal, on which stand four sculptured figures, representing the principal races of mankind, with the tools of their trades. The pedestal itself bears four bas-reliefs, one being a portrait of Albert Thomas in a characteristic attitude, the others representing three great divisions of labour—agriculture, mining, and navigation. On the pedestal are also inscribed some of the sayings of Albert Thomas. The ceremony was attended by the delegates to the International Labour Conference, representatives of the Government of the Republic and Canton of Geneva, the Secretary-General of the League of Nations, and many others. Brief speeches were given by Mr. Ernest Mahaim, Belgian Government delegate to the International Labour Conference and member of the Governing Body; Mr. Adrien Lachenal, President of the Council of State of Geneva; Mr. Chardin, Mayor of Champigny-sur-Marne, where Albert Thomas was born; Mr. Neess, Chairman of the governing body; Mr. H. C. Oersted, Vice-Chairman of the governing body and Danish employers' delegate, speaking on behalf of the employers' group; Mr. Leon Jouhaux, Vice-Chairman of the governing body and French workers' delegate, speaking on behalf of the workers' group; Mr. Joseph Avenol, Secretary-General of the League of Nations; Mr. Harold Butler, Director of the International Labour Office, on behalf of the staff of the Office; Mr. Paul Faure, French Minister of State, who apologized for the unavoidable absence of Mr. Léon Blum, the Prime Minister of France, with whom he recalled that Albert Thomas had passed the last evening of his life.

The New Zealand Government delegates paid a visit of inspection to the Office on the 23rd June, and were shown through the various branches. The meeting-room of the Governing Body is an impressive one, made so principally by contributions of furniture and ornaments from member States. France supplied the valuable Gobelin tapestry which almost covers one wall. India furnished the beautiful wood for the wall-panelling, flooring, ceiling, and furniture. Great Britain met the cost of making the furniture supplied by India. Holland gave the large painting by Ferd. Bol. Japan's contribution was two large and valuable cloisonne vases. Italy paid the cost of binding the official documents and publications of the Governing Body. Norway presented some attractive Norwegian tapestry for the private office of the Chairman of the Governing Body. In the vestibule is a bust of Robert Owen, presented by the people of Wales. Other presentation works of art are placed in various parts of the building, including an impressive stained-glass window, presented by Germany when it was a member of the Organization, representing various phases of German industry. In the main entrance hall is a mural in mosaic, presented by the Third International, reproducing the preamble to the constitution of the Organization.

The Office sends out to all parts of the world 1,000 postal packets per day. Swiss postage stamps, over-printed for use by the Office, are used. In a year a total of 35,000 letters is sent and received. In the Periodicals Department 500 periodicals and 500 newspapers are received daily from all parts of the world, and are circulated to the officers concerned for perusal. Some of these publications are scanned by the Periodicals Department, and others are sent for perusal by members of sections. The Periodicals Department prepares about 200 extracts per day from the publications for circulation to sections, and takes out 400 cuttings per day from newspapers. Approximately 4,500 different publications are received into the Office. The number of visitors to the Office annually is placed at 50,000.

The library contains 350,000 volumes on industrial and social subjects. It is the world's most complete international collection of works on industrial and social matters, and may be used by persons engaged on research on related questions.

The estimated expenditure on the Office for 1937 is 9,504,140 Swiss francs. Receipts, derived principally from contributions of States who are members of the International Labour Organization, but not members of the League of Nations (Brazil, United States of America, Japan), are estimated at 1,768,034 gold francs. The net estimates are therefore 7,736,106 francs, which, while higher than for 1936, are still lower than the average for the period 1929-1935.

In the 1937 estimates 208,000 francs are accounted for in various travelling and removal expenses; 53,000 francs on office equipment; 700,000 francs in extending accommodation; 450,000 francs in printing; 329,000 francs in sessions of the Conference; 130,000 francs in sessions of the Governing Body; and 6,718,260 francs in salaries, allowances, and overtime.

It has been said that no national budget is so elaborately and minutely examined as that of the International Labour Office, which is scrutinized successively by the Finance Committee of the Governing Body, the Governing Body itself, the Supervisory Commission of the League of Nations, the Fourth Committee of the Assembly of the League, and the Assembly itself. In other respects the International Labour Office is an independent institution.

SECTIONS OF OFFICE.

The Office is divided into sections. The following is a list of the sections, with a summary of the principal activities carried on by each:—

1. Directorate.

This consists of the Director, four Assistant Directors, the Director's private Secretariat, Secretaries of the Assistant Directors, and the Information and Press Service.

2. Official Relations Section.

Secretariat of the Governing Body (correspondence with members of the Governing Body, drafting of documents and minutes of sessions of the Governing Body, correspondence concerning the execution of decisions of the Governing Body); Secretariat of Committees.

Official correspondence with Governments and the League of Nations; editing and publication of the "Official Bulletin."

Relations with Workers' Organizations.

3. Conference Section.

Preparation of the International Labour Conference; preparation, publication, and despatch of authentic texts of Conventions and recommendations; ratification of Conventions; interpretation of Conventions; effect given to recommendations; application of Conventions and recommendations, including examination of reports submitted under Article 22 of the Constitution and complaints concerning failure to apply Conventions which have been ratified; preparation of ten-yearly reports on the working of Conventions and periodical reports on the application of recommendations; labour inspection; maritime, inland, and aerial navigation, maritime and inland fishing.

4. Administrative Section.

Deals with all administrative questions concerning finance, staff, material, and household services, and with the general organization of the Office. Directs, co-ordinates, and supervises all the central services.

5. Legal Service.

Gives legal opinions on problems concerning the International Labour Office.

6. Social Economics Service.

Study of general economic problems from the point of view of their social aspects, and information concerning economic developments throughout the world in so far as they affect the conditions of life and employment of the workers. Economic and social problems concerning agriculture.

7. Statistical Section.

Study of statistics connected with labour conditions; collection and comparison of statistics of prices, cost of living, family budgets, wages, hours of labour, unemployment, migration, and other questions connected with labour. Establishment of standard methods of statistical calculations and tables with a view to securing international comparability and uniformity in labour statistics. Collaboration with the statistical services of the Secretariat of the League of Nations.

8. Unemployment and Migration Section.

Employment and unemployment problems; placing, insurance, and relief of unemployed; public works; migration problems; population problems.

9. Editorial Section.

Preparation of the general programme of publications. Revision, translation, editing, preparation for printing, and organization of the sale and distribution of the publications of the Office; translation and publication of the more important laws and administrative orders in all countries of the world.

10. Labour Conditions Section.

Study of conditions of labour; contracts of employment, collective agreements, legal decisions on labour law; hours of work; conditions in special industries; employment of women and children; utilization of workers' spare time; housing of workers; vocational training; professional workers and salaried employees; social aspects of rationalization; employers' organizations.

11. Social Insurance Section.

General problems of social insurance ; workmen's compensation for accidents ; sickness and maternity insurance ; invalidity, old-age, and widows' and orphans' insurance ; medical and actuarial questions concerning social insurance ; social services and social charges.

12. Industrial Hygiene Service.

Study of questions concerning industrial hygiene and industrial physiopathology ; general and special inquiries concerning unhealthy occupations ; workmen's compensation for occupational diseases.

13. Safety Service.

Study of questions concerning the prevention of industrial accidents.

14. General Information Section.

Central Documents Service, Correspondents' offices, and correspondents in Europe ; pamphlets explaining the work of the Office ; broadcasting ; relations with non-official organizations.

15. Extra-European Section.

Liaison with extra-European countries ; extra-European Correspondents' offices and correspondents ; pamphlets explaining the work of the Office ; broadcasting ; relations with non-official organizations in extra-European countries.

16. Special Problems Section.

Conditions of labour in colonies, protectorates, and mandated territories ; forced labour and slavery ; social aspects of co-operation ; handicrafts.

INTERNATIONAL LABOUR CONFERENCE.

The International Conference meets at least once a year, usually at Geneva. Occasionally regional conferences are held in other parts of the world. One of these regional conferences was held this year at Washington, with such successful results that it is not unlikely that the practice of holding regional conferences will become more frequent. This year the Conference adopted a resolution urging the Governing Body to redouble its efforts towards the convocation of an Advisory Tripartite Labour Conference of Asiatic countries for the purpose of promoting improvements in conditions of life and labour in Asiatic countries.

The Conference is composed (when full delegations are sent) of four representatives of each of the member States, of whom two are Government delegates and the two others are delegates representing respectively the workers and the employers. Each delegate may be accompanied by advisers not exceeding two in number for each item on the agenda. The non-Government delegates and advisers are nominated by the Governments concerned in agreement with the industrial organizations, where such exist, which are most representative of workers and employers. Each delegate has one vote. Advisers are not permitted to address the Conference, except at the request of the delegate whom they accompany, and they may not vote unless they have been appointed in due form to act as their delegate's substitute.

The agenda paper is arranged by the Governing Body. The staff of the Conference is provided by the International Labour Office, whose Director acts as Secretary-General of the Conference. The various Governments pay the travelling and subsistence expenses of the delegations from their countries, but the other costs of the Conference are paid by the International Labour Office out of funds allocated for the purpose by the League of Nations. The decisions of the Conference may be embodied either in Draft Conventions, recommendations, or resolutions. Draft recommendations acquire the force of treaties between the States which ratify them. Draft Conventions and recommendations each require, to secure adoption, a majority of two-thirds of the votes cast by the delegates present, but a resolution may be adopted by a simple majority.

The proceedings are conducted usually in the official languages of the Conference—viz., English and French—but interpretations in other languages are provided by the Secretariat when required. The interpreters are located immediately below the rostrum from which the delegates address the Conference, and interpret speakers' remarks immediately into microphones adapted specially for the purpose. Each interpreter speaks in a different language and earphones are provided at the desk of each delegate who, by turning a selector knob, can hear the interpretation in the language desired. Shorthand reports are taken of speeches and these are included in the record which is published daily of the Conference proceedings. All important votes are recorded by calling the name of each delegate, who replies "Yes," "No," or "Abstain." To reduce the possibility of error in recording votes, the Clerk of the Conference, as each delegate announces his vote, acknowledges it by flashing one of three coloured lights which are labelled "Yes," "No," and "Abstain" respectively. If the light which appears does not correctly acknowledge the delegate's decision, he has the opportunity then of having the necessary correction made before it is recorded. The delegates sit in the body of the hall, and accommodation for advisers is provided in low galleries along each wall.

The principal officers of the Conference are the President and three Vice-Presidents. The latter must be of different nationalities and may include women. The President is elected at the first sitting of each Conference. The Government, workers', and employers' delegates form themselves into three groups, each of which meets on the first day and nominates one of their number as a Vice-President at the second sitting, usually held on the first day. The Vice-Presidents this year were Mr. Garcia Oldini (Government delegate, Chile), Mr. Goldie (employers' delegate, Canada), and Mr. Krekitch (workers' delegate, Yugoslavia). The employers' and workers' groups hold frequent meetings during the Conference to discuss matters which are coming up for consideration in committees or in the Conference ; but the Government group, which does not have the same unanimity of policy, meets only two or three times.

The daily order of the business of the Conference, times of meetings of committees, and so forth, are arranged from day to day by the Selection Committee.

The items on the agenda of the Conference, showing the action taken, were as follows :—

Agenda Item.	Action taken.	Final Voting.	
		For	Against
I. Safety provisions for workers in building construction with reference to scaffolding and hoisting machinery. (Second discussion)	(a) Draft Convention adopted ..	128	0
	(b) Four recommendations adopted concerning—		
	(1) Safety provisions ..	117	3
	(2) Inspection ..	124	0
	(3) Co-operation in accident prevention	115	0
	(4) Vocational education	122	0
II. Reduction of hours of work in the textile industry. (Second discussion)	(c) Resolution adopted concerning responsibility of machine-builders, &c., as regards safety devices in building industry (<i>adopted without vote</i>)		
	(a) Draft Convention adopted ..	88	41
III. The planning of public works in relation to employment. (Single discussion)	(b) Resolution adopted concerning modifications of Draft Convention in certain countries (<i>adopted without vote</i>)		
	(a) Recommendation adopted concerning international co-operation	148	0
	(b) Recommendation adopted concerning national planning	147	0
IV. Reduction of hours of work in the printing and kindred trades. (Single discussion)	(c) Resolution adopted concerning international co-operation (<i>adopted without vote</i>)		
V. Reduction of hours of work in the chemical industry. (Single discussion)	Convention drafted, but not adopted	72	43
VI. Partial revision of the Minimum Age (Industry) Convention, 1919 (No. 5), with reference to the following points :—	Convention drafted, but not adopted	76	42
(a) Revision of Article 2 so as to raise the minimum age from fourteen to fifteen years			
(b) Insertion of a provision raising the age laid down in Article 4 below which registration is compulsory	(a) Draft-revising Convention adopted	98	18
(c) Insertion of a provision prescribing the age of admission to employment which is dangerous to life, health, or morals	(b) Recommendation adopted concerning family undertakings	82	18
(d) Revision of the exceptions ..			
(e) Substitution for Articles 7 to 14 of the 1919 Convention of the Standard Articles in the form last approved by the Conference			
VII. Partial revision of the Minimum Age (Non-industrial Employment) Convention, 1932 (No. 33), with reference to the following points :—			
(a) Revision of exceptions and exemptions in respect of children between fourteen and fifteen years of age			
(b) Revision of Article 2 so as to raise the minimum age from fourteen to fifteen years			
(c) Raising to thirteen years of the age fixed in paragraph 1 of Article 3	Draft-revising Convention adopted	81	22
(d) Insertion of a clause providing for the registration of workers below a prescribed age			
(e) Deletion of Article 9 ..			
(f) Substitution for Articles 10 to 16 of the 1932 Convention of the Standard Articles in the form last approved by the Conference			

The texts of the various Draft Conventions, Recommendations, and Resolutions are printed in the appendix of this report.
A table, giving details of each of the record votes, also appears in the Appendix.

On the issues in respect of which record final votes were taken, the votes of the New Zealand delegation were cast as follows:—
 [Abbreviations.—Abs. = Abstained from voting. For = Voted in favour. Agst. = Voted against.]

		Reduction of Hours.			Minimum Age.		
		Textile Industry. (Draft Convention <i>adopted</i> .)	Chemical Industry. (Draft Convention <i>not adopted</i> .)	Printing and Kindred Trades. (Draft Convention <i>not adopted</i> .)	Convention (Industrial). (Revising Convention <i>adopted</i> .)	Convention (Non-Industrial). (Revising Convention <i>adopted</i> .)	Recommendation concerning Admission to Industrial Em- ployment in Family Undertakings. (<i>Adopted</i> .)
Government delegates	..	For (2)	For (2)	For (2)	For (2)	For (2)	For (2)
Employers' delegate	..	Agst.	Agst.	Agst.	Agst.	Agst.	Agst.
Workers' delegate	..	For	For	For	For	For	For

	Planning of Public Works.		Building Industry.					
	Recommendation on International Co-operation. (<i>Adopted.</i>)	Recommendation on National Planning. (<i>Adopted.</i>)	Draft Convention concerning Safety Provisions. (<i>Adopted.</i>)	Recommendation concerning Inspection. (<i>Adopted.</i>)	Recommendation on Co-operation in Accident Prevention. (<i>Adopted.</i>)	Recommendation on Vocational Education. (<i>Adopted.</i>)	Recommendation concerning Safety Provisions. (<i>Adopted.</i>)	
Government delegates	For (2)	For (2)	For (2)	For (2)	For (2)	For (2)	For (2)	
Employers' delegate	For	For	For	Abs.	Abs.	Abs.	Abs.	
Workers' delegate	For	For	For	For	For	For	For	

Notes on Agenda Items.

Items I and II were the subject of preliminary discussion at the Twentieth Session of the Conference (1936), in accordance with the double-discussion procedure described by Article 6 of the Standing Orders of the Conference. As the result of this first discussion, the Conference placed these items on the agenda of the Twenty-third Session for the second and final discussion, and decided the points on which Governments were to be consulted meanwhile by questionnaires. The 1937 session of the Conference was called upon to complete the second stage of the double-discussion procedure and to consider these items with a view to the adoption of proposals in the form of Draft Conventions or recommendations. The Conference accordingly had before it reports on these items. These reports reproduced and analysed the replies of the Governments to the questionnaires addressed to them after the Twentieth Session and concluded with proposals for Draft Conventions and recommendations which the Conference took as a basis for discussion.

With regard to item II (reduction of hours of work in the textile industry) the Conference also had before it the Record of Proceedings (First Part) of the Tripartite Technical Conference on the Textile Industry which was held at Washington from 2nd to 17th April, 1937, containing the reports adopted by the Conference, and the Report on the World Textile Industry: Economic and Social Problems, with its Appendices, presented to the Technical Conference by the International Labour Office.

Items III, IV, and V were placed on the agenda by the Governing Body of the International Labour Office for either a first discussion or a single discussion. The first part of each of these reports set out the law and practice on the subject in the different countries, and concluded with a list of points on which the Office suggested that the Governments of States members of the organization might be consulted in the event of the Conference deciding to follow the double-discussion procedure. The second part contained draft proposals for international regulations which the Conference took as a basis of discussion.

Items VI and VII were placed on the agenda by a decision of the Governing Body of the International Labour Office at its Seventy-sixth Session (June, 1936), the precise questions in respect of which revision was to be considered being determined by the Governing Body at its Seventy-seventh Session (November, 1936). In accordance with Article 6A of the Standing Orders of the Conference, the Office prepared and submitted to the Conference blue reports containing draft amendments to the two Conventions in question. Paragraph 1 of this article of the Standing Orders provides that "the Conference shall not revise in whole or in part a Convention which has previously been adopted by it save in respect of the question or questions placed by the Governing Body on the agenda of the session."

JOURNAL OF THE CONFERENCE PROCEEDINGS.**First Sitting—**

- Opening of the Conference.
- Election of the President.
- Presidential Address.
- Order of Work of the Conference.

Second Sitting—

- Election of Vice-Presidents.
- Appointment of the Selection Committee.

Third Sitting—

- Selection Committee—
 - Discussion and Adoption of the First Report of the Committee: Constitution of Committees.

Fourth Sitting—

- Selection Committee—
 - Discussion and Adoption of the Second Report (Verbal) of the Committee: Composition of the Committees on Standing Orders, Resolutions, the Application of Conventions, Safety in Building, Public Works, and Minimum Age.

Fifth Sitting—

- Hours of Work in the Printing Trades—
 - General Discussion.
 - Adoption by record vote of the resolution proposing a single discussion submitted by Mr. Mertens, and reference of the Grey-Blue Report on the Printing Trades to the competent Committee.
- Hours of Work in the Chemical Industry—
 - General Discussion.
 - Adoption by record vote of the resolution proposing a single discussion submitted by Mr. Mertens, and reference of the Grey-Blue Report on the Chemical Industry to the competent Committee.
- Selection Committee—
 - Adoption of the Second Report (Verbal) of the Committee on the Constitution of the Committees on the Printing Trades, the Chemical Industry, and the Textile Industry.

Sixth Sitting—

Selection Committee—

Discussion of the Third Report of the Committee concerning a request made by Mr. Staud, Austrian Workers' Delegate, the Constitution of the Drafting Committee, and the Discussion of the Director's Report.

Public Works—

General Discussion of the Preliminary Report of the Committee.

Adoption of the Preliminary Report of the Committee.

Director's Report—

Discussion of the Report.

Seventh Sitting—

Director's Report—

Discussion of the Report (continued).

Eighth Sitting—

Director's Report—

Discussion of the Report (continued).

Ninth Sitting—

Director's Report—

Discussion of the Report (continued).

Tenth Sitting—

Selection Committee—

Adoption of the Fourth Report of the Committee on the Date of Submission of Reports by Committees and on the Election of the Governing Body of the International Labour Office.

Director's Report—

Discussion of the Report (continued).

Eleventh Sitting—

Director's Report—

Discussion of the Report (continued).

Director's Reply.

Twelfth Sitting—

Selection Committee—

Adoption of the Fifth Report of the Committee concerning the Collaboration of the Groups with the Selection Committee in the Composition of the Committees, and concerning the Work of the Conference.

Application of Conventions—

Discussion of the Committee's Report.

Adoption of the Committee's Report.

Periodical Reports on the Application of Certain Conventions—

The Conference takes note of the Periodical Reports on the Application of Conventions Nos. 17, 18, 21, and 29.

Standing Orders of the Conference—

Adoption of the Committee's Report.

Credentials—

Adoption of the First, Second, and Third Reports of the Committee on the Composition of the Conference, the Quorum, and Objections.

Discussion and Adoption of the Fourth Report of the Committee on the Credentials of the Workers' Delegate of the Union of Soviet Socialist Republics and her Adviser, of the Estonian Workers' Delegate, and of the Spanish Workers' Delegate, and Workers' Advisers (see observations concerning this on page 25).

Discussion of the Fifth Report of the Committee on the Objections to the Credentials of the Austrian, Bulgarian, and Greek Workers' Delegates and Workers' Advisers.

Adoption of the Majority Report.

Discussion of the Sixth Report of the Committee on the Objections to the Credentials of the Latvian and Lithuanian Workers' Delegates, and Workers' Advisers.

Adoption by Record Vote of the Majority View set out in the Committee's Report.

Thirteenth Sitting—

Public Works—

General Discussion of the Committee's Report.

Adoption of the Draft Recommendation concerning International Co-operation in respect of Public Works submitted by the Committee, and Reference of the Recommendation to the Drafting Committee.

Adoption of the Draft Recommendation concerning the National Planning of Public Works submitted by the Committee and Reference of the Recommendation to the Drafting Committee.

Minimum Age—

General Discussion of the Committee's Report.

Fourteenth Sitting—

Minimum Age—

General Discussion of the Committee's Report (continued).

Speech by Mr. Delattre, Belgian Minister of Labour.

Discussion of the Amendment to Article 2 of the Revised Convention submitted by Mr. Justin Godart, Mr. Mahaim, Mr. Phocas, Mr. Yeremitch, Miss Abbott, and Mrs. Palencia.

Adoption of the Amendment and of Article 2 as amended by the Conference.

Adoption of Articles 4, 5, and 6, and of the new Articles A, B, and C.

Vote on the Revised Articles proposed by the Committee as a whole and on the Draft Recommendation submitted by the Government Delegates of the United States of America, Spain, France, Belgium, Greece, and Yugoslavia.

Postponement for record vote, the quorum not having been attained.

Fifteenth Sitting—

Minimum Age—

Adoption of Revised Articles 2, 3, and 7 of Convention No. 33.

Discussion of an Amendment to Article 9, submitted by Mr. Naidu.

The amendment was not adopted, the quorum not having been attained.

Adoption of Article 9, and of the Revised Articles proposed by the Committee as a whole, and Reference of the Articles to the Drafting Committee.

Adoption of the two Resolutions submitted by the Committee.

Record Vote on the Revised Articles of the Minimum Age (Industry) Convention (No. 5) as a whole.

Record Vote on the Draft Recommendation concerning Family Undertakings (with reference to Convention No. 5) submitted by the Government Delegates of France, Belgium, Greece, Yugoslavia, United States of America, and Spain.

Statement of the Chairman of the Selection Committee on the Work of the Conference.

Hours of Work in the Textile Industry—

General Discussion of the Committee's Report.

Sixteenth Sitting—

Hours of Work in the Textile Industry—

General Discussion of the Committee's Report (continued).

Seventeenth Sitting—

Hours of Work in the Textile Industry—

General Discussion of the Committee's Report (continued).

Adoption of the Preamble and Articles 1 to 14.

Adoption of the Draft Convention concerning the Reduction of Hours of Work in the Textile Industry and Reference of the Draft Convention to the Drafting Committee. Presentation and Adoption of the Resolution submitted by the Committee on the Textile Industry.

Hours of Work in the Chemical Industry—

General Discussion of the Committee's Report.

Adoption of the Preamble and Articles 1 to 7 of the Draft Convention submitted by the Committee.

Submission of an Amendment by Mr. Lheure. The Amendment was not seconded.

Adoption of Articles 8 to 13.

Adoption of the Draft Convention submitted by the Committee, and Reference of the Draft Convention to the Drafting Committee.

Printing Trades—

General Discussion of the Committee's Report.

Eighteenth Sitting—

Printing Trades—

General Discussion of the Committee's Report (continued).

Adoption of the Draft Convention submitted by the Committee, and Reference of the Draft Convention to the Drafting Committee.

Adoption of the Resolution submitted by the Committee respecting Special Provisions for certain Countries.

Resolutions—

Discussion of the First Report of the Committee.

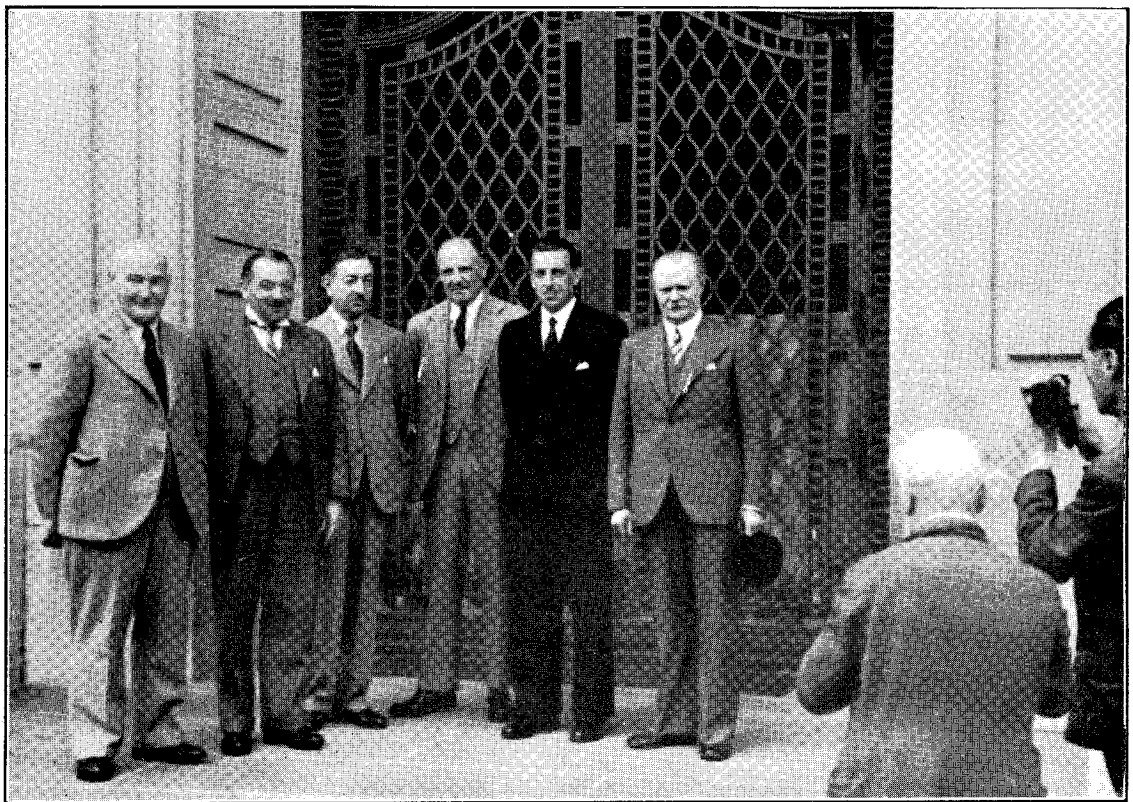
Discussion of the Resolution (Protection of Insured or Pensioned Persons) submitted by Mr. Komarnicki.

Adoption of the Resolution.

Adoption of the Resolution (Indigenous Workers) submitted by Mr. Chandra Sen.

Discussion of the Resolution (Women Workers) submitted by Mr. McGrady and Miss Grace Abbott.

Adoption of the Resolution.



MINISTERS OF LABOUR PRESENT AT INTERNATIONAL LABOUR CONFERENCE, GENEVA, 1937.

Left to right: Hon. H. T. Armstrong, M.P. (New Zealand); Hon. Ernest Brown, M.P. (Great Britain); Mr. Draguicha Tzvetkovich (Yugoslavia); Mr. Harold Butler, Director, International Labour Office (Secretary-General of Conference); Mr. Séan Lemas, T.D. (Irish Free State), President of Conference; Mr. Lebass (France). Absent: Mr. Jaako W. Keto (Finland); and Mr. Delattre (Belgium).

Nineteenth Sitting—

Credentials—

Adoption of the Seventh Report of the Committee concerning the Credentials of the Employers' Delegate of the Union of Soviet Socialist Republics.

Safety in Building—

General Discussion of the Committee's Report.

Adoption of the Preamble and Articles 1 to 18.

Adoption of the Draft Convention as a Whole and Reference of the Draft Convention to the Drafting Committee.

Adoption of the Four Draft Recommendations and Reference of the Recommendations to the Drafting Committee.

Adoption of the Draft Resolution.

Resolutions—

Discussion of the First Report of the Committee (continued).

Discussion of the Three Draft Resolutions combined in a Single Resolution (Uniformity of the Protection of Workers in China), submitted by Mr. Chu, Mr. Koizumi, Mr. Sen, and Mr. Mertens.

Adoption of the Draft Resolution.

Discussion of the Draft Resolution (Obligations of Members of the International Labour Organization), submitted by Mr. Kupers.

Adoption of the Draft Resolution.

Discussion of the Second Report of the Committee. The Draft Resolution (Smuggling in China), submitted by Mr. Chu, does not fall within the Competence of the International Labour Organization.

Discussion of the Draft Resolution (Collaboration of Burma), submitted by Mr. Sen.

Adoption of the Resolution.

Discussion of the Draft Resolution (calling of an Advisory Tripartite Labour Conference of Asiatic Countries), submitted by Mr. Chu, Mr. Sen, and Mr. Koizumi.

Adoption of the Resolution.

Discussion of the Draft Convention (Generalization of the Reduction of Hours of Work), submitted by Mr. Mertens and Mr. Jouhaux.

Adoption of the Resolution.

Twentieth Sitting—

Public Works—

Final Record Vote on the Recommendation concerning International Co-operation in respect of Public Works.

Final Record Vote on the Recommendation concerning the National Planning of Public Works.

Minimum Age—

Final Record Vote on the Draft Convention fixing the Minimum Age for Admission of Children to Industrial Employment (revised, 1937).

Final Record Vote on the Draft Convention concerning the Age for Admission of Children to Non-industrial Employment (revised, 1937).

Final Record Vote on the Recommendation concerning the Minimum Age for Admission of Children to Industrial Employment in Family Undertakings.

Hours of Work in the Textile Industry—

Explanation of Vote.

Final Record Vote on the Draft Convention concerning the Reduction of Hours of Work in the Textile Industry.

Hours of Work in the Chemical Industry—

Final Record Vote on the Draft Convention concerning the Reduction of Hours of Work in the Chemical Industry.

Hours of Work in the Printing Trades—

Final Record Vote on the Draft Convention concerning the Reduction of Hours of Work in the Printing Trades.

Twenty-first Sitting—

Elections to the Governing Body.

Safety in Building—

Final Record Vote on the Draft Convention concerning Safety Provisions for Workers in the Building Industry.

Final Record Vote on the Recommendation concerning Safety Provisions for Workers in the Building Industry.

Final Record Vote on the Recommendation concerning Inspection in the Building Industry.

Final Record Vote on the Recommendation concerning Co-operation in Accident Prevention in the Building Industry.

Final Record Vote concerning Vocational Education for the Building Industry.

Closing Speeches.

DIRECTOR'S ANNUAL REPORT.

POINTS FROM THE DEBATE.

The main debate of the Conference is the discussion which takes place on the Director's report. This report is an annual one, and is circulated to member States prior to the Conference, copies being made available through them to the delegates. A time-limit of fifteen minutes is imposed on delegates' speeches, but the rule is used with care by the President, who is in a position to gauge the depth of interest which is being taken by the Conference in the remarks of any speaker who has exceeded his time.

No restraint is placed upon the choice of subjects for the speeches, but they usually deal with social problems and progress in the speakers' countries, and with points from the Director's report.

The report is in the nature of a world survey of social and economic matters, and is written in a manner which brings a lively interest into what could be a rather dry subject. Delegates find it either stimulating or provocative, according to the views which they hold, but none complain of its dullness.

Seventy-three speakers took part in the debate, and they included five Ministers of Labour.

Evidence given by delegates from various parts of the world of social developments in their countries showed, comparatively, that, while New Zealand has done a good deal in the past eighteen months to regain its former pride of place as a leader in social reform, it cannot yet claim full leadership in all departments. Remarkable developments have occurred in countries which we in this part of the world have been prone to regard as backward ones.

This development is in most cases fairly recent, and there is no doubt that, in framing their new codes, the countries concerned have been able to build upon the experiences of countries which, like New Zealand, did pioneering work in this field.

Latvia has had no unemployment since 1935. In fact, it has had to introduce 45,000 foreign agricultural workers per year. This year family allowances have been provided for agricultural workers' children under twelve years of age. Subsidies are given to farmers who build homes with a suitable area of garden. Rural workers receive free radio licenses, from ten to fourteen paid holidays annually, and free medical services. Regarding industrial workers, the Government three years ago prohibited any reduction in wages. If an undertaking goes bankrupt, wages due to workers are paid from a Government fund. Besides other expenditure on holiday camps, the Government pays a subsidy in respect of each child under twelve years of age which farmers accept on holiday during the summer months from a working-class home. Labour disputes are settled through the channel of a "shop-steward," the trade-union, the Chamber of Labour, or finally by the Government. Special rest-homes for workers while on paid holidays have been provided in rural areas, in towns, and at health resorts. To utilize the spare time of workers theatrical performances, operas, concerts, sports, and excursions are organized at very low cost to the workers. To improve nutrition there is a system of distributing meals very cheaply to workers. Free legal assistance is provided for workers.

Mexico decided in 1936 that the weekly rest day for workers must be paid for, and that the minimum age for admission to employment was to be fifteen years. Payment for the weekly rest day had increased wages by 16 per cent.

According to the *Yugoslavian* Minister of Labour, who took part in the debate, about thirty decrees bringing about improvements of the agricultural and industrial situations had been promulgated in Yugoslavia. Steps had been taken in regard to fixing wheat-prices; settlement of farmers' debts; fixation of interest-rates; issue of Treasury bonds; reorganization of certain co-operative societies; protection of financial establishments and their creditors; insurance of workers against invalidity, unemployment, and old age. The capital of the unemployment insurance fund is invested in the establishment of hospitals, workers' dwellings, &c. The issue of Treasury bonds had had a very favourable effect on the money-market. Trade had increased by 14.1 per cent. in 1936, and the average wage of workers had recovered. One important decree dealt with the fixing of minimum-wage rates, the conclusion of collective agreements, conciliation and arbitration. In its provision was made for fixing of minimum rates below which wages could not fall. Collective agreements covered at least half of the undertakings, and half of the workers in an occupation could be applied to the whole of the occupation throughout the territory, and if the parties did not come to an agreement the proper authority could fix a wage-rate. Provision was made for compulsory conciliation and optional arbitration both for workers and employers before stoppages occurred.

The Government delegate from *Brazil* stated that prior to 1930 Brazil's social legislation had been slight, but since then they have reduced excessive hours of work, improved conditions of work, extended the workers' compensation to all workers, and given to various groups compulsory insurance against invalidity, old age, and death. Efforts had been made to give holidays with pay. Employers and workers' organizations have been given new rights and the number of their unions (less than 100 in 1930) have increased to 700. The number of employers' organizations included in this figure is about 400. Wages have been improved and the case of agricultural producers has been improved by creating co-operative societies.

The *Chinese* Government delegate gave evidence that during the most critical period of unemployment his country undertook a vast plan of national reconstruction including the employment of a million workers on hydro-electric works, the building of 29,840 kilometres of roads, flood and drought protection, and telegraph and telephonic communications. He mentioned incidentally that the population of China equalled one-quarter of the total population of the world.

Notwithstanding the regrettable internal situation with which the *Spanish* Government is contending, that country sent a delegation of fourteen members to the Conference, and gave assurances of its hearty support to the Forty-hour Week Conventions. Mrs. Palencia, the Spanish Minister at

Stockholm, who was one of the delegates, stated in her address during the debate that Spain could look forward with equanimity to as much limitation of working-time as it was possible to obtain. She added that Spain had not been satisfied with mere ratification of Conventions, but had incorporated these Conventions in its laws. When the civil war broke out the Government took over enterprises, such as building works, which had been abandoned, and continued the work, maintaining all the conditions of collective agreements and maintaining a forty-hour week in many industries. Co-operative works, she stated, had within recent years made enormous progress in Spain, 292 new co-operative societies having been registered in the Labour Ministry during 1937.

In *Finland* the number of farms held on lease which have been transformed into small holdings since that country became, in 1918, independent of Russia is in excess of 100,000. Sixty per cent. of the population of Finland earn their living from agriculture and its subsidiary branches, and the majority of the rural population are now landowners. This year Finland brought into force a new Act under which the Government shares in the cost of maintaining employment exchanges. The Government has also extended a network of free employment exchanges. An invalidity and old-age insurance Act was also passed this year, but will not come into force until 1939. It covers the whole adult population of the country, which is about 2,000,000 persons out of a total population of 3,500,000. The State and municipal authorities will pay about one-third and the social institutions about two-thirds of the cost. A proposal has been placed before Parliament for maternity assistance, and it is anticipated to be adopted at the end of this year. Bills are being prepared to deal with the housing problem in town and country.

In *Norway* the Government is occupied in the preparation of various plans to counteract the special unemployment which is caused by changes in methods of production. To deal with unemployment generally a Bill was introduced this year under which one-fifth (600,000) of the total Norwegian population will be insured against unemployment and will be entitled to benefit during fifteen weeks in any year. An old-age-pension scheme applicable to all persons who have reached the age of seventy came into force on 1st July of this year. The Norwegian Government delegate who gave this information remarked that if the Conference considered the age of seventy rather high, he would give the reminder that his countrymen were long-lived. The pensions vary according to the cost of living in different regions, and are fixed in such a way as to ensure a modest living. The pension scheme is not contributory. A Bill has also been introduced this year dealing with pensions for the blind, the crippled, and disabled persons over sixty-five. The payments under this heading are to be similar to those under the old-age-pensions scheme. No general invalidity insurance has yet been introduced, but the Government has taken up the question in connection with the problem of extension of sickness insurance to the whole population. Another Act dated 11th June, 1936, provides for at least nine days paid holiday a year to about 500,000 wage-earners and salaried employees—i.e., about one-sixth of the entire population.

The Government delegate of *Iran* during his speech said that whereas their old workshops were simple and quiet and could be governed in a patriarchal manner, their modern factories had certain dangers and risks. They had therefore passed legislation concerning safety and hygiene, insurance against accidents and sickness, and legislation for the protection of women and children.

Uruguay, to combat the effects of the depression, has spent approximately 50,000,000 Swiss francs on carrying out a public works plan involving the building of cheap houses for workers. It was carried out with the assistance of the State bank, so that the houses could be rented at a very low figure. No taxation or foreign loan could be used to finance these additional schemes of public works, but the Government was able to obtain ample resources from the profits resulting from the revalorization of the national stock of gold. This year Uruguay has undertaken another scheme which will produce electric power from hydraulic sources, and which will cost 100,000,000 Swiss francs. It is expected that the work will be completed in four years.

Over-population was the problem which the *Polish* Government delegate stressed so far as his country was concerned. He mentioned that the surplus population in rural districts in Poland, from the economic point of view, has been calculated at 5,000,000 people, who could be removed from Poland without any serious harm being done to the agricultural development of the country.

It was admitted by the representative of the Government of *Ecuador* that legislative work in the field of social progress is only just beginning there, but he pointed out that they had set up Labour Courts, were steadily developing a system of inspection, wages had been considerably increased, and legislation had been passed for the protection of women workers and the prevention of industrial accidents.

In *Egypt* legislation has been passed concerning workers' compensation and the restriction of hours of work in unhealthy and dangerous industries. Unpaid compulsory labour in order to prevent the Nile from overflowing its banks during flood periods has been prohibited. Proposals are being considered to give official recognition to trade-unions for inducing compulsory accident insurance and for the provision of collective agreements. Legislation is being promulgated concerning the individual contracts of employment and especially of closing-hours. A census had been taken, and when its results had been analysed the necessary statistical basis for the passing of social-insurance legislation would be available.

A company was established by law in *Chile* in 1936 for the building of educational establishments in order to combat unemployment. A Wage Board has been established for the purpose of improving workers' wages and nutrition. Four Wage Boards have been established and wages raised in State undertakings, railways, factories, public works, &c., resulting in an increase in wage-levels in other undertakings. A plan has been drafted providing for rational nutrition standards, with an increase in the consumption of meat, milk, wheat, beans, and phosphorus-containing foods. Special arrangements have been made for maternity and infant welfare and a Colonization Fund has been arranged to promote the division of large estates. An Act was passed this year giving special attention to the

salaries of employees in commerce and industry. A special fund has been established to enable the erection of workers' dwellings. The number of persons in Chile benefiting from compulsory social insurance is 1,281,000. The Government has authorized the establishment of popular restaurants with very low prices for the benefit of workers and salaried employees. Since 1936 an Act has been in force providing for free breakfasts, paid for by the State and local authorities, for children in all schools. Evidence was given that in Chile wages and salaries had been increased, provision had been made for the erection of cheap dwellings for renting or purchase by instalments, and a plan had been prepared for the nutrition of the masses.

Cuba has adopted for the sugar industry a system under which wages automatically reflect the fluctuations in the price of sugar. A certain quantity of the sugar produced is put at the disposal of the workers, its value being fixed in accordance with the current price. Cuban employers have accepted responsibility for providing fourteen days' holiday with pay per year, a shorter working-day, social insurance, &c. Certain industries would shortly be working thirty-six or even thirty-four hours per week. The Department of Labour has authority to protect workers against unwarranted dismissal. Trade-union activity is taking the character of a national movement. A decree provides a six-day week for women, prohibits night work for women, establishes certain conditions of safety and hygiene, reserves certain industrial work for women in consideration of their being excluded from other work, and requires payment of equal wages for equal work.

Lithuania has divided one-third of its agricultural land into 60,000 small holdings for occupation by landless peasants and peasants with insufficient land to keep a family, and has equipped the new settlers. Laws have been promulgated establishing contracts of employment, labour inspection, fixing minimum wages, and instituting sickness and accident insurance. Twelve days' holiday per year is provided for workers. Under consideration is old-age and invalidity insurance, and the establishment of a fund for the erection of workers' dwellings, to become the property of the workers. This fund would be provided by the State, the Communes, the employers, and the workers. Only 8 per cent. of the population are agricultural workers, and 73 per cent. agricultural workers and farmers.

Weekly rest, holidays with pay, sharing of workers in profits, and technical education have been recognized in the new constitution of *Venezuela*. An Act of 1936 deals with contracts of employment, collective agreements, minimum wages, work of domestic servants, work of women and children, hygiene, safety, night work, and employment exchanges. Social insurance is compulsory, and covers occupational risks, invalidity, maternity, old-age, and death.

Greece has introduced and extended the system of collective agreements to salaried employees and industrial workers. The agreements have the force of law and are revised in their minimum rates every ten months, with periodical adjustment to the cost of living. They have resulted in the abolition of very low wages, and have influenced an upward trend in all wages and salaries, with great increase in purchasing-power. The eight-hour day and forty-eight-hour week are applied. Overtime is authorized in only quite exceptional circumstances. A recent promulgation fixes the hours of work at seven per day and forty-two per week for certain office workers. Social insurance has been established to cover sickness, old-age, invalidity, and death. Two separate insurance funds have been established to cater for handicraftsmen and business people respectively. A new institution has been set up to study the utilization of workers' leisure.

SUMMARY OF SPEECH ON DIRECTOR'S REPORT DELIVERED BY HON. H. T. ARMSTRONG, NEW ZEALAND.

The speech which the principal New Zealand Government delegate (Hon. H. T. Armstrong) delivered during the debate is summarized below : —

New Zealand, which he had the honour to represent, while only a small country, and perhaps further removed than any other from the centre of the world's activities, was, in proportion to its population, one of the most productive in the world. His Government was keenly interested in the work of the International Labour Organization and believed that, properly utilized, it could be a power for good in the world, and that was why New Zealand was fully represented for the first time. However small might be the assistance New Zealand could give to the work of the organization, New Zealand deemed it a duty to do its share in raising the standard of living and working conditions of the people who did the useful work of the world. Referring to the evidence in the report of a return to prosperity, he expressed the hope that the educational work of the organization would be such that the world would not again be plunged into unemployment, misery, penury, and want when there was an abundance of the good things of life to supply the needs of the human family. He gathered that, while there was a substantial reduction in unemployment figures, that reduction was not so great as should be expected from the increased volume of production in nearly all countries. This was only further evidence that the application of science to industry and the development of modern machinery enabled the world's requirements to be produced with a lesser number of workers, which in turn demonstrated that the shortening of hours of labour was a common-sense proposal to help in solving the unemployment problem. In New Zealand the forty-hour week was already operating in most of the industries and in the Civil Service. Saturday work had been eliminated where at all possible, and wages had been restored by legislation. As the result of all the measures taken, workers were now in receipt of higher wages for the forty-hour week than they had received for the longer working-week. Employers had feared ruin, but experience had proved the opposite. The right had been restored to workers to have disputes concerning wages and conditions referred to arbitration. The Factories Act and the Shops and Offices Act had been amended to remove unfair conditions of employment. The Workers' Compensation Act had been amended, improving greatly the benefits to injured workers and their dependents; maximum rents had been largely regulated by Act of Parliament. For the first time in New Zealand legislation had been passed fixing minimum rates of wages and liberal paid

holiday provision for farm labourers. Pensions had been increased, and it was intended to adopt a social-insurance scheme which would make generous provision against sickness, old-age, and incapacity of every kind. His Government desired, in fact, to remove the fear of want entirely from New Zealand. New Zealand had not yet ratified any Conventions adopted by the International Conference, but this could not be blamed on the present Government, which had been in office only long enough to hold one session of Parliament. He could say, however, on behalf of his Government, that they intended to take the Conventions seriously and to comply with the rules laid down in the Constitution of the organization. It was his intention to submit proposals to his colleagues to ratify the Conventions already adopted where they could be reasonably applied to New Zealand. New Zealand hoped to make some tangible contribution to the effectiveness of the International Labour Organization. He made reference to the composition of the Governing Body (see page 24). He expressed the desire to see wider distribution in New Zealand of the publications of the International Labour Office for the reason that because of its remoteness New Zealand had to rely very largely on such publications for most of its assistance from the Office. He desired to suggest that the Director of the International Labour Office or his representative pay a visit to New Zealand, both in order that the Government might have his expert advice on some aspects of their problems, and in order that the Office might learn at first hand of the work being done in New Zealand.

The speaker referred to the question of currency, and expressed the view that control of currency and credit by the State was necessary if real and permanent prosperity was to be obtained. With that object in view his Government had, by legislation, assumed full and absolute control of currency and credit in the Dominion. He referred to the outline given in the Director's report of progress made in certain European countries towards providing leisure services for workers in order that they might obtain full benefit of their holiday, and considered that although a large percentage of New Zealand workers enjoyed paid holidays, his country was still lagging in this respect compared with some other countries. He predicted, however, that New Zealand would not be long in following the lead given by the countries concerned. He concluded by saying that New Zealand once held the proud position of leading the world in social reform, and that it would not be satisfied until it regained that position.

DIRECTOR'S REPLY.

The Director, in his reply to the debate on his report, traversed, in a very interesting speech, the principal points made by the various delegates. As it gives a very good idea of the general trend of the debate, it has been thought worth while to reproduce it below:—

The Director (Mr. Harold Butler): "My first duty is the agreeable one of thanking the Conference for the very great indulgence which it has shown to the report. I am quite aware that the measure of that indulgence has been extreme, not only on the part of those who have paid compliments to the report, but also on the part of those who have criticized it, and I should like, if I may, to mention a few names—Dr. Oersted, Mr. Wistrand, and Dr. Zaalberg—and to thank them for the kindness and forbearance which they showed in voicing their criticisms. Perhaps I may take this opportunity of saying how sure I am that many members of the Conference will regret with me that this is Mr. Zaalberg's last appearance; I, among others, shall miss the blunt incisiveness with which he is accustomed to express his opinions.

"This has been a long and in many ways a remarkable debate; and, when one realizes the difficulties which many delegates necessarily experience in expressing themselves, owing to the necessity of doing so in a language which is not their own, one cannot but marvel at the high level which was sustained throughout. I cannot help thinking that it is a good thing that from time to time there should be an opportunity of ventilating opinion on the burning questions of our time. There is, perhaps, no platform so good as this for that purpose.

"And although I should be the last person to wish to see this Conference become a kind of debating society, I also think that it would be failing to some extent in its object if it confined its attention to adopting Conventions and recommendations. I believe that a general discussion of this kind is one of the most valuable features of our proceedings. This year the general discussion has been particularly extensive. No less than seventy-three speakers have come to this rostrum. Among them were no less than five Ministers of Labour—those of Finland, France, Great Britain, New Zealand, and Yugoslavia—and it is perhaps not without some significance that more than one-half of the speakers came from extra-European countries.

"The outstanding impression on my mind which the debate has left is the testimony which it furnishes to the value and the standing of the International Labour Organization. Listening to speaker after speaker in the debate, I have been impressed as never before by the strength and vitality of the movement of which we are servants. The cause of social progress is no longer an affair of a few philanthropists: it has become the vital concern of Governments not merely in one or two leading countries but in every country represented here.

"The note struck by Mr. Armstrong (Minister of Labour, New Zealand) seemed to me to sum up the spirit of the movement. He said: 'New Zealand once held the proud position of leading the world in social reform, and we shall not be satisfied till we regain that position.'

"That is the true international rivalry of the civilized world, a new rivalry in constructive policy to replace the older rivalry for power, as Mr. Ferguson expressed it. It is that spirit which must animate this organization if it is to play its part worthily in the difficult days that lie before us, and that note, which has been struck more than once during the debate, I think has some political significance. On the one hand, as Mr. García Oldini said, it is now more or less generally accepted that the improvement of living standards is not inconsistent with sound economy, and that suggests that it is possible to advance civilized living without relying on force as the means of national progress.

And a second point, of hardly lesser importance, is the constant insistence on the necessity of international consultation and co-operation if that aim is to be achieved. That, too, is not perhaps without importance at a time when scepticism as to international institutions is momentarily fashionable, and when isolationist and nationalistic policies are receiving a great deal of incense, some of it rather indiscriminating.

"When one comes to analyse the discussion somewhat further, it is a very evident feature of the debate that the general principle to which I have just alluded has found frequent expression in the descriptions given by one delegate after another of the progress made in their own countries during the past year. We have had long and interesting and valuable descriptions of the attempts and the achievements of a great number of countries, among which I might perhaps mention—though there are no doubt others—Argentina, Chile, Cuba, Egypt (the latest member of the organization), Finland, Greece, Hungary, Iraq, Latvia, Lithuania, Mexico, New Zealand, Norway, Venezuela, Yugoslavia.

"Now that is not merely, I think, just a catalogue of legislation, but it is the proof of a living movement: it is the proof, a realization to which I alluded just now, of the fact that social progress has now become a vital concern of Governments and one of their primary preoccupations.

"Then there is another point which has been brought up by a number of speakers, and that is the growth of trade-unionism in a number of countries. Mr. Watt spoke of the United States, Mr. Parra of Venezuela, Mr. Diaz Muñoz of Mexico, Mr. Chu Ksueh-Tan of China. On the other side we had some complaints, notably from Mr. Koizumi and Mr. Krekitch, that the principle of freedom of association—of free trade-unionism—was not being sufficiently observed. In fact, Mr. Krekitch suggested to the Office that in next year's report special attention should be given to this subject. No one, I think, who has read the Constitution of this organization is likely to dispute the fact that freedom of association is one of its fundamental principles. On the other hand, I would point out to delegates that the power of the Office in that respect is strictly limited. Freedom of association like freedom of speech and freedom of the press, is mainly a political manner, and, as every one in this room is aware, there is no Convention which has been adopted by this Conference which would warrant the Office in intervening in the internal politics of the various States members of this organization. I say that lest any exaggerated expectations should be aroused as to what it is possible for the Office to do, but when I have said that, I would like to add that as far as is possible within those limitations, the Office will do what it can to make known the situation as it exists in the various countries.

"Well then, the next point which struck me in reading the speeches was the obvious improvement in the economic conditions of the world. There was a welcome change of tone from the pessimism which on the whole dominated the debates of the past few years. It is true that in some quarters a certain disquiet was expressed as to how real, how lasting, the present recovery might be. There were even some delegates, like Mr. Li Ping-Heng, who considered that the present recovery is neither normal nor solidly grounded, and that the convalescence about which so much has been said was purely illusory. I would not be disposed to go as far as he in that direction. At the same time, the repetition by a number of speakers of the economic dangers of excessive production of armaments necessarily leaves a sinister query in the mind of anybody who reads the whole of this discussion, and it was interesting to note that the fears which were expressed in regard to armaments came not only from speakers from European countries but also from speakers from a number of overseas countries, who, if they may possibly be outside the political danger zone, clearly did not feel that they were outside the economic danger zone.

"The whole of that part of the debate was perhaps best summed up in two sentences, one by Mr. McGrady, who said: 'Every workman engaged in the construction of armaments must be provided with the necessities of life by the labour of those who are engaged in productive enterprise'; the other by Mr. Jouhaux, who said: 'The very conditions of an economy governed by preparation for war are opposed to the development of social legislation and to the realization of social justice.' Those, I think, are two lapidary remarks from which it is very difficult to get away. But, on the whole, there were surprisingly few delegates who re-echoed the question put by Mr. Hayday. Mr. Hayday said: 'What is going to happen when the armaments boom bursts? What will happen to employment if we emerge from one depression only to plunge into the next?' Although one or two delegates, notably Mr. Knob, suggested that immediate consideration should be given by the Governing Body and by the Office to what steps could usefully be taken to forestall another depression, less attention was perhaps given to that subject than it deserves. It is not only dependent on the armaments question; whether there was a considerable increase in the production of armaments or not, the possibility of another depression is not one which could be excluded. Therefore, in the near future that is likely to be one of the foremost preoccupations of countries everywhere. It involves a great social problem which can only be met by organization and by forethought. In some countries that kind of forward-thinking has already begun, and the Office will certainly do its best to collect all the information available in order to indicate what progress is being made towards solving a problem which has never been solved before, and indeed which no one has ever attempted to solve before. It can hardly be supposed that the right or complete solution will be found at the first attempt, but it is encouraging that at the present time a great deal of thinking and a great deal of discussion is going on in a number of countries as to what can be done to prevent the recurrence of cyclical depression.

"That brings me to the economic section of the discussion, on which I do not propose to say very much. Mr. Zaalberg accused me of making propaganda for dangerous ideas which might have an unfortunate influence on simple-minded people. I confess that on reading the debate I was somewhat alarmed at the responsibility which he sought to place on my shoulders, but I comforted myself with the reflection that the great majority at any rate, if not all the Delegates, who spoke in agreement

with the general ideas underlying the report, must have acquired their views before they began to read it. It attempted to set out not theories but facts, and in economic affairs, as Mr. Muniz said, it is desirable, as far as may be, to avoid absolutist thinking. I should prefer to be considered a disciple of Locke, Hume, and other empiricists rather than a disciple of Kant and Hagel, but a pragmatic approach to the economic problems of the present day means looking at things as they are, and trying to understand them as they are, without spending too much time in lamenting that they are not different. To attempt to prove that in all the efforts made by Governments at self-help during the recent depression that of State intervention was not only useless but positively harmful, seems to me extraordinarily difficult to reconcile with the facts which we now possess. To me it is very hard to believe that recovery, which began in 1933, had nothing whatever to do with the measures which were taken to stop the decline. In order to prove that, it would be necessary to show not merely that it was a coincidence that all these Government measures took place simultaneously with the progress of recovery. It will be necessary to go much further than that, and to show that recovery began just at the moment when the most energetic steps were being taken to prevent it, but that seems to me a paradox which it is very difficult to uphold.

"But I do not intend to embark on a long discussion on the economic questions which have been so fully treated in the debate. All that I shall try to do is to correct one or two misunderstandings to which the report seems to have given rise.

"In the first place, I should not like it to be supposed that I regard devaluation as something virtuous and desirable in itself. All I have done is to point out that during the recent depression practically no country has been able to avoid it, and that in almost every case recovery has dated from the time at which the value of the currency was readjusted.

"But when one has said that it does not mean that stability in international exchanges is a bad thing. On the contrary, it is one of the conditions for restoring and consolidating general prosperity.

"The first move in that direction was made by the currency agreement between France, Great Britain, and the United States last September. But again, the fact that the world is now aiming at getting back to fixed parities does not prove, by any means, that devaluation was wrong or avoidable in the emergency conditions which the depression created.

"In the second place, there seemed to be some tendency to suppose that economic planning and autarky were the same thing. At the opposite economic pole to Mr. Zaalberg, speakers like Mr. Roman and Mr. O'Leary contended, if I understood them rightly, that complete self-sufficiency was both desirable and feasible. I confess I find it difficult to follow their argument. If Rumania gives up exporting wheat and oil, and if Ireland produces her own coal, iron ore, cotton, wool, petroleum, &c., then perhaps self-sufficiency may be attainable; but I doubt whether it can be achieved without a considerable decline in the national standard of living. Until it is achieved, both countries will need to buy abroad to a greater or lesser extent. I would rather agree with Mr. Kitaoka and Mr. Bahrami in thinking that, even when a country undertakes a programme of industrialization, that is not incompatible with freer trade.

"There can be no doubt that some balance between industry and agriculture is profitable for every country. Up to a point, industrialization enhances the national wealth and makes higher standards of living possible. But it ceases to be profitable when it involves as a permanent feature the uneconomic home production of goods which can better be obtained from some other country by an exchange which is mutually advantageous.

"Conversely, it is perfectly legitimate that over-industrialized countries should seek to revive their agriculture. But this process, too, ceases to be profitable when it reaches the point of involving a substantial sacrifice of the living standards of the industrial population. Though, during the last few years, considerable changes have been made in the ratio of industrial and agricultural production in various countries, the international exchange of goods still remains the root of prosperity.

"But in making a plea for freer trade the report did not contemplate a return to free trade. In fact, more than once it emphasized the impossibility of any such thing. As Mr. Colbjørnsen said, in international trade there can be no 'back to normality. The new elements of planning, regulation, and control must also inevitably enter into the field of international trade expansion.' What, therefore, is now being sought is not a return to the old channels but the digging of new ones. Sir Hormusji P. Mody echoed the same idea. While defending tariffs as necessary to foster home industries in their early stages, he also demanded a 'planned international economy'; an economy, that is to say which would fulfil the fundamental postulate so cogently stated by the British Minister of Labour, an economy in which a balance would be struck and preserved between industry and agriculture, not merely within any single country but also over the world as a whole.

"It is in that direction that we seem to be moving by slow degrees. A new technique is being gradually worked out through the various forms of commercial treaty which are being adopted to intensify and facilitate trade between countries in all parts of the world. But the elaboration of what Mr. Colbjørnsen called a 'fixed economic order'—that is to say, an order in which some measure of planning and control was combined with the degree of liberty necessary to preserve initiative and stimulate enterprise—involves more than commercial policy. For the development of the productive resources of the world and the raising of the standard of living in less developed countries, a resumption of international lending is essential. In the old days, as Mr. Komarnicki pointed out, freedom of trade was combined with and largely conditioned by freedom of flow of capital and labour. While it may be true that the resumption of foreign lending is inconsistent with restrictive commercial and exchange policies, it may be equally true that restrictions on exchange and commerce are unavoidable or countries with weak capital resources, unless they can borrow abroad.

"The question of monetary inequality, to which Mr. Tzvetkovitch alluded, and the question of raw materials, which occurred several times during the debate, must be solved in any successful attempt

at restoring the economic balance and prosperity of the world. This is not likely to be done at one stroke of the pen by the signature of some all-embracing Convention. It can only be done by the conjugation of a series of successive efforts, but it is encouraging to note a number of symptoms which suggest that the real nature and magnitude of the problem are becoming generally understood, and that a beginning has already been made towards finding its solution.

"I now come to the third wave of the debate, the question of work. Here, too, I suggest that there is great virtue in applying the pragmatic method rather than in continuing to treat the question on an *a priori* basis. As the French Minister of Labour said, the arguments used in the debate are mostly the same as those which have been repeatedly heard on previous occasions, but events have now given a new force to the forty-hour week. In the United States, after four years' experience, we find a Bill introduced into Congress for again enacting the national forty-hour week; and this is all the more remarkable as, during the past two years, since the National Industrial Recovery Act was declared unconstitutional, American industry could have returned to a longer working-week without any let or hindrance, and yet Mr. Harriman stated that 'because of the use of technology, the representatives of American labour and American business can unite in supporting a wisely-drawn forty-hour Convention at Geneva.'

"We heard Mr. West at the Washington Conference relate in detail the favourable results achieved in his own mill through the establishment of the shorter work period. We find Mr. Armstrong telling us that in New Zealand the employers have not been ruined by the forty-hour week as they expected. Mr. Lebas has stated that, although the decrees applying the forty-hour week to nearly eight million workers and employees in France have only recently come into operation, they have been mainly responsible for restoring a quarter of a million persons to employment.

"These are facts, and I venture to think that they cannot any longer be simply dismissed by advancing theories and hypothesis against them—such as that a reduction of hours would disorganize prices, reduce production catastrophically, destroy the balance between industry and agriculture, and so on. These things have apparently not happened in the countries where hours have been reduced. A *prima facie* case in favour of the shorter working-week has therefore been made out by the actual experience of a number of countries. It is no longer a battle of words and ideas, but a confrontation of facts.

"Mr. Oersted reproached me with a lack of objectivity in stating that the eventual adoption of the forty-hour week was inevitable. But I find it impossible to imagine that the present hours position is one at which, henceforward, we shall for ever remain. It is true that at present, at any rate, I should not be inclined to go so far as Mr. Zaalberg and to contemplate a thirty-hour week as a possibility of any discernible future. But I find it very difficult to believe that the industrial countries which have so far refused to look at a forty-hour week are so very different in respect of psychology, conditions of life, and technical efficiency from those in which it has already been introduced.

"I cannot persuade myself that what was proved feasible and advantageous in France, New Zealand, and the United States is bound to be disastrous in every other country. No doubt a great deal depends on the degree of technical progress which has been attained. Mr. Harriman suggested that the Office should undertake an inquiry on this point. I doubt whether such an inquiry could be successfully conducted except by the national authorities in each country; but if, as I hope, such an inquiry is undertaken, I should be very much surprised if it showed so wide a difference between the rate of increase of technical efficiency achieved in Europe and the United States as the speeches and the attitude of many delegates in this Conference seem to suggest. Technical improvement is making the forty-hour week not only economically possible but also socially indispensable, and I would ask the indulgence of the Conference if I dwell on these two points for a few minutes.

"What is the present situation? As Mr. Ernest Brown (British Minister of Labour) emphasized, 'the new fact of our post-war world which overshadowed all others in industry is the amazing scale of new productive manufacturing capacity. . . . The last twenty-five years have given us a more tremendous acceleration of mechanical production and greater and more effective machinery than any other period in the world's history.' Mr. Harriman went on to illustrate this point by informing us that it had been calculated in the United States that forty-three men could produce in 1930 as much as 100 men in 1899. And we might ask how many fewer men could produce the same quantity in 1937; for technical progress, so far from having been arrested by the depression, has been stimulated by the need for lower costs to even greater achievements.

"What does all this mean? It means, on the one hand, that industry between 1914 and 1937 has become far more adaptable to a shorter working-week owing to the great increase in its productivity. Surely it means that, just as the great advance in productivity brought about between 1850 and 1919 made it possible to introduce the forty-eight-hour week without any disastrous economic consequences, so a similar advance has been made in the last twenty-five years which has brought a further reduction of hours in sight.

"But it means something more. It implies that the shorter working-week is not merely economically possible, but that the very conditions which have made it possible have also made it necessary. Mr. Lebas justified the action taken in France on two grounds—that it created new employment and that it afforded greater leisure. I have been reproached for having suggested in the report that this latter reason for shortening hours might be quite as important, if not more important, than the former. It is true that the ground on which the forty-hour week was originally advocated was mainly as a method of spreading employment. Where it has been tried it has, to some extent, fulfilled that expectation. But I am inclined to believe that the more potent reason for the change lies in the need for greater leisure. We do not, perhaps, reflect sufficiently on the little that has been done to adapt the human machine to the conditions of the new age in which we live and work. In all spheres of life we are only sub-consciously aware of the increasing pressure on our nervous system. We hardly yet realize the

immense physiological and psychological implications of the technical revolution of the last forty years. The introduction of speed, both in locomotion and in the transmission of ideas, has transformed the conditions of urban life. The motor-car, the airplane, the telephone, and the radio impose a strain upon nerves and brain to which the organism is not yet adapted. After all, it has been built up over tens of thousands of years to meet conditions in which no human being could move faster than a horse and no communication between human being was possible except when they were face to face. In a hundred years an entirely new mode of life has been created, and in no department has it increased nervous tension more than in industry. The careful, self-regulated work of the handicraftsman is now performed by machines moving at ever-increasing speeds, exacting ever greater attention from the workman, imposing the most arbitrary limits on the pace of his work, while at the same time depriving him of any personal feeling of satisfaction in the product to which he makes an infinitesimal contribution.

"There can be no doubt that the result is an increased tension, about the limits and effects of which we really know very little. Though the burden of physical effort has been enormously relieved by mechanical devices of every kind, it has been replaced by an increased strain on the nervous system, which the human body is less prepared to resist, and I cannot help thinking that the strain must be particularly felt in Eastern countries which have come into contact with mechanical industry much later than the West. After all, man has been inured to physical toil for thousands of generations. He has been accustomed to exercise his muscles without undergoing any considerable mental or nervous exertion. Now the process is reversed. He is subjected to constant mental and nervous pressure without being called upon to display that muscular activity to which his frame is so well adapted by long usage as to make it necessary to his bodily health. The result is that we have a whole series of new diseases, nervous diseases. We hear of 'nervous breakdown' in all walks of life, not only among hard-driven intellectual and professional workers, but also among the least skilled workers exposed to the noise, the speed, the inexorable rhythm and discipline of the modern factory. One suspects that physical breakdown among the peasants and artisans of the pre-machine era was an infinitely rarer phenomenon.

"In order to restore something like the old balance, we have been driven to allow a larger section of our time to leisure, much of which is devoted to artificial physical exercises. England became the first sporting country, where football, cricket, tennis, rowing, golf, and other games were developed not, I suggest, because the English had a peculiar gift for ball games, but because they were first called upon to resist the impact of urban industrialism. Sport is a substitute for the physical exercise which manual labour used to provide, or which the eighteenth-century merchant or lawyer obtained by riding about his business on horseback. It provides a relaxation for the nerves, but it necessarily demands longer hours of leisure.

"In the pre-machine age men worked twelve hours and even longer quite naturally and willingly. They set their own pace; they produced in their own time; they were under no constraint, and felt little need for relaxation or leisure. With the industrial revolution came the need for shorter hours. As early as 1848 the mass of working people felt instinctively that eight hours was the proper limit of endurance of the pressure and rigid discipline of factory life. It took seventy years to achieve that goal, though hours of work gradually lessened as the strain of work increased. Now there is a demand for yet shorter hours arising after a period of still greater mechanical development and acceleration.

"Why is this? I do not believe it is on account of laziness. On the contrary, man is on the whole a terribly and often irrationally industrious animal. He really likes work as long as it is within his compass. As a rule, he would rather earn more money than do less work. If therefore there is now a growing feeling in favour of shorter hours, I believe it corresponds in the main to a dimly felt need for greater relaxation engendered by the increasing speed and strain of modern industry and modern life generally. It is balanced economically by greater productivity. The faster machine processes move the more is produced in less time, with less human effort but with more human tension, to which the body is as yet incompletely adapted.

"That, in my view, is the ultimate explanation of the demand for shorter hours and also for paid holidays, the latter another astonishing development of recent years. Last year we adopted a Convention on paid holidays by a surprisingly large majority. I hope this year we may make a beginning of the international application of the forty-hour week under equally good auspices. At the same time, as has been pointed out by a whole series of speakers, it is not always possible to apply an identical system of hours regulation to all industries or even to all countries. Any one who has studied the measures taken in France, in New Zealand, and in the United States of America, the three countries of which we have experience, will have observed that great care was taken to ensure a considerable measure of elasticity. There are considerable differences as between industry and industry, and elasticity is a necessity if the essential conditions of each industry are to be respected. I therefore feel that the method which has been adopted in the Conference and which is being pursued this year is the right method. At the same time, I agree with speakers like Mr. Koizumi and Mr. Chu, who indicated that in their countries a forty-hour week is at present impossible, but who suggested that a forty-eight hour week was within the present compass.

"However that may be, a strong case has been made out in this Conference for giving special consideration to countries whose industrial development is not so great as that of the great industrial countries of the West. Members of the Conference are aware that special provision for this purpose is made in Article 22 of the Constitution, which provides that 'the Conference shall have due regard to those countries in which climatic conditions, the imperfect development of industrial organization or other special circumstances make the industrial conditions substantially different.' I am therefore very glad that in the Governing Body the question of giving special consideration in the Conference

to the conditions of such countries has been taken up, and that already considerable progress has been made in that direction. I hope that the proposal to which Sir Frank Noyce alluded will be adopted, and that in future years we shall have a special Committee of the Conference to deal with this point.

"I should like to say at this stage how appreciative I am of the promise of welcome which has been extended to me by so many speakers from Japan, China, and India. I can only say to them that I am very much looking forward to visiting their countries, and to attempting to obtain some first-hand understanding of the great difficulties with which they all are faced and of the special problems which their industrial development presents.

"In conclusion, I should like to say a few very brief words about some other points touched on in the debate. A number of delegates spoke of the sequel to the American Conference at Santiago. I am glad to think that the efforts which the Office has made have met with their appreciation. Mr. Benavides, Mr. Antokoletz, and Mr. Gutierrez Alfaro all spoke with pleasure of what had been done and urged us to still greater efforts. We shall try to meet them. I was particularly glad to hear the thanks which the delegates of Venezuela tendered to the Office for having placed the services of Mr. Belloch at their disposal, and their tribute to the assistance which he gave in drawing up a code of labour legislation. Any assistance of that kind which the Office can give, it will regard as the fulfilment of one of its most important tasks.

"Then a number of speakers spoke on the migration question, and I should like to dwell on it at greater length, but time does not permit that. I do feel, however, considerable satisfaction in the thought that at the end of this year a conference is to meet which will be attended by the principal immigration countries of Latin America, and some of the principal emigration countries of Europe. If that Conference is able to do something to promote the kind of immigration which is needed in Latin America, and at the same time to relieve agricultural unemployment, which is perhaps the worst form of unemployment in Europe at the present time, it will have performed a very valuable function.

"And that brings me to the question of agriculture, to which Mr. Ernest Brown, Mr. Curcin, Mr. Diaz Muñoz, and Dr. Riddell, and other speakers alluded. I agree that up to now perhaps too little attention has been paid to agricultural problems; but, as those speakers pointed out, the solution of the social problems of agriculture depends very largely on the solution of the economic problems. When the large Committee which we are convening at the beginning of next year meets, one of its first and most difficult tasks will be to consider: How is it possible to raise the standards of living of the countryside? How is it possible to prevent the progressive impoverishment of the farmer and the peasant such as has occurred in countries like Japan, where the demand for raw silk has been cut in half by the development of artificial silk? And it is not impossible that the development of other artificial substitutes may hit other countries equally hard in the near future. How is it possible to prevent the over-development of cotton, for instance, to which frequent allusion was made during the Washington Conference; and how is it possible to remedy the discrepancy between agriculture and industrial prices?

"Those are some of the problems which lie at the back of the whole social problem in the agricultural world, and I do not know on what lines we should proceed—we are looking to the Agricultural Committee to direct us—but I feel sure that whatever line is adopted it will not be a similar line to that which we have adopted in regard to industry. I feel that the agricultural problem is entirely different in kind, and has got to be treated in an entirely different way.

"Then I should like to say one word in regard to what was said by Mr. Dickson, the representative of Canada, in regard to the constitutional difficulty which has arisen there. It was a matter of particular satisfaction to the Conference, I think, that in spite of that difficulty no question has arisen as to Canada being constitutionally incompetent to give effect to the obligations she has assumed by the ratification of some of our Conventions. The only question which has arisen relates to the manner in which those obligations are to be performed. The second point is that the Canadian Government recognizes the necessity of labour legislation being Dominion-wide in its operation. Mr. Dickson quoted from a speech of Mr. Lapointe, the Dominion Minister of Justice, in which the latter said, in reference to unemployment insurance: 'It is one of the things which cannot be worked out unless it is national in its scope, and there are other matters, more particularly with regard to labour legislation, on which it would be futile and useless to legislate unless the whole of Canada adopts the same legislation with regard to it.'

"These words seemed to offer some ground for expecting that Canada will succeed in overcoming, in the near future, the constitutional difficulties which at present impede the application of some of the Conventions which it has ratified.

"I should like, too, to say a good deal—for which there is no time—about the criticisms of Conference procedure which were made by Mr. Oersted and Sir Frank Noyce. I am inclined to agree with them to a very large extent. I do not feel that either of the present procedures is entirely satisfactory. On the one hand, as Sir Frank Noyce said, the ordinary first-reading discussion, which results in the settlement of a series of points on which the Governments are consulted, is not really a very satisfactory form of discussion. It does not really bring out the essential points, and a discussion of a first draft would probably be much more useful. On the other hand, I agree with Mr. Oersted to some extent that the Tripartite Conferences have also not been altogether satisfactory as substitutes for a first-reading procedure. They have not allowed the full consultation of Governments which I think is necessary before any important Convention is adopted: and I certainly feel that the expedient of the Grey-Blue Report has not given all the assistance which had been hoped. It leaves not only Governments but all delegates to the Conference in doubt until the last moment as to what they are going to be asked to do, and I feel that some attention will have to be given to the whole question of Conference procedure in order to try to devise a more satisfactory system than that which we have sometimes practised in the last few years.

“ Finally, there is the question of the various inquiries which the Office has been asked to undertake—a whole basketful. If we were to attempt to meet all those requests, useful and interesting as they all are, I am afraid we should have to add another wing to the building, which at the moment is hardly feasible. But some of them we have already begun to deal with to some extent—for instance, Mr. Yoshisaka spoke of demographic questions, possibilities of migration were mentioned by Mr. Curcin, changes in education due to later employment were brought up by Mr. Harriman—all those questions are already the subject of study in the Office. On the other hand, Mr. Assal Bey raised a new and very interesting question which, if we had the opportunity of studying it, I should certainly like to take up—namely, the influence of the Feast of Ramadan on industry in Islamic countries. That is a new difficulty which I do not think has ever been suggested to the Office before, and to which we should like if we could to pay some attention.

“ Then I should like to thank Mr. Armstrong for the invitation which he extended to me to send some one to investigate the progress which has been made in New Zealand in the last twelve months. I should like to accept that invitation with very great pleasure. I only wish that I felt that I should be able to accept it on my own behalf, but in any case I feel that what is now being done in New Zealand is so important that we ought to have more detailed and more first-hand information about it than we at present possess.

“ Then as regards publications, Mr. Pullan suggested that we should be more lavish in our free distribution. That, as he no doubt realizes, is a financial question. We try to make out of our publications—we make a certain amount, though not as much as I should like—and the Chief of our Publications Service will, I am sure, raise the strongest objections if I suggest spoiling his market. At the same time, I realize that our primary business is not to make profits on our publications but to get them into the hands of people who want to read them, and I will consider what can be done to meet Mr. Pullan's request.

“ I am afraid I have abused the patience of the Conference far too long, but I feel some excuse for doing so in the fact that this debate is perhaps the most interesting and the most important which we have had for many years. It is an indication, as I said at the beginning, of the evident vitality of the organization, and I feel that we shall unveil the monument to Albert Thomas next Sunday in circumstances which will make it a tribute worthy of his memory. If he were still among us, he would certainly rejoice to see this, the largest session of the Conference in our history—he would certainly rejoice to know that the work of the Office is growing rather than diminishing, that the Organization is extending in scope and power, and that it is becoming more truly world-wide in its outlook and its influence. Above all, he would rejoice to think it has emerged from a depression which threatened the foundations of social justice, strengthened by the teachings of adversity, to pursue its path with firmer and more conscious purpose. In the troubled world of to-day that is no small thing, and in the future may perhaps seem a matter of far greater moment than we with our gaze confined to the present are capable of seeing or forecasting.”

LIVING CONDITIONS.

SPARE TIME.

The organization of facilities for the greater utilization of workers' leisure by State or semi-official authorities is an activity which appears to be one of the most interesting of recent developments in the social field, and the following information which has been obtained through the International Labour Office on the subject is included in this report as a matter of interest :—

Poland.—The municipal workers of Warsaw organized two winter camps in the mountains accommodating 220 persons, the camps being opened in December last. Workers may spend a fortnight in them at a cost of 55 zloty (approximately 26·25=£1) for themselves and 65 zloty for members of their families, this sum covering travelling-expenses to and from the camp, the cost of board and lodging, and two organized excursions. Ski-ing equipment and the services of instructors are provided, and medical assistance is available. The success of these two camps encouraged the Municipality of Warsaw to extend the scheme, and a special committee, known as the Committee of Spare-time, has been set up. It proposes to organize summer camps at the seaside and in the mountains, as well as excursions in Poland and abroad. It has under consideration arrangements for providing a month's holiday for not more than 100 zloty.

Sweden.—A special organization, called the People's Travel Association, has been set up at Stockholm. Included in the associations which joined in the decision to set up this organization were the Confederation of Trade Unions, the Co-operative Union, the Social-Democratic Labour Party, the Social-Democratic Women's Association, the Social-Democratic Youth Association, the Workers' Education Association, and the Swedish Tourist Association.

The initiative was taken by the Workers' Education Association, which suggested, after investigation, the following activities for the new Association: Organization of group journeys in Sweden for purposes of recreation and holiday and study trips abroad; supply of information as to travelling facilities provided by other public institutions; assistance to private organizations in arranging their own holiday journeys; collaboration in the planning and carrying-out of visits of foreign study delegations; services to the member organizations in connection with congresses and meetings.

The main task of the Association will be to try to solve gradually the problem of organizing cheap holidays for workers and their families and for housewives, beginning at once with provisional arrangements, consisting of agreements with suitable hotels and boardinghouses at holiday resorts. A later development is an announcement by the Minister of Social Affairs that a Committee of seven experts is being convened to investigate all aspects of the problem of facilitating and guaranteeing for the non land-owning population access to outdoor recreation. It is proposed to make a general inventory

of suitable areas of land, including Crown land. It is contemplated also that arrangements should be made to enable as many persons as possible to spend their holiday-time on journeys by train or boat. The question has been discussed of providing a sufficient supply of suitable trained persons to look after the home during the absence of the housewife on holiday.

Belgium.—A Belgian Royal Order of 7th May, 1937, provides for the establishment of a National Office for Workers' Holidays for the purpose of assisting the workers and their families to organize their holidays. Together with the competent Department, the new Office will establish the conditions and methods in which the State may intervene with a view to the establishment or arrangement of holiday centres, holiday homes, youth hostels, camping zones, and the general development of lodging facilities. The Office will also promote and encourage schemes initiated by private organizations, trade-unions, travel associations, &c., interested in people's holidays.

It has been arranged that workers and salaried employees and their families (if travelling together) are entitled to the following reduction on the railways:—

25 per cent. for journeys of less than 100 kilometres.

35 per cent. for journeys of 100 to 300 kilometres.

50 per cent. for journeys of over 300 kilometres.

These reductions are available once a year between 1st April and 31st October for workers travelling third class. Provision is also made for a 50-per-cent. reduction for workers travelling in groups. The National Federation of Auto-car and Auto-bus Owners has asked its members to transport groups of workers at the rate of 10 centimes per kilometre for each passenger, provided that the journey is not less than 150 kilometres, that 90 per cent. of the available seats are taken, and that such arrangements are not made during rush periods. The Government have arranged for a number of hotels and boardinghouses to grant reduced prices.

The foregoing privileges are granted to workers in undertakings employing at least ten persons and in certain others employing less than ten persons; and to certain salaried employees considered to be in modest circumstances. Persons desiring to benefit from the privileges must be in possession of a holiday-card obtained from the Post Office. The issue of cards is subject to close official check.

Estonia.—As from 1st June, 1937, the Estonian State Railways have granted a reduction of 50 per cent. of the fare to workers on holidays with pay when travelling to and from their holiday resorts. This reduction applies throughout the year.

Germany.—Germany is not now a member of the International Labour Organization, but is developing facilities for the better utilization of workers' spare time to a greater extent than in other countries. The work is carried on through a subsidiary organization of the German Labour Front known as the "Strength through Joy Movement." The following is an extract from a German official report discussing the scope of the Movement:—

"The territorial structure of Strength through Joy comprises 32 regional, 800 district, 18,000 local, and 70,096 works units. Its activity is directed by six offices, dealing respectively with travel, evening leisure, sport, popular education, the beauty of labour, and soldiers' recreation.

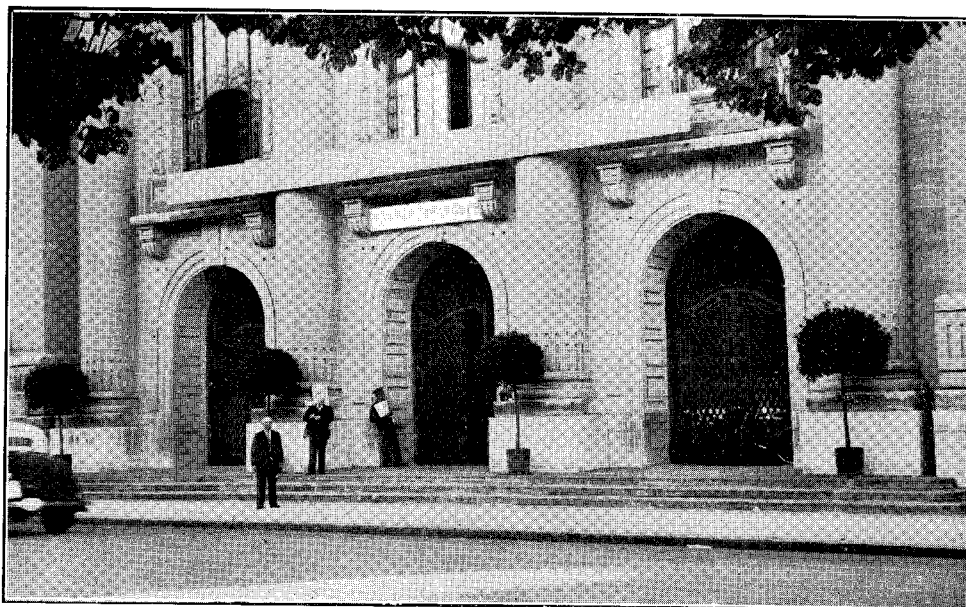
"*Travel*: The schemes organized by the Travel Excursion and Holidays Office covered 2,000,000 persons in 1934, 3,000,000 in 1935, and 6,000,000 in 1936. Its sea voyages are a characteristic feature. The Organization is about to build its own fleet of steamers, some of which have been completed or are building; these will take thousands of employed persons to the Tokio Olympic Games in 1940. Further, by agreement with the Italian Dopolavoro, winter cruises in the Mediterranean will be organized. Seaside resorts are being prepared at the same time, particularly on the Baltic and North Sea islands. The Organization is building a large hotel on the Island of Rügen with over 4,000 beds. In all, states the report, 174 million marks will be spent on cruises and seaside resorts.

"*Evening Leisure*: The principal activity of the Evening Leisure Office consists in the organization of theatre-going (opera, comic opera, comedy, variety, &c.) and visits to concerts. The organization has acquired or is subsidizing several large popular theatres—the Berlin, Munich, and Breslau People's Theatres, the Berlin People's Opera, &c. Further, the Office has concluded agreements with most of the other theatres under which unsold seats may be acquired in blocks by the organization and passed on to members at low prices. The organization filled 4,060,670 seats in theatres and 1,635,598 at concerts in 1936.

"*Sport*: The essential feature of the Popular Sports' Scheme is organization by the employing unit; owing to the encouragement of the Sports Office, gymnasiums, swimming-pools, and recreation and sports grounds have been built by a considerable number of industrial undertakings; 6,356,266 persons took part in the various sports organized by Strength through Joy in 1936.

"*Popular Education*: The Office has established over three hundred popular education centres, the principal activities of which are the organization of lectures, groups for painting, modelling, wood-carving and photography, classes in foreign languages, visits to museums and cities, in charge of qualified guides, visits to factories, exhibitions, &c. The number of persons making use of the various facilities provided by the Education Office was seven and a half million.

"*Beauty of Labour*: This Office, says the report, puts the fundamental idea of Strength through Joy into effect in the undertaking where the worker spends the greatest and most valuable part of his life. Since 1934, 1,000 halls, 3,000 canteens, 3,500 gardens inside works, 200 swimming-pools, and 1,500 dressing-rooms, bathrooms, &c., have been built or reconstructed. The sums spent on this work in recent years have been as follows: 12,505,269 marks in 1934, 89,389,398 marks in 1935, and 79,288,498 marks in 1936."

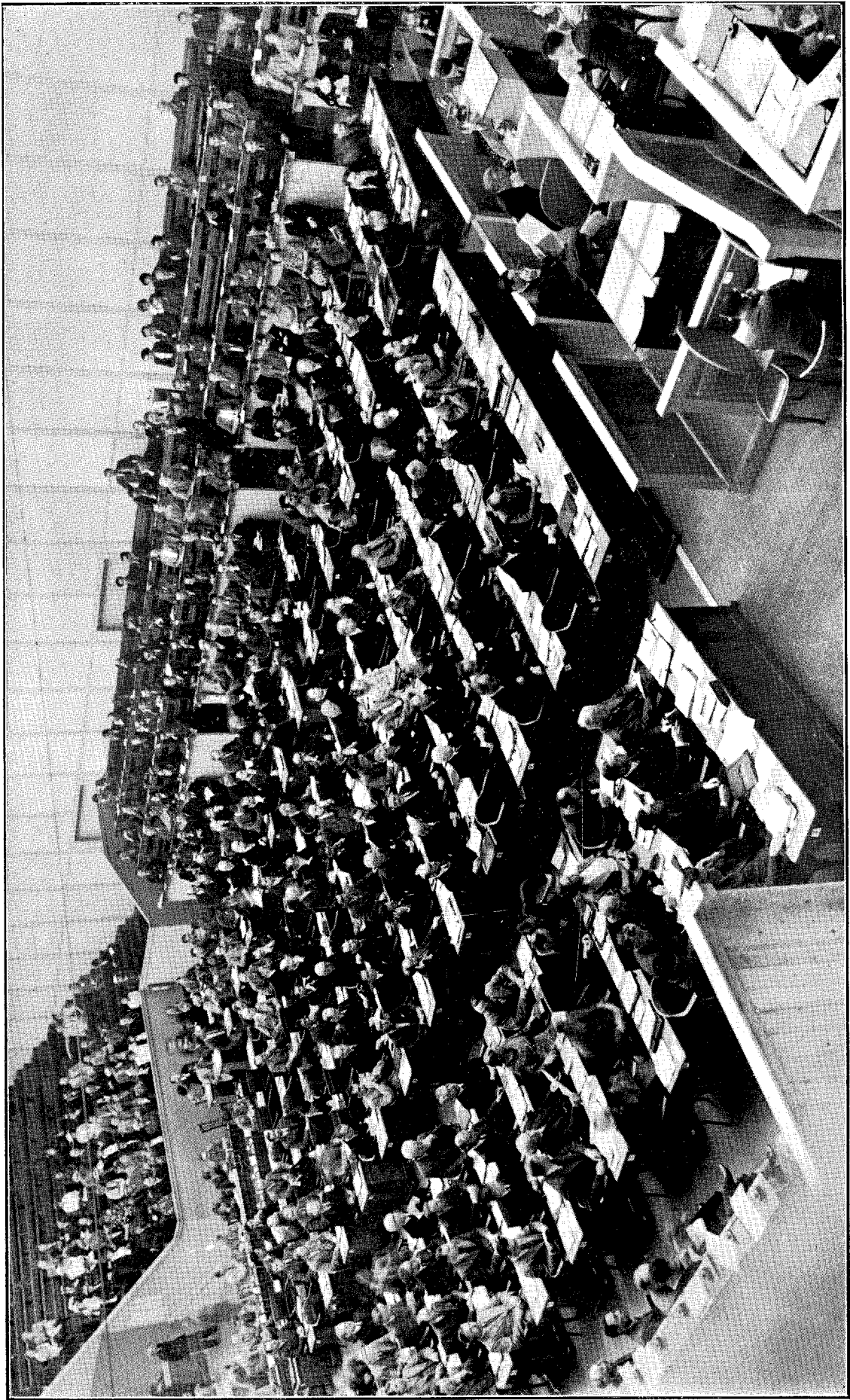


MAIN ENTRANCE TO CONFERENCE HALL, BÂTIMENT ELECTORAL, 24 RUE GÉNÉRAL DUFOUR, GENEVA.



NEW ZEALAND DELEGATION, INTERNATIONAL LABOUR CONFERENCE, GENEVA, 1937.

Left to right: Mr. W. E. Anderson (employers' delegate); Hon. H. T. Armstrong, M.P., Minister of Labour (principal Government delegate); Mr. E. J. Dash (workers' delegate); Mr. W. J. Shanly (second Government delegate).



PLENARY SESSION, INTERNATIONAL LABOUR CONFERENCE, GENEVA, 1937.

The New Zealand delegation is at the left of the fourth row from the front, in the middle block of desks.

FORTY-HOUR WEEK.

According to the views expressed at the Conference by Government delegates, the following seems to be the attitude of the countries mentioned towards the question of reducing the hours of work:—

The *Netherlands* Government considers there is danger in reducing hours of work from forty-eight to forty, but appears to think the forty-hour week or even the thirty-hour week will come eventually.

Yugoslavia attaches considerable importance to the movement to limit hours of work to forty per week, is ready to apply it to all branches of industry to which it is applicable, and is studying the principles of the Convention for the limitation of hours of work. In the meantime, however, it declares it is unable to accept any international regulation on the matter.

The *United States of America* has at present under consideration by its Congress a Labour Standards Bill establishing in general a maximum working-week of not more than forty hours. Their experience under the National Recovery Act indicated the wisdom of establishing a maximum working-week rather than an average working-week, and of obtaining flexibility through overtime and penalty rates.

Japan is not yet in a position to agree to the application of a forty-hour week, but the Government is paying attention to the reduction of hours of work to the extent practicable in that country.

Spain is strongly in favour of the forty-hour week, and maintains it in many industries.

It was difficult to get any definite understanding of *Canada's* attitude owing to the fact that provincial Parliaments had to be consulted.

Switzerland is generally unfavourable to any reduction from forty-eight hours per week. It disagrees with the argument in favour of the forty-hour week that it would diminish unemployment and increase employment. It admits that the forty-hour week might be justified in certain large countries where working-conditions are quite different from those in Switzerland.

Egypt admits that normal hours of work there have not yet been brought down to the recognized international standard, but stated that public opinion was gradually beginning to realize the necessity for reduced hours in many branches of industry where they are at present excessively long.

Norway favours the forty-hour week and deplores the slowness of developments in that direction.

In *Cuba* certain industries are shortly to have a working-week of thirty-six or even thirty-four hours.

Hungary has already introduced Sunday rest and prohibited night work in bakeries, but cannot at present apply the forty-hour week. It intends to regulate hours of work by legislation based on the principle that hours of work shall not exceed eight in the day or forty-eight in the week.

In *Iraq* the forty-eight-hour week is almost universal, but this scale is to be reviewed early next year.

When the present Government of *Greece* came into office, the ten-hour day was still being enforced in several industries, particularly the textile industry, but from 4th August, 1936, the eight-hour day had been progressively extended and from May 1st, 1937, the eight-hour day and the forty-eight-hour week had been applied generally. In the offices of banks and limited companies, working-hours are fixed by law at seven a day and forty-two a week.

India is opposed to the forty-hour week.

Russia has been reducing hours of work from eight per day since 1927, and seven per day is now the maximum. The working-week has also been reduced, and 20 per cent. of the workers have one rest-day after every four days of work. Eighty per cent. have a rest-day after every five days of work. All have an annual paid holiday of from two to four weeks a year. Hours of work have been reduced by 30 per cent. during the past twenty years, without decrease in production. In fact, productivity has been quadrupled by mechanization. In dangerous and unhealthy occupations hours of work are six or less per day.

The *French* Minister of Labour informed the Conference that the French forty-hour week applies to workers and salaried employees, irrespective of age or sex, in industrial, commercial, handicraft, and co-operative undertakings of every nature, whether public or private, lay or religious, educational or charitable, including public hospitals and asylums. Underground miners are not required to work more than thirty-eight hours forty minutes a week. He claimed that the Act provided a particularly flexible method of application, permitting the adaptation of the new regulations to the needs of the various industries and branches. The method was the application of decrees adopted by the Council of Ministers after consultation with the National Economic Council and organizations of employers and workers. An announcement was first published in an official journal that the Minister of Labour was considering the application of the forty-hour week to any given occupation, and the employers and workers were invited to communicate their views within one month. When these were received the Minister drew up a draft decree which was submitted to the most representative national organizations of workers and employers. These organizations were then brought together in a joint Committee to discuss the provisions in the draft. The amended draft was then communicated to the National Economic Council for examination by representatives of employers and workers in the industries affected. After this stage the Minister submitted the draft embodying any amendments to the Council of Ministers and to the President of the Republic for approval. Fifty-six decrees had been prepared. A total of 7,800,000 workers and salaried employees were receiving the benefits of the Act. These represented more than 90 per cent. of the wage-earners covered by the Act. The forty-hour week applied throughout French territory. The Act stipulated that application of the forty-hour week should not lower the standard of living of workers nor their earnings both in terms of wages and other advantages. Speaking of the results, the Minister stated that in May, 1935, there were in France 441,600 persons wholly unemployed. In May, 1936, the number was 441,100, a reduction of only 500 during the twelve months, but in May, 1937, six months after the Act came into force, the number of unemployed persons in receipt of benefit decreased by 77,000, or 17·7 per cent.

Short time in occupations to which the forty-hour week had been applied had almost disappeared, and staffs employed in industry and commerce had increased. The reduction in unemployment did not represent the full effect of the Act, because it had been found that in May, 1937, there were 250,000 more people in employment than in May, 1936.

The *British* Government's view, as expressed in relation to the textile industry, is that a forty-hour week in that industry would lead to wage-reductions and unemployment.

ELECTIONS TO THE GOVERNING BODY.

It is prescribed by Article 7 of the Constitution and Standing Orders of the International Labour Organization that the Office shall be under the control of a Governing Body consisting of thirty-two persons, sixteen of whom represent Governments, and eight each represent workers and employers. The elections to the Governing Body take place every three years. The procedure is for preliminary elections to take place separately in the Government, the Workers', and the Employers' groups. From these primary elections are forwarded to the Conference sufficient nominations to fill the vacancies in each group.

Of the sixteen persons representing Governments, eight must be appointed by the members of chief industrial importance—namely, Canada, France, Great Britain, India, Italy, Japan, Union Soviet Socialist Republics, and the United States of America. Of the other eight members one must be appointed by members selected for that purpose by the Government delegates to the Conference excluding the delegates of the eight members mentioned above.

In the Governing Body whose mandate expires in October, 1937, the eight seats for which elections were held are occupied by—Argentine Republic, Brazil, China, Czecho-slovakia, Finland, Mexico, Poland, and Spain.

In accordance with the constitution of the International Labour Organization, six of the sixteen members represented on the Governing Body must be non-European States. As there are already four non-European States among the eight members of chief industrial importance, it was necessary that at least two of the eight members to be elected should be non-European States.

The persons representing the employers and the persons representing the workers must be elected respectively by the employers' delegates and the workers' delegates to the Conference. Two employers' representatives and two workers' representatives must belong to non-European States.

When electing the regular members of the Governing Body, the employers' and workers' delegates are also required to elect respectively eight deputy members.

The principal New Zealand Government delegate (Hon. H. T. Armstrong) made the following reference to the Governing Body during his address to the Conference :—

"I should like particularly to make some reference to the Constitution of the Governing Body, and to express the hope that some way may be found of giving such countries as New Zealand an opportunity to take part in its work. In this connection I should like to suggest that consideration should be given to some system of rotation or alternation by which the greater number of the members of the Organization could be given an opportunity to occupy seats on the Governing Body."

The following countries were elected on the recommendation of the Government group :—

Brazil.	Mexico.	Spain.
Chile.	Norway.	Yugoslavia.
China.	Poland.	

The following persons were elected on the nomination of the employers' group :—

Mr. Ćurcin (Yugoslavia).
 Mr. Erulkar (India).
 Mr. Forbes Watson (British Empire).
 Mr. Harriman (United States of America).
 Mr. Gemmill (Union of South Africa).
 Mr. Lambert Ribot (France).
 Mr. Oersted (Denmark).
 Mr. Olivetti (Italy).

The deputy members for the group were as follows :—

Mr. Zen (Japan).
 Mr. Tzaut (Switzerland).
 Mr. Gérard (Belgium).
 Mr. Vanek (Czecho-slovakia).
 Mr. Molenaar (Netherlands).
 Mr. Szydłowski (Poland).
 Mr. Junoy Rabat (Spain).
 Mr. Camuzzi (Austria).
 Mr. Lamuraglia (Argentine Republic).
 Mr. Ling (China).

The persons elected on the recommendation of the workers' group were :—

Mr. Andersson (Sweden).
 Mr. Caballero (Spain).
 Mr. Hallsworth (British Empire).
 Mr. Joshi (India).
 Mr. Jouhaux (France).
 Mr. Mertens (Belgium).
 Mr. Watt (United States of America).
 Mr. Yonekubo (Japan).

The deputy members elected for this group were as follows :—

Mr. Schurch (Switzerland).
 Mr. Nemecek (Czecho-slovakia).
 Mr. Jensen (Denmark).
 Mr. Zulawski (Poland).
 Mr. Crofts (Australia).
 Mr. Krekitch (Yugoslavia).
 Mr. Kupers (Netherlands).
 Mr. Draper (Canada).

As substitute deputy members, the following were appointed :—

Mr. Chu Hsueh-Fan (China).
 Mr. Cerutti (Argentine Republic).
 Mr. Downes (Union of South Africa).
 Mr. Hindahl (Norway).
 Mr. Krier (Luxemburg).
 Mr. Peyer (Hungary).
 Mr. Roberts (New Zealand).
 Mr. Toledano (Mexico).

The President announced that the new Governing Body would take office at the next autumn session.

CREDENTIALS.

The Credentials Committee, which is elected at each Conference under Article 7 (c) of the Standing Orders of the Conference, and is composed of a Government delegate, an employers' delegate, and a workers' delegate, reviews the credentials of delegates. The Committee this year consisted of Mr. Paal Berg (Chairman), Government delegate, Norway; Mr. Curcin, employers' delegate, Yugoslavia; and Mr. Jouhaux, workers' delegate, France.

Normally the work of the Committee is a fairly formal proceeding, but an interesting situation has arisen recently concerning the validity of non-Government delegates from countries in which the once universal condition of there being three distinct bodies consisting of the State, employers, and workers has been wholly or partly superseded through the creation of new forms of Government.

The wording of the constitution requires Governments to select non-Government delegates from representative organizations of workers and employers respectively.

In some cases, objections are being lodged by the workers' group against workers' delegates on the ground that the Governments of the countries concerned have dissolved workers' organizations. In others the objections are lodged by the employers' group against employers' delegates on the ground that the Governments concerned have abolished the employing class.

Apart from the technicality involved in the question of credentials it is difficult to see what purpose is served by these proceedings, since it is obvious that they are initiated not so much with the object of preserving the status of the Conference as of securing the exclusion of countries whose form of Government is not approved by the group lodging the complaint.

Due to changes which have occurred in their systems of Government since the Treaty of Versailles was written, Russia, Germany, and Italy, three most important industrial countries, could probably be held technically to be ineligible for admission to the Conference. Germany is not now a member of the organization, Italy was not represented this year, and the credentials of the Russian employers' delegate are in question. These three countries are illustrations of the fact that systems of Government have not the unchangeable quality of pre-war days, and emphasize that there is no assurance that the German and Italian, or the Russian system, or some system different from all of them will not be adopted in countries which at present retain conventional forms of Government. The spread of any such changes will increase rather than diminish the need for international co-operation towards social justice; and, as full international representation at the Conference is the object most to be desired, it seems that more useful purpose would be served by taking steps to infuse greater flexibility into the constitution of the International Labour Organization than by arguing technicalities under an obsolete provision.

In the meantime the Conference adopted this year a recommendation contained in the seventh report of the Credentials Committee that the correspondence relating to the objection against the Russian employers' delegate be referred to the Governing Body "in order that it may examine thoroughly the problem raised by the creation of a new economic system which the authors of the constitution could not foresee, and may adopt any measures which it considers necessary or appropriate for the settlement of this problem."

OBSERVATIONS.

Any gathering of some five hundred persons from practically all countries of the earth, who have met for a common purpose, inevitably creates about itself an atmosphere reflecting the predominant trend of international thought. Those attending the International Labour Conference at Geneva are all chosen in their own lands for their professional, political, or expert concern with the social problems of industry. Politics do not enter into the discussions of the Conference, but the subjects discussed are generally of such a nature that most of them are liable to be brought into the arena of local politics. The attitude generally of Government and employers' delegates is accordingly tempered by their knowledge of ruling policies in their own countries. The impression clearly emerged that the policy of *laissez-faire* died of the results of the last depression.

The atmosphere of the Conference as a whole crystallized the growing change which the individual observer has been able to sense for five years past in the attitude of the State towards the units of society. Conference discussions were necessarily confined to broad principles, but even in them it was clear that the individual member of society had now received universally not merely the recognition of his right to live, but also his right to live in reasonable material comfort and economic security.

No opposite view was expressed at the Conference. If any different view was held it relied on the silence of the vote for expression. The new sense of social duty appeared to be accepted as a matter of course, and any difference of opinion was between those who regarded social justice as sufficient concession to the times and those who desired to see bare justice garnished with a degree of grace and generosity. Probably the decisions which emerged from the always friendly conflict of these elements, and which are expressed in the Conventions, recommendations, and resolutions attached to this report, did not wholly satisfy either faction. But they each give concrete expression to some advance in international thought, and will undoubtedly be themselves superseded in later years by still more enlightened decisions.

The fact that Draft Conventions are written and published to the world from an International Conference builds up a code of social and industrial ethics which becomes increasingly difficult to ignore.

After a newcomer to the Conference has overcome an initial impatience with the unweildiness of an international gathering and his first fears of the hopelessness of persuading some countries (who are not always the smallest ones) to acceptance of any reforms, he becomes reconciled to the longer view that this gradual process of creating written standards of social and industrial ethics, step by step, as each year shows areas of new ground made firm by reasonable accord of international thought, is probably the most useful purpose served by the organization. When each reform is adopted by the Conference it usually has before it the experience of some country or countries more advanced than others in that particular field, some additional ones follow when the seal of a Draft Convention has been placed upon it, and the process will continue, however slowly, until eventually those countries which have not adopted that particular reform are left in an isolation as noticeable as was the temerity of those which took the first step forward. It is, of course, a long stage between comfortable obscurity in the crowd to uncomfortable prominence in the rear of progress, since it depends on the rate of advancement of the majority; but, as the crowd thins out round the laggards, the Convention alters in character from being to them merely an academic ideal to being a constant reproach to their backwardness.

These considerations, after practical experience of the Conference, force the conclusion that the Governing Body is wise in limiting the agenda to a small number of items, and that no discouragement need be found in the fact that not all of the few Draft Conventions submitted each year secure adoption by the Conference. The organization exists to promote world progress, and can move only so fast as the consensus of world opinion in sociology will permit. It is sounder policy for it to adopt each year as universal standards a few progressive measures which have reasonable prospects of practical application throughout member States than to force the pace beyond the natural progress of world thought.

The existence of the organization is no hindrance to faster progress within the boundaries of those of its member States whose local political and social conditions permit of a more rapid rate of development. Such States, in whose company New Zealand can still aspire to travel, serve as experimental areas from which data and example can be taken when the time is ripe for movement in the wider international sphere.

A backward glance across the eighteen years that have elapsed since the first International Labour Conference was held in 1919 shows up proof of the material progress that can be made in small steps by sustained effort over a long period of time. The agenda of that first Conference included items relating to the application of the eight-hour day or of the forty-eight-hour week; women's employment during the night, and in unhealthy processes; and the employment of children during the night and in unhealthy processes. These were quite advanced questions in that day, but to-day would be regarded as elementary. Further indications of the progress made can be seen in the summaries given in this report under the heading of "Director's Annual Report" of social laws in various countries.

New Zealand could not therefore, without disregarding its wider duty to assist progress in countries less fortunately situated than itself, hold itself aloof from the International Labour Conference on the score of having nothing much to gain from it. The better attitude for a country like the Dominion to adopt is to consider how much it can assist in giving to other countries by its attendance at the Conference.

Mention is made on page 27 under the heading of "Method of New Zealand Representation," to the fact that under the Treaty of Versailles, member States of the International Labour Organization are required to pay the travelling and subsistence expenses of non-Government delegates and their advisers to the annual Conferences. No doubt it was contemplated that those delegates would in turn observe their obligation to use their attendance at the Conferences in a constructive manner. In this connection importance attaches to a declaration by a British employer member, occupying the position of Vice-President of the Textile Committee at this year's Conference, made at the third meeting of the Committee, that apart from the employer members of the United States of America and of France, the employer members of the Committee would refrain from discussing, from taking part in the drafting of, or from voting on any single article as it came up for examination. The New Zealand employers' delegate was not a member of this Committee.

The employer members connected with the Committee, excluding those from the United States of America and France, numbered thirty-two, with their substitutes and advisers; and the Committee had to proceed with its work without their assistance. It is beyond question that they could have given much useful help in the framing of the Convention. It is equally beyond question that, having accepted nomination to the Conference, with knowledge of the business to be done, having accepted election to membership to the Committee, and, presumably, having accepted from their Governments payment of the usual travelling and subsistence allowances, it was the common duty of all members of the Committee to give all possible assistance towards framing the Convention on the best lines. The question of whether or not a Draft Convention is eventually adopted (as it was in this case) remains always for the decision of the whole Conference, which is the proper place to record any protest and vote against its adoption.

It is clear that if such methods of discharging the duty of delegates to the Conference were resorted to by the other groups, the whole time of the Conference would be wasted, and nothing would be capable of achievement. Repetitions of such incidents must necessarily raise in the minds of Governments questions as to the value of paying from public funds the expenses of delegates who do not discharge the duty which they assume in accepting nomination. Any developments in that direction would be very regrettable, because one of the principal advantages which the International Labour Conference enjoys over the League of Nations Assembly is that the former gathers at its Conferences representatives of all three parties to the business it transacts, whereas the latter is composed only of Government representatives. With representatives present of Governments, employers, and workers, the International Labour Conference has within its ranks the very people who in their own countries will be directly concerned both with the administration and the effects of their joint decisions. The nature of its personnel enables it to come directly to grips with its problems, to discuss them in the light of the vast first-hand knowledge present, to frame its proposals on the spot with the present aid of that practical knowledge, and to know that in each country affected there will be persons who were present at the proceedings and who know the principles which governed the drafting.

It will be unfortunate if all of these advantages are to be in any way threatened in the future by incidents of the kind referred to above.

METHOD OF NEW ZEALAND REPRESENTATION AT INTERNATIONAL LABOUR CONFERENCE.

Article 399 of the Treaty of Versailles states—

- “(1) Each of the members will pay the travelling and subsistence expenses of its delegates and their advisers and of its representatives attending the meetings of the Conference or Governing Body, as the case may be.
“(2) All the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League.”

Article 389 of the Treaty provides that each delegate may be accompanied by advisers, who shall not exceed two in number for *each item* on the agenda of the Conference.

At the Conference of 1937 there were seven items on the agenda. A full delegation was therefore entitled to bring fourteen advisers with each of its delegates, a total of fifty-six advisers. The following was the composition of some of the delegations:—

	Delegates.			Advisers.			Total Delegation (excluding Secretaries, &c.).
	Government.	Workers.	Employers.	Government.	Workers.	Employers.	
United States of America ..	2	1	1	8	4	6	22
Brazil	2	1	1	1	..	..	5
Great Britain	2	1	1	6	10	12	32
Belgium	2	1	1	3	6	6	19
Canada	2	1	1	4	1	1	10
China	2	1	1	3	2	1	10
Denmark	2	1	1	3	5	1	13
France	2	1	1	11	6	8	29
New Zealand	2	1	1	..	..	..	4
Poland	2	1	1	6	3	3	16
Sweden	2	1	1	2	6	3	15
Russia	2	1	1	..	1	..	5
Yugoslavia	2	1	1	7	2	2	15

The advantages enjoyed by countries within reasonable distance of Geneva is reflected in the size of the delegations which they are able to send to Conferences. It would be out of the question for New Zealand to attempt representation numerically equivalent to such countries—firstly, because the cost would be prohibitive owing to distance and, secondly, because of the long period of absence from the Dominion which is involved.

The general question was raised in the debate on the Director's report by Mr. J. C. Muniz (Government delegate, Brazil), who emphasized the importance of complete delegations at the

Conference, consisting of Government, employers', and workers' delegates, with a certain number of advisers; and pointed out that representation was an extremely costly matter to distant countries. He suggested the inclusion in the Budget of the organization of credits for bringing complete delegations, with a compensation fund for distributing the cost more equitably.

Inquiries made by the New Zealand Government delegation showed that this is a question which was raised as long ago as 1929, and was the subject of a note addressed by the Director of the International Labour Office on the 14th April, 1934, to the Supervisory Commission of the League of Nations. That Commission took the view that any measures adopted in favour of the International Labour Organization should naturally be extended also to delegations sent to the Assembly of the League of Nations. The Commission estimated that the cost of such a proposal to cover both the Assembly of the League and the International Labour Conference would be 900,000 Swiss francs, and expressed the view that circumstances did not at that time warrant adding so heavy a burden to the League's Budget. This view was adopted by the Assembly of the League. The detailed estimates prepared by the International Labour Office at this time showed that the cost to New Zealand was three times that imposed on the most costly European delegation (Turkey) and that only one extra-European country (Persia) had a higher cost to bear than New Zealand.

The matter is one in which New Zealand has a special interest. The Government delegation discussed it in Geneva with representatives of some distant countries, and with the Director of the International Labour Office. It will be the subject of a separate communication to the Government.

I propose also to discuss with the Government the local question of New Zealand's method of representation at the Conference.

RATIFICATION OF CONVENTIONS.

Members of the organization (of which New Zealand is one) engaged under Article 405 of the Treaty of Versailles that within eighteen months of the adoption by the Conference of a Draft Convention or recommendation they would bring it before the competent authority (Parliament in the case of New Zealand) for the enactment of legislation or other action.

The first session of the Conference was held in 1919. Since that date 62 Draft Conventions have been adopted.

New Zealand has been represented at only four of the annual Conferences, and has ratified none of the Conventions. The Government expressed the view in 1931 that New Zealand legislation gave effect to the following Conventions:—

- Night Work (Women) Convention, 1919 (No. 4).
- Minimum Age (Agriculture) Convention, 1921 (No. 10).
- Right of Association (Agriculture) Convention, 1921 (No. 11).
- Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18).

No other action has been taken by New Zealand.

On the other hand, Spain has ratified 33 of the 59 Conventions and recommended 10 others for ratification; Uruguay has ratified 30, Yugoslavia 21, and Bulgaria 30. Great Britain has ratified or taken other action in regard to thirty Conventions.

The principal Government delegate at this year's Conference gave the assurance that New Zealand's obligations would be treated seriously, and that wherever they were applicable to New Zealand conditions Draft Conventions would be ratified and applied.

The full list of Draft Conventions passed by the Conference since 1919 is as follows:—
(Those printed in italics have not yet come into force.)

Conventions.

1st Session (Washington, 1919)—

- (1) Hours of Work (Industry).
 - (2) Unemployment.
 - (3) Childbirth.
 - (4) Night Work (Women).
 - (5) Minimum Age (Industry), (revised, 1937).
 - (6) Night Work (Young Persons).
- White Phosphorus.

2nd Session (Genoa, 1920)—

- (7) Minimum Age (Sea).
- (8) Unemployment Indemnity (Shipwreck).
- (9) Placing of Seamen.

3rd Session (Geneva, 1921)—

- (10) Minimum Age (Agriculture).
- (11) Right of Association (Agriculture).
- (12) Workmen's Compensation (Agriculture).
- (13) White Lead (Painting).
- (14) Weekly Rest (Industry).
- (15) Minimum Age (Trimmers and Stokers).
- (16) Medical Examination of Young Persons (Sea).

7th Session (Geneva, 1925)—

- (17) Workmen's Compensation (Accidents).
- (18) Workmen's Compensation (Occupational Diseases).
- (19) Equality of Treatment (Accident Compensation).
- (20) Night Work (Bakeries).

8th Session (Geneva, 1926)—

- (21) Inspection of Emigrants.

9th Session (Geneva, 1926)—

- (22) Seamen's Articles of Agreement.
- (23) Repatriation of Seamen.

10th Session (Geneva, 1927)—

- (24) Sickness Insurance (Industry, &c.).
- (25) Sickness Insurance (Agriculture).

11th Session (Geneva, 1928)—

- (26) Minimum Wage-fixing Machinery.

12th Session (Geneva, 1929)—

- (27) Marking of Weight (Packages transported by Vessels).
- (28) Protection against Accidents (Dockers), (1929).

14th Session (Geneva, 1930)—

- (29) Forced Labour.
- (30) Hours of Work (Commerce and Offices).

15th Session (Geneva, 1931)—

- (31) *Hours of Work (Coal Mines)*.

16th Session (Geneva, 1932)—

- (32) Protection against Accidents (Dockers), (revised, 1932).
- (33) Minimum Age (Non-industrial Employment), (revised, 1937).

17th Session (Geneva, 1933)—

- (34) Fee-charging Employment Agencies.
- (35) Old-age Insurance (Industry, &c.).
- (36) Old-age Insurance (Agriculture).
- (37) Invalidity Insurance (Industry, &c.).
- (38) Invalidity Insurance (Agriculture).
- (39) *Survivors' Insurance (Industry, &c.)*.
- (40) *Survivors' Insurance (Agriculture)*.

18th Session (Geneva, 1934)—

- (41) Night Work (Women), (revised).
- (42) Workmen's Compensation (Occupational Diseases), (revised).
- (43) *Sheet-glass Works*.
- (44) *Unemployment Provision*.

19th Session (Geneva, 1935)—

- (45) Underground Work (Women).
- (46) *Hours of Work (Coal Mines)*, (revised).
- (47) *Forty-hour Week*.
- (48) *Maintenance of Migrants, Pension Rights*.
- (49) *Reduction of Hours of Work (Glass-bottle Works)*.

20th Session (Geneva, 1936)—

- (50) *Recruiting of Indigenous Workers*.
- (51) *Reduction of Hours of Work (Public Works)*.
- (52) *Holidays with Pay*.

21st Session (Geneva, 1936)—

- (53) *Officers' Competency Certificates*.
- (54) *Holidays with Pay (Sea)*.
- (55) *Shipowners' Liability (Sick and Injured Seamen)*.
- (56) *Sickness Insurance (Sea)*.
- (57) *Hours of Work and Manning (Sea)*.

22nd Session (Geneva, 1936)—

- (58) *Minimum Age (Sea)*.

23rd Session (Geneva, 1937)—

- (59) Minimum Age for Admission of Children to Industrial Employment (revised, 1937).
- (60) Minimum Age for Admission of Children to Non-industrial Employment (revised, 1937).
- (61) Reduction of Hours of Work in Textile Industry.
- (62) Safety in Building Industry.

An extract from the report of the Committee on the Application of Conventions, which was adopted at the Conference, is appended :—

"This year, as on previous occasions, the Committee discussed in some detail the nature of the obligations undertaken by States which ratify Conventions. The experts had pointed out that, whereas such States are in fact under a strict legal obligation to secure that ratification is immediately followed by application, the view is taken in some quarters that ratification indicates little more than a promise to implement the provisions of the Convention concerned at some future date. The Committee thinks it important to place on record its opinion—from which no one of its members dissented—that there is no legal basis for delay on the part of a State in giving effect to a Convention which it has ratified, and it associates itself expressly and with full conviction with the point of view which the Committee of Experts set forth in the following terms: 'That the International Labour Conventions must be regarded as imposing specific obligations, and not mere programmes of future reform, on the contracting parties. The contrary view is in its opinion calculated to shake confidence in international agreements in general, and in particular to discourage collaboration in the work of the International Labour Organization on the part of countries which interpret their international obligations with the greatest strictness.'

"In this connection the attention of the Committee was drawn to the fact that the technical term 'Draft Convention,'—i.e., a Convention adopted by the Conference but not yet ratified by the number of States specified in it—may sometimes be the cause of misunderstanding. It is thought that Draft Conventions, as distinct from Conventions proper, do no more than lay down a principle which ought at some later date to find concrete form in national legislation in a measure approximating to the Convention. The Committee accordingly wishes to repeat the observation made by it last year that the ratification of an International Labour Convention is as solemn and as binding as the ratification of any other international treaty, and that ratification therefore imposes a definite obligation upon the ratifying member State to give effect to its terms completely and punctually."

ARTICLE 26: CONSTITUTION AND STANDING ORDERS OF INTERNATIONAL LABOUR ORGANIZATION.

Article 26 of the Organization, which reproduces Article 412 of the Treaty of Versailles, sets out the fact that States members agreed to nominate within six months of the date on which the Treaty came into force, three persons of industrial experience, one of whom shall be a representative of employers, one a representative of employees, and one a person of independent standing, who shall together form a panel from which shall be drawn members of Commissions of inquiry.

The attention of the New Zealand Government delegation to this year's Conference was drawn to the fact that the Dominion had not carried out its obligation to make the necessary nominations. The matter is accordingly being brought to the notice of the Government.

The Commissions of inquiry referred to are provided under Article 411 of the Treaty for the purpose of hearing complaints against any State member that it is not securing the effective observance of any Convention which it has ratified.

COMMITTEES.

The Selection Committee makes proposals as to the number of committees and their composition. After the Selection Committee has made its proposals for the composition of the various committees and these have been approved by the Conference in plenary sitting, the Government, employers', and workers' groups again meet separately and make their nominations for the membership of the committees. Information as to the method of appointment to the various committees is given by the officers at the group meetings. The nominations so made are submitted to the Selection Committee, which reports to the Conference in plenary sitting. When these preliminary arrangements have been completed, the Conference is in a position to proceed with the discussion of its agenda.

The committees of the Conference usually get to work immediately after their appointment by the Conference, but there may be a general discussion in plenary sitting before a particular subject is referred to a committee for consideration.

The places and times of meeting of the various committees are announced on the notice board and in the daily bulletin. All delegates and advisers are entitled to attend meetings of committees, even of those of which they are not themselves members, and may also speak at committee meetings (in the case of advisers only if they have been authorized by their delegates); but of course only those delegates and advisers who are members of the committee, either as regular members or as substitutes in the absence of regular members, are entitled to vote.

The procedure of committees is governed by special Standing Orders.

At its first meeting each committee appoints its Chairman. It also appoints a Vice-Chairman for each of the employers' and workers' groups. A "Reporter" and Drafting Committee are also appointed either at the beginning or at a later stage of the committee's work. Separate meetings of the Government, employers', and workers' delegates on the committee are held for the purpose of nominating officers, and similar meetings are also held from time to time for the discussion of the committee's work.

All speeches made in French are interpreted into English and *vice versa*, and, subject to the provisions of the Standing Orders, interpretations into other languages may also be given. Interpretations into German were given of speeches in the Textile Committee this year.

Amendments to proposals before the committee must be handed to the Secretariat of the committee in writing.

The proceedings of committees are not reported in full, but minutes in French and in English giving a very brief record on the discussions and decisions are prepared by the secretaries, reproduced in roneo, and circulated to members of the committee one or two sittings later than that to which they relate.

The report of the committee is prepared by the Reporter, who is a member of the Committee, and submitted in draft to the Committee as a roneoed document. With its approval of the report, the committee's work comes to an end. The report is then considered by the Conference in plenary sitting. Amendments to the committee's proposals for consideration by the Conference must be furnished in writing to the Clerk of the Conference. In the case of a proposed Draft Convention or recommendation, after the committee's proposals and any amendments thereto have been discussed and voted on by the plenary sitting, the text is referred to the Drafting Committee of the Conference to be put into its final form. The text prepared by the Drafting Committee is then published, and the final and decisive vote is taken in plenary sitting of the whole Conference.

The following eleven committees were set up this year :—

- (1) Selection Committee.
- (2) Credentials Committee.
- (3) Committee on Standing Orders.
- (4) Committee on Application of Conventions.
- (5) Resolutions Committee.
- (6) Committee on Safety in Building.
- (7) Committee on the Textile Industry.
- (8) Committee on Public Works.
- (9) Committee on the Printing and Kindred Trades.
- (10) Committee on the Chemical Industry.
- (11) Committee on Minimum Age.

Committees numbered (1) to (5) inclusive are committees which are set up regularly each year. The others were elected to prepare reports on the items on the agenda.

New Zealand was represented on the following committees :—

Committee.	Name of Delegate.
Textile Industry ..	Hon. H. T. Armstrong, M.P. (Minister of Labour), Principal Government Delegate : Chairman of Committee.
Public Works ..	Hon. H. T. Armstrong, M.P. (Minister of Labour), Principal Government Delegate : Substitute, Mr. W. J. Shanly. Mr. E. J. Dash, Workers' Delegate.
Minimum Age ..	Mr. W. E. Anderson, Employers' Delegate.

The heaviest work of the Conference falls on the committees, and as it is impracticable for any delegate to cope with the work attached to membership of more than one committee, the scope of influence of the smaller delegations, such as New Zealand's, is much more restricted than that of delegations having sufficient numerical strength to cover all agenda committees. Further reference to this point is made at page 27.

The first and second reports of the Resolutions Committee, containing the texts of resolutions submitted by delegates and adopted by the Conference, are printed in the Appendix.

COMMITTEE SET UP TO DEAL WITH REDUCTION OF HOURS IN TEXTILE INDUSTRY.

Composition of Committee.

Chairman.—Hon. Mr. Armstrong, M.P. (Minister of Labour, New Zealand).

Vice-Chairmen.—Mr. Ashurst, Mr. Shaw.

Reporter.—Mr. Picquenard.

Representative of the Secretary-General.—Mr. Mortished.

Secretaries.—Mr. Wubnig, Mr. Kohler.

Government Members.—United States of America, Mr. Hinrichs; Argentine Republic, Mr. Unsain; Belgium, Mr. Mommens; Brazil, Mr. Da Silva; British Empire, Mr. Leggett; Canada, Mr. Charpentier; Colombia, Mr. Caicedo Castilla; Cuba, Mr. Antiga; Denmark, Mr. Dreyer; Egypt, Mr. Assal Bey; Spain, Mr. Alvarez Alvarez (substitute, Mr. Azorin); France, Mr. Picquenard; India, Sir Firozkhan Noon; Japan, Mr. Kitaoka (substitute, Mr. Ohno); Luxemburg, Mr. Kayser; Mexico, Mr. Lenero; Norway, Mr. Störvold; New Zealand, Hon. H. T. Armstrong; Poland, Mr. Zagrodski (substitute, Mr. Moczarski); Portugal, Mr. Esteves Fernandes; Sweden, Mr. Nordin; Czechoslovakia, Mr. Kotek; Union of Soviet Socialist Republics, Mr. Markus; Yugoslavia, Mr. Yeremitch.

Employers' Members.—Mr. Berzins (Latvia); Mr. Forbes Watson (substitutes, Mr. Ashurst, Mr. Martin, Mr. Pogson, Mr. Scholes), (British Empire); Mr. Galliez (Brazil); Mr. Gérard (substitutes, Mr. Henen, Mr. Wilford), (Belgium); Mr. Harriman (substitutes, Mr. West, Mr. Menke), (United States of America); Mr. Ionesco (Rumania); Mr. Junoy Rabat (substitute, Mr. Junoy Aguiar), (Spain); Mr. Knob (substitute, Mr. Molnar), (Hungary); Mr. Lambert-Ribot (substitutes, Mr. Schlumberger, Mr. Catin), (France); Mr. Lamuraglia (substitute, Mr. Padros), (Argentine Republic); Sir Hormusji P. Mody (India); Mr. Molenaar (substitute, Mr. van der Muelen), (Netherlands); Mr. Nieh Kanyo (China); Mr. Tzaut (substitute, Mr. Steinmann), (Switzerland); Mr. Wistrand (substitute, Mr. Paues), (Sweden); Mr. Zen (substitute, Mr. Kawaguchi), (Japan). *Substitutes:* Mr. Curcin (substitute, Mr. Golja), (Yugoslavia); Mr. Erlandsen (substitute, Mr. Rachlew), (Norway); Mr. Pabedinskas (Lithuania).

Workers' Members.—Mr. Diaz Munoz (Mexico); Mme. Egorova (Union of Soviet Socialist Republics); Mr. Gorman (United States of America); Mr. Koizumi (Japan); Mr. Kupers (Netherlands), (replaced by Mr. de Jonge); Mr. Louhikko (Finland); Mr. Marti (Switzerland); Mr. Naidu (India); Mr. Nielsen (Denmark); Mr. Segier (Belgium); Mr. Shaw (British Empire); Mr. Vandeputte (France); Mr. Vidal Rossell (Spain); Mr. Weigel (Czechoslovakia); Mr. Wennström (Sweden); Mr. Yakomini (Yugoslavia). *Substitutes:* Mr. Carissiades (Greece); Mr. Chu Zang-Kang (China); Mr. Dielininkaitis (Lithuania); Mr. Egle (Latvia); Mr. Flueraș (Rumania); Mr. Kocour (Czechoslovakia); Mr. Koscinski (Poland); Mr. Naess (Norway); Mr. Parra (Venezuela); Mr. Rebane (Estonia); Mr. Wood (British Empire).

OBSERVATIONS ON WORK OF COMMITTEE.

The work of this Committee was of special interest to the principal Government delegate (Hon. H. T. Armstrong) because the Committee did New Zealand the honour of making him its Chairman.

The work of the Committee was strenuous and progress slow, because of its large membership.

When one considers the size of the Committee and the number of languages spoken, and that at least two translations of each speech were necessary, it will be understood that the task of the Chairman was not an easy one. However, after many amendments, mostly making the Draft Convention more elastic for the purpose of meeting the objections of countries who were not prepared to go as far as America, France, or New Zealand, the work was completed within reasonable time and a report made to Conference.

The Textile Convention caused far more interest and discussion than any other question dealt with by Conference. It had been discussed at last year's Conference, and was referred to a special Conference of experts held at Washington early in 1937.

At the first sitting of the Committee after the election of officers, Mr. Ashurst, representing British employers, asked for a general discussion before proceeding to deal with the Articles of the Convention.

Mr. Vandeputte, French workers' representative, opposed a general discussion on the grounds that the matter had been well discussed last year and again at Washington this year. Besides, he contended, there would be ample opportunity given when the Committee reported to Conference.

Mr. Leggett, British Government representative, stated that his Government was convinced of the necessity of a general discussion. After further exchange of views, and upon the proposal of the Chairman, the Committee decided to hold a general discussion which would be limited in duration to four hours.

Mr. Leggett, who was the first speaker in the general discussion, opposed the Convention on the grounds that the subject should be considered in relation to the circumstances of the particular industries. Above all, the reduction of hours of work should be taken simultaneously with measures for international regulation of wages. The British Government believed that to adopt the Draft Convention would lead to wage-reduction and unemployment.

Mr. Shaw, British workers' representative, in reply to the British Government representative, said that last year the Minister of Labour from Britain suggested that experts from all countries should assemble to consider all relevant problems of the textile industry. This had been done at Washington Conference. The result showed that there were no technical obstacles to prevent the introduction of a forty-hour week. The British Government had to make up its mind. Was it ready to vote for any Convention which would reduce the working-week below forty-eight hours? If the British Government refused to deal with the shorter working-week, it not only kept back improvements in its own country, but also retarded progress in France, United States, and other countries.

Sir Hormusji Mody, employer, India, said that the proposed forty-hour week in the textile industry would be disastrous not only to the undertakings but to the workers. If such a remedy were adopted as a permanent solution, when normal prosperity was re-established a permanent crisis of under-production would set in. If the forty-hour week were going to be introduced in the East the immediate consequence would be profound disturbance of economic life, necessitating tariff barriers.

Mr. Naidu, workers' representative, India, said there were three principal reasons why the forty-hour week was necessary in India :—

- (a) It would reduce unemployment, which was very extensive.
- (b) The forty-hour week was further necessary because of climatic conditions in India. Sickness and death were common among workers in textile mills during hot seasons.
- (c) Reduction of hours would give educational facilities to workers, which are very limited in that country, only about 6 per cent. having an opportunity of obtaining education of any kind. If Indian workers were inefficient to-day, it was because of the long hours they work and the low wages paid.

Mr. West, United States employers' representative, said that the United States had been operating the forty-hour week for four years. During the first two years this was required by legal sanction. When the textile codes became invalid in May, 1935, it was feared that industry would resume longer hours, but all the trade associations of textile employers decided that the forty-hour week should be continued. The textile employers of America did not operate their mills as charitable institutions, but there was widespread acceptance in the United States that the forty-hour week was justified.

A Belgian employers' representative said that if social reform raised prices too high the buyers would simply cease clothing themselves in anything but rags.

After the discussion ended, Sir Hormusji Mody on behalf of the employers, moved, that the preamble be discussed before taking up any of the Articles.

The Chairman (Hon. Mr. Armstrong) stated that in accordance with the procedure of the International Labour Conference the preamble would have to be considered after the Committee had dealt with the Articles of the Draft Convention. He would have to rule to that effect.

At this stage a British employers' representative, speaking on behalf of employers except those of United States and France, stated that the employers saw no useful purpose in discussing a single Article of the proposed Draft Convention, and they would refrain from discussing, from taking part in the drafting of, or from voting on any single Article as it came up for examination. Further reference to this is made at page 26.

There were nineteen Articles of the Convention. Each was discussed at length, and scores of amendments were moved, but it is unnecessary to go into detail.

After ten sittings of the Committee, commencing 7th June and ending 17th June, the final vote on the Draft Convention as a whole was taken and carried by 73 votes to 40. Those voting for the adoption included 11 Government, 1 employers', and 16 workers' representatives. Those voting to reject the Draft Convention included 2 Government and 12 employers' representatives. One employers' representative abstained from voting.

The Committee reported to the Conference and a lengthy and keen debate followed.

The committee gave serious consideration also to a suggestion that a special Convention be drafted to meet the case of more backward countries, who have not yet reduced working-hours to even forty-eight per week, the countries mentioned being Afghanistan, China, Japan, Egypt, India, Iran, Iraq, Siam, and Turkey.

It was thought that as some of these countries were working from fifty-four to over sixty hours per week, a reduction to forty-eight hours for a period not exceeding five years would be a decided move forward, the forty-hour week to operate from the end of that period, or earlier if considered practicable to do so.

However, as the representatives of the countries mentioned had not sufficient time in which to obtain instructions from their Governments, and as the proposal was introduced too late for the Committee to give it the consideration necessary, it was decided not to ask Conference to pass a special Convention, but to submit to Conference a resolution in the following terms :—

The Conference,—

Having regard to the obligation imposed upon it by Article 19 (3) of the Constitution of the Organization—namely, that “in framing any recommendation or Draft Convention of general application the Conference shall have due regard to those countries in which climatic conditions, the imperfect development of industrial organization, or other special circumstances make the industrial conditions substantially different, and shall suggest the modifications, if any, which it considers may be required to meet the case of such countries” :

Recognizing that circumstances have made it difficult for the Conference to give adequate consideration to the question of introducing into the Draft Convention on the reduction of hours of work in the textile industry special provisions in pursuance of this Article of the Constitution ;

Considering nevertheless that it is of the highest importance that hours of work in the textile industry should be regulated in accordance with an international Convention in all countries including those in which it may not be practicable to apply without modification the provisions of the Draft Convention adopted by this session of the Conference ;

Requests the Governing Body of the International Labour Office to give immediate consideration to the question of the adoption of a special Draft Convention determining the modifications of the provisions of the Draft Convention on the reduction of hours of work in the textile industry for such countries, with a view to the placing of this question on the agenda of the Conference.

This resolution was later adopted by the whole Conference.

The following is a summary of the speech delivered by the Hon. H. T. Armstrong (Principal Government delegate, New Zealand) when, as Chairman of the Committee on the Textile Industry, he replied to the debate in the whole Conference on the committee's report :—

The Chairman said that he was sorry that the whole of the committee had not worked all the time because the employers' representatives, with the exception of those from France and United States of America, went on strike and decided that they would take no part whatever in the proceedings, refusing to serve on the Drafting Committee or on the Co-ordinating Committee. Although the Textile Committee were entitled to the assistance of the employer members just as they were entitled to the assistance of the Government and workers' representatives, that assistance was not received. He considered the attitude taken up by the employers to be a dangerous one, because, if one of the other groups took up the same attitude, the business of the Conference would become impossible of transaction. In addition, confidence in the Organization would be lost altogether, which would be a very bad thing indeed for the world. Referring to a statement which had been made by the New Zealand employees' representative that the Court of Arbitration was the deciding factor in the application of the forty-hour week, the Chairman pointed out that this was strictly in line with the law of New Zealand. The law gave a direction to the Court that the forty-hour week was to be applied unless the employers could show to the satisfaction of the Court that it would be impracticable in any particular industry. He gave figures concerning the percentage of industrial workers to whom the forty-hour week applied in New Zealand. The New Zealand employers' representative had omitted to mention that the Court had conceded the forty-hour week in the textile industry. The Chairman went on to say, however, that the Textile Committee was not asking the Organization to go as far as they had gone in New Zealand, in France, and the United States of America, or in some other countries. In an attempt to meet the recommendation made by the employers and the Governments of some of the more backward countries that the Convention be as elastic as possible, its provisions were in a much more modified form compared with those operating in the countries to which he referred.

He refuted the contention of the British Government representative that a reduction in hours of work must necessarily carry with it a reduction in the rates of wages. In New Zealand the reduction to forty hours per week had been accompanied by an increase of about 20 per cent. in the weekly remuneration. The result was that the demand for goods had increased enormously, and New Zealand was benefiting from the increased spending-power of the community.

Regarding employers' pleas concerning backward countries, he considered that the best way that such countries could be assisted was by setting an example, as had been done in New Zealand.

Referring to a plea by the Government and the employers' representatives of India that if hours of work were reduced in the textile industry of that country manufacturers would be prevented from selling cheap goods to the mass of the people, he expressed the view that the Conference had not been hearing the voice of India at all, but the voice of vested interests. He inquired how many of the 300,000,000 people to whom the representatives in question had referred had been consulted. In his view, India was crying out to the rest of the civilized world for assistance to lift its workers from the squalor and misery in which they were compelled to work and live. It was for such countries principally that the Organization existed, and if it did not assist in raising their standard of living, then the standard of the more advanced countries would be lowered to theirs.

The Draft of the Convention had been well reasoned out by the committee. It had been the subject of a special Conference at Washington. It had been discussed in Geneva in previous Conferences, and every time it had been discussed it had been modified to such an extent that now he was almost ashamed to be Chairman of the Committee which put it forward at all. He sincerely hoped that the Conference would give a lead to the world, and not delay the application of the forty-hour week until the time when the rest of the civilized world had reduced its hours of work below forty hours.

The Draft Convention was adopted by the Conference, with 88 votes to 41, securing more than the necessary two-thirds majority.

PUBLIC WORKS COMMITTEE.

Composition of Committee.

Chairman.—Mr. Renggli.

Vice-Chairmen.—Mr. Vanek, Mr. J. Tallon.

Reporter.—Mr. Mallery.

Representative of the Secretary-General.—Mr. Waelbroeck.

Expert.—Mr. Tait.

Secretaries.—Mr. Rabinovitch, Mr. Rao.

Government Members.—United States of America, Mr. Mallery (substitute, Mr. Kreps); Australia, Mr. Schofield; Austria, Mr. Wleek; Canada, Mr. Dickson; Chile, Mr. Garcia Oldini; China, Mr. Young; Dominican Republic, Mr. Ackermann; Egypt, Mr. El-Baba; Ecuador, Mr. Gastelu; Estonia, Mr. Sonin; Finland, Mr. Mannio (substitute, Mr. Hjelt); France, Mr. Tessier; Greece, Mr. Phocas (substitute, Mr. Pavlakis); Hungary, Mr. Kádar (substitute, Mr. Blatniczky); India, Mr. Morley (substitute, Mr. Zaman); Iraq, Mr. Khalidy; Iran, Mr. Entezam; Irish Free State, Mr. MacLaughlin; Japan, Mr. Kitaoka (substitute, Mr. Ohashi); Lithuania, Mr. Barkauskas (substitute, Mr. Staneika); Norway, Mr. Colbjørnsen; New Zealand, Hon. H. T. Armstrong (substitute, Mr. Shanly); Poland, Mr. Biesiekierski (substitute, Mr. Wscieklica); Sweden, Mr. Molin (substitute, Miss Hesselgren);

Switzerland, Mr. Renggli (substitute, Mr. Lusser); Czechoslovakia, Mr. Necas (substitute, Mr. Kotek); Turkey, Mr. Sadak (substitute, Mr. Ilkin); Union of South Africa, Mr. Andrews; Uruguay, Mr. Benavides; Yugoslavia, Mr. Tzvetkovitch (substitutes, Mr. Krmpotitch, Mr. Petrovitch, Mr. Ostoyitch).

Employers' Members.—Mr. Curcin (substitute, Mr. Zivadinovic), (Yugoslavia); Mr. Gérard (substitute, Mr. Bessem), (Belgium); Mr. Goldie (substitute, Mr. MacDonnell), (Canada); Mr. Harriman (substitutes, Mr. Wasserman, Mr. Paul), (United States of America); Mr. Ionesco (substitute, Mr. Gusti), (Rumania); Mr. Junoy Rabat (substitute, Mr. Sanchez Conesa), (Spain); Mr. Lambert-Ribot (substitute, Mr. Waline), (France); Mr. Oersted (Denmark); Mr. Schmidt (substitute, Mr. Camuzzi), (Austria); Mr. Szydlowski (substitute, Mr. Jastrzebowski), (Poland); Mr. Temperley (Australia); Mr. Tzaut (substitutes, Mr. Paillard, Mr. Kuntschen), (Switzerland); Mr. Vanek (Czechoslovakia); Mr. Wistrand (Sweden); Mr. Zilliacus (substitute, Mr. Sjöberg), (Finland). *Substitutes*: Mr. Cowley (Cuba); Mr. Etienne (Luxemburg).

Workers' Members.—Mr. Amelink (Netherlands); Mr. Andersson (Sweden); Mr. Bondas (Belgium); Mr. Dash (New Zealand); Mr. Einer-Jensen (Denmark); Mr. Evensen (Norway); Mr. Flucras (Rumania); Mr. Hedges (United States of America); Mr. Jouhaux (France); Mr. Krier (Luxemburg); Mr. Schürch (Switzerland); Mr. Sherwood (British Empire); Mr. Stanczyk (Poland); Mr. Tallon (Canada); Mr. Yao Ting-Chen (China). *Substitutes*: Mr. Dumoulin (France); Mr. Chr. Jensen (Denmark).

OBSERVATIONS ON WORK OF COMMITTEE.

The first recommendation and the resolution submitted from the Committee on public works are interdependent. One is of no value without the other.

The second recommendation is closely allied. It recommends the application of certain principles in financing, timing, and planning public works, if they are to prevent excessive fluctuations of the business cycle.

The information sought by the first recommendation would be relatively useless unless it concerned public works planned in accordance with the principles of the second recommendation. The nations most advanced in public-works planning are not far ahead of those that have not yet started. Therefore every nation has the opportunity of taking the lead in the application of these planning principles and in discovering new and better methods. These three proposals carry with them a request for immediate action by the Governing Body. The Public Works Committee was one of the largest of any in the Conference, being composed of thirty representatives of Governments, fifteen of employers, and fifteen of workers. These three proposals were approved by it without a negative vote, and with only one abstention. This is all the more remarkable because there were frank and searching debates and amendments to the original texts.

To the Governments which did not participate in the debates the Committee pointed out three simple reasons why they should examine the proposals carefully at home: (1) No Government is asked to spend more on planned public works during the next decade, but only to time differently what it does spend; (2) every Government is asked to spend relatively more in bad times than in good; and (3) to share with other members its planning experience.

The Committee considered these to be first steps, even though small, toward an international quarantine against the spread of the contagious disease of cyclical unemployment.

The adoption of these Recommendations and of the Resolution, notwithstanding an attempt by the Austrian Government, supported by the Indian and Swiss Governments, to vitiate the force of the Recommendation concerning International Co-operation by eliminating all semblance of a common plan, marks the abandonment of the view once strongly put forward that public works have no value as a remedy for unemployment. It emphasizes that internationally the contention of the New Zealand Government is endorsed that maintenance of the purchasing power of the mass of the people is the best insurance against unemployment and depression. It is a reasonable conclusion, too, that many of those who were in opposition to this view during the depression have been convinced by experience of the danger of attempting to deal with possible future depressions by the methods so commonly used in the last one. This explanation of an altered viewpoint born of the experience of the slump cannot of course be applied to all of the countries who supported, or at least did not vote against, the public works proposals at the Conference.

APPENDIX.

FULL TEXTS OF DRAFT CONVENTIONS, RECOMMENDATIONS, AND RESOLUTIONS
ADOPTED BY THE CONFERENCE (SEE FOOTNOTE*).

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RESOLUTION CONCERNING INTERNATIONAL CO-OPERATION WITH REFERENCE TO PUBLIC WORKS
SUBMITTED BY COMMITTEE ON PUBLIC WORKS (Third item on agenda).

Whereas the International Labour Conference has adopted a recommendation on international co-operation concerning public works; and whereas it is desirable, in order to make such co-operation effective, to set up an international body for the purpose of ensuring the continuity of the co-operation and of determining in the methods of applying it:—

1. The Conference invites the Governing Body of the International Labour Office to appoint as soon as possible, and to convene without delay, an international public works committee, the duties of which should be more particularly—

- (a) To prepare and periodically to revise the uniform plan referred to in paragraph 2 of the recommendation on international co-operation concerning public works;
- (b) To study every year the information gathered by the International Labour Office either as a result of the recommendation referred to above or in any other way;
- (c) To make reports on this subject to the Governing Body of the International Labour Office with a view to their transmission to the members of the organization;
- (d) To undertake any other duties relating to public works which may be entrusted to it.

2. Members which have declared themselves willing to give effect to the above-mentioned recommendation should be invited to send representatives to the Committee.

The Committee should also include employers' and workers' representatives in equal numbers.

The Governing Body of the International Labour Office should invite representatives of the *competent bodies* of the League of Nations to participate in the work of the Committee, and might, in so far as it thinks fit, attach to the Committee representatives of international institutions or bodies concerned with this matter as well as national and international experts chosen for their special knowledge of the various aspects of the problem of public works.

* The only authentic copies of Draft Conventions and Recommendations received by Member States are those certified by the Director of the International Labour Conference in his capacity of Secretary-General of the Conference. These had not reached New Zealand at the time of preparation of this report. There are some differences, mostly unimportant, between the other texts available. Such doubtful parts are printed in italics in this Appendix.

RECOMMENDATION (NO. 50) CONCERNING INTERNATIONAL CO-OPERATION IN RESPECT OF PUBLIC WORKS.

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-third Session on 3rd June, 1937, and

Having decided upon the adoption of certain proposals with regard to international co-operation in respect of public works, which is included in the third item on the agenda of the session, and

Having determined that these proposals shall take the form of a recommendation, adopts, this twenty-second day of June, of the year one thousand nine hundred and thirty-seven, the following recommendation, which may be cited as the Public Works (International Co-operation) Recommendation, 1937 :

Whereas the advance planning of public works is a useful method of preventing unemployment and counteracting economic fluctuations : and whereas action for this purpose can be effective only if it is based on adequate information and international co-operation : The Conference recommends that—

1. Each member of the International Labour Organization should communicate annually to the International Labour Office, on the most suitable date, statistical and other information concerning public works undertaken or planned on its territory, including orders for plant, equipment, and supplies.

2. The information communicated by members in accordance with paragraph 1 should be supplied as far as possible in accordance with a uniform plan relating more particularly to the expenditure involved, the method of financing the works, and the number of workers engaged.

3. Each member should co-operate in the work of any international committee which may be set up by the Governing Body of the International Labour Office for the purpose, more particularly, of studying the information communicated in accordance with paragraph 1 and preparing the uniform plan referred to in paragraph 2.

4. Each member should carefully consider what action to take on the basis of any reports which the Governing Body of the International Labour Office may send it as a result of the discussions of the Committee contemplated by paragraph 3.

RECOMMENDATION (NO. 51) CONCERNING THE NATIONAL PLANNING OF PUBLIC WORKS.

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-third Session on 3rd June, 1937, and

Having decided upon the adoption of certain proposals with regard to the national planning of public works, which is included in the third item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation, adopts, this twenty-second day of June, of the year one thousand nine hundred and thirty-seven, the following recommendation, which may be cited as the Public Works (National Planning) Recommendation, 1937 : Whereas in the absence of advance planning expenditure on public works tends to increase in years of prosperity and to diminish in years of depression : Whereas fluctuations in the volume of employment of workers engaged on public works are thereby superimposed on the fluctuations in the volume of employment arising out of commercial demand, thus aggravating successively the shortage of certain classes of workers in periods of prosperity and the extent of unemployment in periods of depression : Whereas it is desirable to time public works in such a way as to reduce industrial fluctuations as far as possible : Whereas the uniform application of such a policy of timing to all public works involves the co-ordination of the administrative and financial methods applied by the various authorities : and whereas it is also desirable, if public works are to be fully effective as a remedy for unemployment, that measures should be adopted relating to the conditions of recruitment and employment of the workers engaged on the work : The Conference recommends that each member should apply the following principles :—

Part I.—Timing of Public Works.

1. (1) Appropriate measures should be adopted for the purpose of achieving a suitable timing of all works undertaken or financed by public authorities.

(2) This timing should involve an increase in the volume of such works in periods of depression, and for this purpose it is desirable to provide for the preparation in advance, during periods of prosperity, of works capable of being held in reserve or exceeding ordinary requirements, and which should be ready for execution as soon as the need is felt.

(3) Special attention should be paid to public works which stimulate heavy industries or public works which create a more direct demand for consumers' goods as changing economic conditions may require.

2. The policy of timing public works should apply to all such works (including works in colonies) undertaken by central authorities, regional or local authorities, public-utility undertakings, or any body or individual in receipt of subsidies or loans from a public authority.

3. There should be established a national co-ordinating body the duties of which should be, more particularly—

(a) To centralize information relating to the various kinds of public works :

(b) To ensure or encourage the preparation of works in advance ; and

(c) To give instructions or advice as to when works should be held in reserve and when works held in reserve should be undertaken, account being taken of fluctuations in the volume of unemployment, changes in the index of wholesale prices, changes in the rate of interest, and any changes in other indices which indicate an alteration in the economic situation.

Part II.—Financing of Public Works.

4. Among the financial measures necessitated by the policy embodied in the present recommendation the following should receive special consideration :—

- (a) The placing to reserve in periods of prosperity of the resources necessary for carrying out works prepared for periods of depression :
- (b) The carrying-forward of unexpended balances from one year to another :
- (c) Restricted borrowing by public authorities in periods of prosperity and accelerated repayment of loans previously contracted :
- (d) The financing by loan in periods of depression of public works likely to stimulate economic recovery, and, generally speaking, the application of a monetary policy which will make possible the expansion of credit required at such a time for the speeding-up of the public works and which will ensure the lowest possible rate of interest on the loans.

5. The co-ordinating body provided for in paragraph 3, or a special body acting in co-operation with it, should be entrusted with all or some of the following duties in connection with the financing of public works :—

- (a) To advise the central authority on financial policy, and, if necessary, taxation policy, relating to public works ;
- (b) To assist in achieving proper co-ordination between the credit policy and market operations of the central bank, or corresponding institution, and the public-works policy of the Government ;
- (c) To co-ordinate the borrowing-policy of the different public bodies referred to in paragraph 2 ; and
- (d) To take such measures as may be necessary to ensure that the policy of the central authority in respect of loans and subsidies is made effective.

Part III.—Employment of certain Classes of Workers.

6. In applying the policy of timing provided for in this recommendation, consideration should be given to the possibility of including works which will give employment to special classes of workers, such as young workers, women, and non-manual workers.

Part IV.—Conditions of Recruitment and Employment.

7. The recruitment of workers for employment on public works should be effected for preference through the public employment exchanges.

8. Foreign workers authorized to reside in the country concerned should be accepted for employment on public works on the same conditions as nationals, subject to reciprocal treatment.

9. The rates of wages of workers on public works should be not less favourable than those commonly recognized by workers' organizations and employers for work of the same character in the district where the work is carried out ; where there are no such rates recognized or prevailing in the district, those recognized or prevailing in the nearest district in which the general industrial circumstances are similar should be adopted, subject to the condition that the rates should in any case be such as to ensure to the workers a reasonable standard of life as this is understood in their time and country.

DRAFT CONVENTION (No. 59), FIXING THE MINIMUM AGE FOR ADMISSION OF CHILDREN TO INDUSTRIAL EMPLOYMENT (REVISED, 1937).

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-third Session on 3rd June, 1937, 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 industrial employment adopted by the Conference at its First Session, which is the sixth item on the agenda of the session, and

Considering that the proposals must take the form of a Draft International Convention, adopts, this twenty-second day of June, of the year one thousand nine hundred and thirty-seven, the following Draft Convention, which may be cited as the Minimum Age (Industry) Convention (revised), 1937 :—

Part I.—General Provisions.

Article 1.

1. For the purpose of this Convention, the term " industrial undertaking " includes particularly—

- (a) Mines, quarries, and other works for the extraction of minerals from the earth :
- (b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up, or demolished, or in which materials are transformed, including ship-building, and the generation, transformation, and transmission of electricity and motive-power of any kind :
- (c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure :
- (d) Transport of passengers or goods by road or rail or inland waterway, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

2. The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

Article 2.

1. Children under the age of fifteen years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof.

2. Provided that, except in the case of employments which, by their nature or the circumstances in which they are carried on, are dangerous to the life, health, or morals of the persons employed therein, national laws or regulations may permit such children to be employed in undertakings in which only members of the employer's family are employed.

Article 3.

The provisions of this Convention shall not apply to work done by children in technical schools, 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 employer in an industrial undertaking shall be required to keep a register of all persons under the age of eighteen years employed by him, and of the dates of their births.

Article 5.

1. In respect of employments which, by their nature or the circumstances in which they are carried on, are dangerous to the life, health, or morals of the persons employed therein, national laws shall either—

- (a) Prescribe a higher age or ages than fifteen years for the admission thereto of young persons or adolescents ; or
- (b) Empower an appropriate authority to prescribe a higher age or ages than fifteen years for the admission thereto of young persons or adolescents.

2. The annual reports to be submitted under Article 22 of the Constitution of the International Labour Organization shall include full information concerning the age or ages prescribed by national laws in pursuance of subparagraph (a) of the preceding paragraph or concerning the action taken by the appropriate authority in exercise of the powers conferred upon it in pursuance of subparagraph (b) of the preceding paragraph, as the case may be.

*Part II.—Special Provisions for certain Countries.**Article 6.*

1. The provisions of this Article shall be applicable in Japan in substitution for the provisions of Articles 2 and 5.

2. Children under the age of fourteen years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof: Provided that national laws or regulations may permit such children to be employed in undertakings in which only members of the employer's family are employed.

3. Children under the age of sixteen years shall not be employed or work on dangerous or unhealthy work as defined by national laws or regulations in mines or factories.

Article 7.

1. The provisions of Articles 2, 4, and 5 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 the age of twelve years shall not be employed or work in factories working with power and employing more than ten persons.

3. Children under the age of thirteen years shall not be employed or work in the transport of passengers or goods, or mails, by rail, or in the handling of goods at docks, quays, or wharves, but excluding transport by hand.

4. Children under the age of fifteen years shall not be employed or work—

- (a) In mines, quarries, and other works for the extraction of minerals from the earth :
- (b) In occupations to which this Article applies which are scheduled as dangerous or unhealthy by the competent authority.

5. Unless they have been medically certified as fit for such work,—

- (a) Persons who have attained the age of twelve years but are under the age of seventeen years shall not be permitted to work in factories working with power and employing more than ten persons :
- (b) Persons who have attained the age of fifteen years but are under the age of seventeen years shall not be permitted to work in mines.

Article 8.

1. The provisions of this Article shall be applicable in China in substitution for the provisions of Articles 2, 4, and 5.

2. Children under the age of twelve years shall not be employed or work in any factory using machines driven by motor power and regularly employing thirty persons or more.

3. Children under the age of fifteen years shall not be employed or work—

- (a) In mines regularly employing fifty persons or more ; or
- (b) On dangerous or unhealthy work as defined by national laws or regulations in any factory using machines driven by motor power and regularly employing thirty persons or more.

4. Every employer in an undertaking to which this Article applies shall keep a register of all persons under the age of sixteen employed by him, together with such evidence of their age as may be required by the competent authority.

Article 9.

1. 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 any one or more of the preceding Articles of Part II of this Convention.

2. Any such draft amendment shall state the member or members to which it applies, and 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 by the member or members to which it applies to the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action.

3. Each such member 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 Secretary-General of the League of Nations for registration.

4. Any such draft amendment shall take effect as an amendment to this Convention on ratification by the member or members to which it applies.

Part III.—Final Provisions.

Article 10.

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

Article 11.

1. This Convention shall be binding only upon those members of the International Labour Organization whose ratifications have been registered with the Secretary-General.

2. It shall come into force twelve months after the date on which the ratifications of two members have been registered with the Secretary-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 Organization have been registered, the Secretary-General of the League of Nations shall so notify all the members of the International Labour Organization. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other members of the organization.

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 Secretary-General of the League of Nations 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.

RECOMMENDATION (No. 52) CONCERNING THE MINIMUM AGE FOR ADMISSION OF CHILDREN TO INDUSTRIAL EMPLOYMENT IN FAMILY UNDERTAKINGS.

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-third Session on 3rd June, 1937, 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 industrial employment which is the sixth item on the agenda of the session, and

Having adopted a Draft Convention revising the said Convention, and having decided to supplement the revised Convention by a Recommendation,

adopts, this twenty-second day of June, of the year one thousand nine hundred and thirty-seven, the following recommendation, which may be cited as the Minimum Age (Family Undertakings) Recommendation, 1937 :

Whereas the Minimum Age (Industry) Convention (revised, 1937), while restricting the scope of the exception for family undertakings contained in the 1919 Convention, still permits such undertakings to be excluded from its scope except in the case of employments which, by their nature or the circumstances in which they are carried on, are dangerous to the life, health, or morals of the persons employed therein : And whereas it is reasonable to hope that it will be possible to suppress this exception completely in the not distant future.

The Conference recommends that the members of the Organization should make every effort to apply their legislation relating to the minimum age of admission to all industrial undertakings, including family undertakings.

DRAFT CONVENTION (No. 60) CONCERNING THE AGE FOR ADMISSION OF CHILDREN TO NON-INDUSTRIAL EMPLOYMENT (REVISED, 1937).

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-third Session on 3rd 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 the proposals must take the form of a Draft International Convention, adopts, this twenty-second day of June, of the year one thousand nine hundred and thirty-seven, the following Draft 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), the Minimum Age (Sea) Convention (revised, 1936), or the Minimum Age (Industry) Convention (revised, 1937).

2. The competent authority in each country shall, after consultation with the principal organizations 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 eight p.m. and eight 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 organizations 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 subparagraph (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 Organization 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 organizations 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 Secretary-General of the League of Nations 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 Secretary-General of the League of Nations for registration.

Article 11.

1. This Convention shall be binding only upon those members of the International Labour Organization whose ratifications have been registered with the Secretary-General.

2. It shall come into force twelve months after the date on which the ratifications of two members have been registered with the Secretary-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 Organization have been registered, the Secretary-General of the League of Nations shall so notify all the members of the International Labour Organization. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other members of the organization.

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 Secretary-General of the League of Nations 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.

RESOLUTION CONCERNING ANNUAL RETURNS OF EMPLOYED CHILDREN UNDER THE SCHOOL-LEAVING AGE, SUBMITTED BY THE COMMITTEE ON MINIMUM AGE.

Whereas the Conference in 1935 adopted a recommendation concerning unemployment among young persons, paragraph 47 of which is as follows :—

“ Until such time as the recommendation made in paragraph 1 is fully applied in the various countries, annual returns should be compiled showing the number of children still under the school-leaving age who during the year have been engaged in employment out of school-hours. Such returns should be classified by sex, age group, and occupation, and should give details of the days of the week and the seasons during which such employment was carried on, and the number and incidence of the hours of employment.”

The Conference invites the Governing Body of the International Labour Office to request the Governments to furnish such returns to the International Labour Office in order that they may be published in one of the Office's publications.

DRAFT CONVENTION (No. 61) CONCERNING THE REDUCTION OF HOURS OF WORK IN THE TEXTILE INDUSTRY.

The General Conference of the International Labour Organization,

Having met at Geneva in its Twenty-third Session on 3rd June, 1937,

Considering that the question of the reduction of hours of work in the textile industry is the second item on the agenda of the session,

Confirming the principle laid down in the Forty-hour Week Convention, 1935, including the maintenance of the standard of living,

Considering it to be desirable that this principle should be applied by international agreement to the textile industry,

adopts, this twenty-second day of June, of the year one thousand nine hundred and thirty-seven, the following Draft Convention, which may be cited as the Reduction of Hours of Work (Textiles) Convention, 1937 :—

Article 1.

1. This Convention applies to—

- (a) Persons employed in an undertaking which fulfils the condition stated in paragraph 2 of this Article, including persons employed in any branch of such an undertaking, which branch does not fulfil that condition; and
- (b) Persons employed in a branch of an undertaking, which branch fulfils the condition stated in paragraph 2 of this Article, even though the undertaking does not fulfil that condition.

2. The condition referred to in the preceding paragraph is that the undertaking or branch of an undertaking is engaged wholly or mainly in one or more of the series of operations delimited in paragraphs 3, 4, and 5 of this Article in the course of the manufacture of any kind of thread, yarn, twine, cord, rope, netting, or felt, or any woven, piled, knitted, or lacework fabric from any one or more of the following materials: Cotton, wool, silk, flax, hemp, jute, rayon, or other synthetic fibre, or any other textile material whether of vegetable, animal, or mineral origin.

3. The series of operations referred to in paragraph 2 of this Article begins,—

- (a) In the case of cotton, with the reception of the bales of ginned cotton for breaking up and cleaning;
- (b) In the case of wool, with the reception of the raw wool for sorting and cleaning (excluding the process of anthrax disinfection);
- (c) In the case of silk, with the reeling of the silk from the cocoon or the steeping of the silk waste;
- (d) In the case of flax, jute, and hemp, with the operation of retting, except where this operation is effected as work accessory to that of an agricultural undertaking;
- (e) In the case of rayon or other synthetic fibre, with the reception of the materials used in the chemical production of the fibre;
- (f) In the case of rags, with the sorting of the rags or the reception of the sorted rags; and
- (g) In the case of any other textile material, with the operation prescribed by the competent authority as corresponding to the operations set out above.

4. The series of operations referred to in paragraph 2 of this Article includes the operations of bleaching, dyeing, printing, and finishing and similar operations, and ends with the packing and despatch of the products specified in that paragraph.

5. The series of operations referred to in paragraph 2 of this Article includes the making in whole or in part of any garment or other article only in the following cases :—

- (a) The case of hosiery-manufacture; and
- (b) Cases in which the garment or other article is made by the same process as the fabric thereof.

6. In any case in which it is doubtful whether an undertaking or branch of an undertaking fulfils the condition stated in paragraph 2 of this Article, the question shall be determined by the competent authority after consultation with the organizations of employers and workers concerned, where such exist.

7. Where and so long as the principle of a forty-hour week is applied to persons to whom this Convention applies in accordance with the provisions of any international labour Convention other than this Convention, the competent authority may exclude such persons from the application of this Convention.

8. This Convention applies to persons employed in both public and private undertakings.

Article 2.

The competent authority may, after consultation with the organizations of employers and workers concerned, where such exist, exempt from the application of this Convention—

- (a) Persons employed in undertakings in which only members of the employer's family are employed :
- (b) Classes of persons who by reason of their special responsibilities are not subjected to the normal rules governing the length of the working-week.

Article 3.

1. For the purpose of this Convention the term " hours of work " means the time during which the persons employed are at the disposal of the employer, and does not include rest periods during which they are not at his disposal.

2. Where at the date of the adoption of this Convention it is the practice not to regard time spent in the cleaning or oiling of machines as part of ordinary working-time, the competent authority may permit any time not exceeding one and a half hours in any week which is so spent to be disregarded in reckoning for the purpose of this Convention the hours of work of the persons concerned.

Article 4.

1. The hours of work of persons to whom this Convention applies shall not exceed an average of forty per week.

2. In the cases of persons who work in successive shifts on processes required by reason of the nature of the process to be carried on without a break at any time of the day, night, or week, weekly hours of work may average forty-two.

3. The competent authority shall, after consultation with the organizations of employers and workers concerned where such exist, determine the processes to which paragraph 2 of this Article applies.

4. Where hours of work are calculated as an average, the competent authority shall, after consultation with the organizations of employers and workers concerned where such exist, determine the number of weeks over which the average may be calculated and the maximum number of hours that may be worked in any week.

Article 5.

The competent authority may, by regulations made after consultation with the organizations of employers and workers concerned where such exist, provide that the limits of hours authorized by the preceding Article may be exceeded to an extent prescribed by such regulations in the case of—

- (a) Persons employed on preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working of the undertaking, branch, or shift :
- (b) Persons employed in occupations which by their nature involve long periods of inaction during which the said persons have to display neither physical activity nor sustained attention or remain at their posts only to reply to possible calls :
- (c) Persons employed in connection with the transport, delivery, or loading or unloading of goods.

Article 6.

1. The limits of hours authorized by the preceding Articles may be exceeded, but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking :—

- (a) 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* :
- (b) In order to make good the unforeseen absence of one or more members of a shift.

2. The employer shall notify the competent authority without delay of all time worked in virtue of this Article and of the reasons therefor.

Article 7.

1. The limits of hours authorized by the preceding Articles may be exceeded in cases where the continued presence of particular persons is necessary for the completion of a bleaching, dyeing, finishing, or other operation, or of a succession of such operations, which for technical reasons cannot be interrupted without damage to the material worked, and which, by reason of exceptional circumstances, it has not been possible to complete within the normal limit of hours.

2. The competent authority shall, after consultation with the organizations of employers and workers concerned where such exist, determine the operations to which and the conditions subject to which the preceding paragraph applies, and the maximum number of hours which may be worked in virtue of that paragraph by the persons concerned.

Article 8.

1. Upon application by an employer, the competent authority may, after consultation with the organizations of employers and workers concerned where such exist, grant an allowance of overtime for specified classes of persons in exceptional cases in which overtime on one or more operations is necessary in order to enable the workers engaged in subsequent operations in the same undertaking to be employed up to the authorized limits of hours.

2. The competent authority shall determine, after consultation with the organizations of employers and workers concerned where such exist, the maximum number of hours of overtime which may be worked in virtue of paragraph 1 of this Article, so, however, that no such allowance shall permit of any person being employed for more than sixty hours of such overtime in any year or for more than four hours of such overtime in any week.

3. Overtime worked in virtue of this Article shall be remunerated at not less than one and a quarter times the normal rate.

4. The competent authority may attach to the grant of an allowance of overtime such conditions as it deems expedient with a view to securing a progressive reduction in the amount of overtime.

Article 9.

1. The competent authority may permit the limits of hours authorized by the preceding Article to be exceeded subject to the conditions that—

- (a) All time worked in virtue of this Article shall be regarded as overtime and shall be remunerated at not less than one and a quarter times the normal rate; and
- (b) No person shall be employed in virtue of this Article for more than seventy-five hours of overtime in any year.

2. In cases in which national laws or regulations apply the weekly limit of hours as a strict limit applicable to each week, the competent authority may permit not more than one hundred additional hours of overtime in any year to be worked, subject to the condition that such additional hours of overtime shall be remunerated at not less than one and a quarter times the normal rate.

3. When granting permission in virtue of the preceding paragraphs, the competent authority shall satisfy itself that there will be no consistent working of overtime.

4. The competent authority shall only grant permission to work overtime in virtue of this Article in accordance with regulations made after consultation with the organizations of employers and workers concerned where such exist.

5. The regulations referred to in the preceding paragraph shall prescribe—

- (a) The procedure by which permission may be granted to employers to work overtime in virtue of this Article; and
- (b) The maximum number of hours for which the competent authority may grant permission and the minimum overtime rate to be paid for such hours.

Article 10.

In order to facilitate the effective enforcement of the provisions of this Convention every employer shall—

- (a) Notify in a manner approved by the competent authority by the posting of notices or otherwise—
 - (i) The hours at which work begins and ends;
 - (ii) Where work is carried on by shifts, the hours at which each shift begins and ends;
 - (iii) Where a rotation system is applied, a description of the system including a time-table for each person or group of persons;
 - (iv) The arrangements made in cases where the average duration of the working-week is calculated over a number of weeks; and
 - (v) Effective rest periods as defined in Article 3; and
- (b) Keep a record in the form prescribed by the competent authority of all additional hours worked in virtue of Articles 7, 8, and 9 of this Convention and of the payments made in respect thereof.

Article 11.

Any member may suspend the operation of the provisions of this Convention during any emergency which endangers the national safety.

Article 12.

During a period which shall not exceed two years from the coming into force of this Convention for the member concerned, the competent authority may approve transitional arrangements in virtue of which—

- (a) The reduction of hours of work to the limits authorized by the preceding Articles may be accomplished by stages during the said period;
- (b) Specified classes of workers or undertakings may be exempted from all or any of the provisions of the Convention during the said period.

Article 13.

The annual reports upon the application of this Convention to be submitted by members under Article 22 of the Constitution of the International Labour Organization shall include more particularly full information concerning—

- (a) Decisions taken in virtue of Article 1, paragraph 3 (g);
- (b) Exemptions made in virtue of Article 2, and any conditions subject to which such exemptions are made;
- (c) Any recourse to the provisions of Article 3, paragraph 2;
- (d) Determinations made in pursuance of Article 4, paragraph 4;
- (e) Regulations made in virtue of Article 5;
- (f) Determinations made in pursuance of Article 7, paragraph 2;
- (g) Allowances of overtime granted in virtue of Article 8; and
- (h) The extent to which recourse has been had to the provisions of Article 9.

Article 14.

In accordance with paragraph 11 of Article 19 of the Constitution of the International Labour Organization, nothing in this Convention shall affect any law, award, custom, or agreement between employers and workers which ensures more favourable conditions to the workers than those provided for by this Convention.

Article 15.

In the event of the Conference adopting a further Convention determining such modifications of the provisions of this Convention as may be required to meet the case of countries to which Article 19, paragraph 3, of the Constitution of the International Labour Organization applies, this Convention and the aforesaid further Convention shall be deemed to form one Convention.

Article 16.

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

Article 17.

1. This Convention shall be binding only upon those members of the International Labour Organization whose ratifications have been registered with the Secretary-General.
2. It shall come into force twelve months after the date on which the ratifications of two members have been registered with the Secretary-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 18.

As soon as the ratifications of two members of the International Labour Organization have been registered, the Secretary-General of the League of Nations shall so notify all the members of the International Labour Organization. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other members of the organization.

Article 19.

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 Secretary-General of the League of Nations 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 20.

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 21.

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 19 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 22.

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

RESOLUTION CONCERNING MODIFICATIONS OF THE REDUCTION OF HOURS OF WORK (TEXTILES)
CONVENTION, 1937, IN THE CASE OF CERTAIN COUNTRIES.

See page 32 for text.

DRAFT CONVENTION (No. 62) CONCERNING SAFETY PROVISIONS IN THE BUILDING INDUSTRY.

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-third Session on 3rd June, 1937, and

Considering that building work gives rise to serious accident risks which it is necessary to reduce both on humanitarian and on economic grounds, and

Having decided upon the adoption of certain proposals with regard to safety provisions for workers in the building industry with reference to scaffolding and hoisting machinery, which is the first item on the agenda of the session, and

Considering that, in view of the desirability of standardizing minimum safety provisions without prescribing requirements too rigid for general application, the most appropriate form for these proposals is that of a Draft International Convention accompanied by a recommendation embodying a model code of safety regulations,

adopts, this twenty-third day of June, of the year one thousand nine hundred and thirty-seven, the following Draft Convention, which may be cited as the Safety Provisions (Building) Convention, 1937 :—

Part I.—Obligations of Parties to Convention.

Article 1.

1. Each member of the International Labour Organization which ratifies this Convention undertakes that it will maintain in force laws or regulations—

(a) Which ensure the application of the general rules set forth in Parts II to IV of this Convention : and

(b) In virtue of which an appropriate authority has power to make regulations for the purpose of giving such effect as may be possible and desirable under national conditions to the provisions of, or provisions equivalent to the provisions of, the model code annexed to the Safety Provisions (Building) Recommendation, 1937, or any revised Model code subsequently recommended by the International Labour Conference.

2. Each such member further undertakes that it will communicate every third year to the International Labour Office a report indicating the extent to which effect has been given to the provisions of the model code annexed to the Safety Provisions (Building) Recommendation, 1937, or of any revised model code subsequently recommended by the International Labour Conference.

Article 2.

1. The laws or regulations for ensuring the application of the general rules set forth in Parts II to IV of this Convention shall apply to all work done on the site in connection with the construction, repair, alteration, maintenance, and demolition of all types of buildings.

2. The said laws or regulations may provide that the competent authority may, after consultation with the organizations of employers and workers concerned where such exist, exempt from all or any of their provisions work of such a character that reasonably safe conditions normally obtain.

Article 3.

The laws or regulations for ensuring the application of the general rules set forth in Parts II to IV of this Convention, and regulations made by the appropriate authority for the purpose of giving effect to the Model code annexed to the Safety Provisions (Building) Recommendation, 1937, shall—

(a) Require employers to bring them to the notice of all persons concerned in a manner approved by the competent authority ;

(b) Define the persons responsible for compliance therewith ; and

(c) Prescribe adequate penalties for any violation thereof.

Article 4.

Each member which ratifies this Convention undertakes to maintain, or satisfy itself that there is maintained, a system of inspection adequate to ensure the effective enforcement of its laws and regulations relating to safety precautions in the building industry.

Article 5.

1. In the case of a member the territory of which includes large areas where, by reason of the sparseness of the population or the stage of economic development of the area, the competent authority considers it impracticable to enforce the provisions of this Convention, the authority may exempt such areas from the application of the Convention either generally or with such exceptions in respect of particular localities or particular kinds of building operations as it thinks fit.

2. Each member shall indicate in its first annual report upon the application of this Convention submitted under Article 22 of the Constitution of the International Labour Organization any areas in respect of which it proposes to have recourse to the provisions of the present Article, and no member shall, after the date of its first annual report, have recourse to the provisions of the present Article except in respect of areas so indicated.

3. Each member having recourse to the provisions of the present Article shall indicate in subsequent annual reports any areas in respect of which it renounces the right to have recourse to the provisions of the present Article.

Article 6.

Each member which ratifies this Convention undertakes to communicate annually to the International Labour Office the latest statistical information relating to the number and classification of accidents occurring to persons occupied on work within the scope of this Convention.

Part II.—General Rules as to Scaffolds.

Article 7.

1. Suitable scaffolds shall be provided for workmen for all work that cannot be safely done from a ladder or by other means.
2. A scaffold shall not be constructed, taken down, or substantially altered, except—
 - (a) Under the supervision of a competent and responsible person; and
 - (b) As far as possible by competent workers possessing adequate experience in this kind of work.
3. All scaffolds and appliances connected therewith and all ladders shall—
 - (a) Be of sound material;
 - (b) Be of adequate strength having regard to the loads and strains to which they will be subjected; and
 - (c) Be maintained in proper condition.
4. Scaffolds shall be so constructed that no part thereof can be displaced in consequence of normal use.
5. Scaffolds shall not be overloaded, and so far as practicable the load shall be evenly distributed.
6. Before installing lifting gear on scaffolds, special precautions shall be taken to ensure the strength and stability of the scaffolds.
7. Scaffolds shall be periodically inspected by a competent person.
8. Before allowing a scaffold to be used by his workmen every employer shall, whether the scaffold has been erected by his workmen or not, take steps to ensure that it complies fully with the requirements of this Article.

Article 8.

1. Working-platforms, gangways, and stairways shall—
 - (a) Be so constructed that no part thereof can sag unduly or unequally;
 - (b) Be so constructed and maintained, having regard to the prevailing conditions, as to reduce as far as practicable risks of persons tripping or slipping; and
 - (c) Be kept free from any unnecessary obstruction.
2. In the case of working-platforms, gangways, working-places, and stairways at a height exceeding that to be prescribed by national laws or regulations—
 - (a) Every working-platform and every gangway shall be closely boarded unless other adequate measures are taken to ensure safety;
 - (b) Every working-platform and gangway shall have adequate width; and
 - (c) Every working-platform, gangway, working-place, and stairway shall be suitably fenced.

Article 9.

1. Every opening in the floor of a building or in a working-platform shall, except for the time and to the extent required to allow the access of persons or the transport or shifting of material, be provided with suitable means to prevent the fall of persons or material.
2. When persons are employed on a roof where there is a danger of falling from a height exceeding that to be prescribed by national laws or regulations, suitable precautions shall be taken to prevent the fall of persons or material.
3. Suitable precautions shall be taken to prevent persons being struck by articles which might fall from scaffolds or other working-places.

Article 10.

1. Safe means of access shall be provided to all working-platforms and other working-places.
2. Every ladder shall be securely fixed and of such length as to provide secure handhold and foothold at every position of which it is used.
3. Every place where work is carried on and the means of approach thereto shall be adequately lighted.
4. Adequate precautions shall be taken to prevent danger from electrical equipment.
5. No materials on the site shall be so stacked or placed as to cause danger to any person.

*Part III.—General Rules as to Hoisting-appliances.**Article 11.*

1. Hoisting machines and tackle, including their attachments, anchorages, and supports, shall—

(a) Be of good mechanical construction, sound material, and adequate strength, and free from patent defect; and

(b) Be kept in good repair and in good working-order.

2. Every rope used in hoisting or lowering materials or as a means of suspension shall be of suitable quality and adequate strength and free from patent defect.

Article 12.

1. Hoisting machines and tackle shall be examined and adequately tested after erection on the site and before use, and be re-examined *in position at intervals to be prescribed* by national laws or regulations.

2. Every chain, ring, hook, shackle, swivel, and pulley-block used in hoisting or lowering materials or as a means of suspension shall be periodically examined.

Article 13.

1. Every crane-driver or hoisting-appliance operator shall be properly qualified.

2. No person under an age to be prescribed by national laws or regulations shall be in control of any hoisting-machine, including any scaffold winch, or give signals to the operator.

Article 14.

1. In the case of every hoisting machine and of every chain, ring, hook, shackle, swivel, and pulley-block used in hoisting or lowering or as a means of suspension the safe working load shall be ascertained by adequate means.

2. Every hoisting-machine and all gear referred to in the preceding paragraph shall be plainly marked with the safe working load.

3. In the case of a hoisting-machine having a variable safe working load each safe working load and the conditions under which it is applicable shall be clearly indicated.

4. No part of any hoisting-machine or of any gear referred to in paragraph 1 of this Article shall be loaded beyond the safe working load except for the purpose of testing.

Article 15.

1. Motors, gearing, transmissions, electric wiring, and other dangerous parts of hoisting appliances shall be provided with efficient safeguards.

2. Hoisting-appliances shall be provided with such means as will reduce to a minimum the risk of the accidental descent of the load.

3. Adequate precautions shall be taken to reduce to a minimum the risk of any part of a suspended load becoming accidentally displaced.

*Part IV.—General Rules as to Safety Equipment and First Aid.**Article 16.*

1. All necessary personal-safety equipment shall be kept available for the use of the persons employed on the site and be maintained in a condition suitable for immediate use.

2. The workers shall be required to use the equipment thus provided and the employer shall take adequate steps to ensure proper use of the equipment by those concerned.

Article 17.

When work is carried on in proximity to any place where there is a risk of drowning, all necessary equipment shall be provided and kept ready for use, and all necessary steps shall be taken for the prompt rescue of any person in danger.

Article 18.

Adequate provision shall be made for prompt first-aid treatment of all injuries likely to be sustained during the course of the work.

*Part V.—Final Provisions.**Article 19.*

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

Article 20.

1. This Convention shall be binding only upon those members of the International Labour Organization whose ratifications have been registered with the Secretary-General.

2. It shall come into force twelve months after the date on which the ratifications of two members have been registered with the Secretary-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 21.

As soon as the ratifications of two members of the International Labour Organization have been registered, the Secretary-General of the League of Nations shall so notify all the members of the International Labour Organization. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other members of the Organization.

Article 22.

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 Secretary-General of the League of Nations 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 23.

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 24.

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 22 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 25.

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

RECOMMENDATION (No. 53) CONCERNING SAFETY PROVISIONS IN THE BUILDING INDUSTRY.

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its twenty-third session on 3rd June, 1937, and

Having decided upon the adoption of certain proposals with regard to safety provisions for workers in the building industry with reference to scaffolding and hoisting-machinery, which is the first item on the agenda of the session, and

Having determined that these proposals shall take the form of a Draft International Convention accompanied by a recommendation embodying a model code of safety regulations, adopts, this twenty-third day of June, of the year one thousand nine hundred and thirty-seven, the following recommendation which may be cited as the Safety Provisions (Building) Recommendation, 1937 :—

Whereas it is desirable, with a view to intensifying the efforts being made by the members of the Organization to reduce the risk of accident in the building industry, to submit for their consideration model safety provisions and to arrange for an exchange upon an international scale of the experience acquired in the application of these provisions: Whereas the Safety Provisions (Building) Convention, 1937, embodies a series of general principles which require to be supplemented by detailed safety regulations: Whereas it is therefore desirable that members of the Organization which ratify that Convention should have at their disposal a model code of safety regulations which have been proved by experience to be calculated to reduce the risk of accidents: And whereas it is also desirable that such a model code should be available for the guidance of any members which may be unable to ratify immediately the Safety Provisions (Building) Convention, 1937 ;

The Conference recommends that—

1. Each member of the International Labour Organization should give the fullest effect possible and desirable under national conditions to the provisions of, or provisions equivalent to the provisions of, the annexed model code.

2. Any members of the International Labour Organization which have not ratified the Safety Provisions (Building) Convention, 1937, should communicate every third year to the International Labour Office on a voluntary basis a report indicating the extent to which effect has been given to the model code.

ANNEX.

MODEL CODE.

PART I: SCAFFOLDS.

Regulation 1.—Necessity for Scaffolding.

Suitable and sufficient scaffolds shall be provided for workmen for all work that cannot safely be done from a ladder or by other means.

Regulation 2.—Erection of Scaffolds.

A scaffold shall not be constructed, taken down, or substantially altered except under the direction of a competent and responsible person, and as far as possible by competent workers possessing adequate experience in this kind of work.

Regulation 3.—Quality of Materials.

1. All scaffolds and appliances connected therewith and all ladders shall be of sound material and be of adequate strength having regard to the loads and strains to which they will be subjected.
2. The wooden parts used for scaffolds, gangways, runs, and ladders shall be of good quality, shall have long fibres, shall be in good condition, and shall not be painted or treated in a manner likely to hide defects.
3. Timber used for scaffolds shall have the bark completely stripped off.
4. Where necessary, boards and planks used for scaffolds shall be protected against splitting.
5. Metal parts of scaffolds shall have no cracks and shall be free from any corrosion or other defect likely to affect their strength.
6. Cast-iron nails shall not be used.

Regulation 4.—Inspection and Storage of Materials.

1. Scaffold parts, including scaffolding machines and ropes and cables, shall be examined by an experienced person on each occasion before erection and shall not be used on any occasion unless in every respect they possess the qualities required for their purpose.
2. Any rope that has been in contact with acids or other corrosive substances or is *otherwise* defective shall not be used.
3. All materials used in the construction of scaffolds shall be stored under good conditions and apart from any material unsuitable for scaffolds.

Regulation 5.—Supply and Use of Material and Maintenance of Scaffolds.

1. Sufficient material shall be provided for and shall be used in the construction of scaffolds.
2. (1) Every scaffold shall be maintained in good and proper condition, and every part shall be kept fixed or secured so that no part can be displaced in consequence of normal use.
(2) No scaffold shall be partly dismantled and left so that it is capable of being used unless it continues to comply with these regulations.

Regulation 6.—Pole and Gabbard Scaffolds.

1. Pole standards and the legs of gabbard scaffolds shall be—
 - (a) Vertical or slightly inclined towards the building; and
 - (b) Fixed sufficiently close together to secure the stability of the scaffolds having regard to all the circumstances.
2. The stability of pole standards shall be secured—
 - (a) By letting the pole the necessary distance into the ground according to the nature of the soil; or
 - (b) By *properly* placing the pole on a suitable plank or other adequate sole plate in such a manner as to prevent slipping; or
 - (c) In any other sufficient way.
3. When two scaffolds meet at the corner of a building a pole standard shall be placed at the corner on the outside of the scaffolds.
4. (1) Ledgers shall be practically level and securely fastened to the uprights by bolts, dogs, ropes, or other efficient means.
(2) The ends of two consecutive ledgers at the same level shall be securely joined together at an upright except when special devices are used which ensure equivalent strength.
5. (1) Putlogs shall be straight and securely fastened to the ledgers.
(2) If ledgers are not used the putlogs shall be fastened to the uprights and supported by securely fastened cleats.
- (3) Putlogs which have one end supported by a wall shall have at that end a plane supporting surface at least 10 cm. deep.
- (4) The dimensions of the putlogs shall be appropriate to the load to be borne by them.
- (5) The distance between two consecutive putlogs on which a platform rests shall be fixed with due regard to the anticipated load and the nature of the platform flooring.
- (6) As a general rule the said distance shall not exceed 1 m. with planks less than 40 mm. thick, 1.50 m. with planks less than 50 mm. thick, and 2 m. with planks at least 50 mm. thick.

(7) The requirements of paragraph 5 (6) of this regulation shall not apply in the case of platforms used for carrying light building-materials only, but in the case of such platforms the distance between the putlogs shall not exceed 2 m.

6. No plank used for a platform shall be less than 30 mm. thick.

Regulation 7.—Ladder Scaffolds.

1. Ladder scaffolds shall be used only for light work requiring little material (renovation, painting, and the like).
2. The ladders serving as the uprights of ladder scaffolds—
 - (a) Shall be of adequate strength ; and
 - (b) Shall either—
 - (i) Be let into the ground to the necessary depth according to the nature of the soil ; or
 - (ii) Be placed on sole plates or boards so that the two uprights of each ladder rest evenly on the base, and be suitably fastened at the feet to prevent them from slipping.
3. If a ladder is used to extend another, the two shall overlap at least 1.50 m. and shall be securely fastened together.

Regulation 8.—Stability of Pole, Gabbard, and Ladder Scaffolds.

1. Every scaffold shall be sufficiently and properly braced.
2. Every scaffold shall, unless it is an independent scaffold, be rigidly connected with the building at suitable vertical and horizontal distances.
3. If the scaffold is an independent scaffold, at least one-third of the putlogs shall remain in position until the scaffold is finally dismantled and remain securely fastened to the ledgers or the uprights as the case may be.
4. All structures and appliances used as supports for working-platforms shall be of sound construction, have a firm footing, and be suitably struttled and braced to make them stable.
5. Loose bricks, drain-pipes, chimney-pots, or other unsuitable material shall not be used for the construction or support of scaffolds.

Regulation 9.—Cantilever or Jib Scaffolds.

1. Cantilever or jib scaffolds shall—
 - (a) Be securely fixed and anchored from the inside ;
 - (b) Have outriggers of adequate length and cross-section to ensure their solidity and stability ; and
 - (c) Be properly braced and supported.
2. Only solid parts of the building shall be used as supports for scaffold parts.
3. If the working platforms rest on bearers let into the wall the bearers shall be efficiently braced, shall go right through the wall, and shall be securely fastened on the far side.

Regulation 10.—Bracket Scaffolds.

No figure or bracket scaffold supported or held by dogs or spikes driven into the wall shall be used unless the brackets are of suitable strength, are made of suitable metal, and securely anchored in the wall.

Regulation 11.—Heavy Suspended Scaffolds with Movable Platforms.

1. Heavy suspended scaffolds shall comply with the provisions of this regulation.
2. Outriggers shall be—
 - (a) Of adequate strength and cross-section to ensure the solidity and stability of the scaffold ;
 - (b) Installed at right angles to the building face ; and
 - (c) Carefully spaced to suit the putlogs or deck irons.
3. The overhang of the outriggers from the building shall be such that the platform is fixed to hang not more than 10 cm. from the building face.
4. (1) The outriggers shall be securely anchored to the building by bolts or other equivalent means.
- (2) Anchor bolts shall be properly tightened and shall securely tie down the outrigger to the framework of the building.
5. No counterweight shall be used as a means of securing the outriggers of such scaffolds.
6. Stop-bolts shall be placed at the end of each outrigger.
7. The shackles serving to fasten the cables to the outriggers shall be placed vertically above the drum-centres of the winches on the movable platforms. The eye of the cable shall be placed in the centre of the bent shackle bolt.
8. Suitable putlogs or deck-irons shall be used to support the platforms and shall be suitably fastened so as to prevent displacement. Deck-irons shall be adequately jointed by fish-plates.
9. The cables or wire ropes used for suspension shall—
 - (a) Have at all times a factor of safety of at least ten, based on the maximum load that the ropes may have to support ; and
 - (b) Be of such length that at the lowest position of the platform there are at least two turns of rope on each drum.
10. The scaffolding-machines shall be so constructed and installed that their moving parts are easily accessible for inspection.

Regulation 12.—Light Suspended Scaffolds with Movable Platforms.

1. Light suspended scaffolds shall comply with the provisions of this Regulation.
2. The outriggers shall be of adequate length and cross-section and shall be properly installed and supported.
3. (1) The inside ends of the outriggers shall be firmly secured.
- (2) When the outriggers are anchored by bags of ballast or other loose counter-weights the bags or counterweights shall be securely lashed to the outriggers.
- (3) The suspension ropes shall have a factor of safety of at least ten.
4. The maximum length of the platform shall be 8 m.
5. The platform shall hang on at least three ropes which shall be not more than 3 m. apart. No intermediate rope shall at any time be tauter than either of the end ropes.
6. The pulley-blocks shall be fastened to the platforms by stout iron bands, which shall be properly secured, shall be continued round the sides and bottom of the platform, and shall have eyes in the iron to receive the ropes.
7. Suspended scaffolds on which the workers sit to work shall be provided with devices to keep the platform at a distance of at least 30 cm. from the wall and to prevent the workers from knocking their knees against the wall if the scaffold swings.

Regulation 13.—Other Suspended Scaffolds.

1. A skip, large basket, boatswain's chair or similar equipment shall only be used as a suspended scaffold in exceptional circumstances for work of short duration, and under the supervision of a responsible person.
2. When such equipment is used as a suspended scaffold—
 - (a) It shall be supported by ropes having a safety factor of at least ten, based on the total load including the dead weight; and
 - (b) The necessary precautions shall be taken to prevent the workers from falling out.
3. When a skip or large basket is used as a suspended scaffold—
 - (a) It shall be at least 75 cm. deep; and
 - (b) It shall be carried by two strong iron bands which shall be properly fastened, shall be continued round the sides and bottom, and shall have eyes in the iron to receive the ropes.

Regulation 14.—Transport and Storage of Materials on Scaffolds: Distribution of the Load.

1. In transferring heavy loads on or to a scaffold no sudden shock shall be transmitted to the scaffold.
2. The load on the scaffold shall be evenly distributed as far as is practicable and in any case shall be so distributed as to avoid any dangerous disturbance of the equilibrium.
3. During the use of a scaffold care shall constantly be taken that it is not overloaded and that materials are not unnecessarily kept upon it.

Regulation 15.—Installation of Lifting-gear on Scaffolds.

1. When lifting-gear is to be used on a scaffold—
 - (a) The parts of the scaffold shall be carefully inspected, and, if need be, adequately strengthened;
 - (b) Any movement of the putlogs shall be prevented; and
 - (c) If possible the uprights shall be rigidly connected to a solid part of the building at the place where the lifting-gear is erected.
2. When the platform of the lifting-gear does not move in guides, or when the load is liable to come into contact with the scaffold during hoisting or lowering, a vertical hoarding shall be erected to the full height of the scaffold to prevent loads from being caught in it.

Regulation 16.—Periodic Inspection of Scaffolds.

Scaffolds shall be inspected by a competent person—

- (a) At least once a week; and
- (b) After every spell of bad weather and every material interruption in the work.

Regulation 17.—Examination of Scaffolds before Use, especially of Scaffolds constructed by other Contractors.

Every scaffold, whether or not it has been erected by the employer whose workmen are about to use it—

- (a) Shall before use be examined by a competent person to ensure more particularly—
 - (i) That it is in a stable condition;
 - (ii) That the materials used in its construction are sound;
 - (iii) That it is adequate for the purpose for which it is to be used; and
 - (iv) That the required safeguards are in position; and
- (b) Shall during use be maintained in good condition.

Regulation 18.—Working-platforms.

1. Every working-platform which is more than 2 m. above the ground or floor shall be closely boarded or planked.

2. (1) The width of the platform shall be adequate having regard to the nature of the work, and shall be such that at every part there is not less than 60 cm. clear passage free from fixed obstacles and deposited material.

(2) In no case shall the width of the platforms be less than—

- (a) 60 cm. if the platform is used as a footing only and not for the deposit of any material;
- (b) 80 cm. if the platform is used for the deposit of material;
- (c) 110 cm. if the platform is used for the support of any higher platform;
- (d) 130 cm. if the platform is one upon which stone is dressed or roughly shaped;
- (e) 150 cm. if the platform is used for the support of any higher platform and is one upon which stone is dressed or roughly shaped.

3. The maximum width of a platform supported on putlogs shall as a rule not exceed 160 cm.

4. Every working-platform shall, if part of a pole or gabbard scaffold, be at least 1 m. below the top of the standards.

5. Boards or planks which form part of a working-platform or which are used as toe-boards shall—

- (a) Be of a thickness which is such as to afford adequate security having regard to the distance between the putlogs, but is in no case less than 30 mm.; and
- (b) Be of a width not less than 15 cm.

6. No board or plank which forms part of a working-platform shall project beyond its end support to a distance exceeding four times the thickness of the board or plank.

7. Boards or planks shall not overlap one another unless precautions such as the provision of bevelled pieces are taken to reduce the risk of tripping to a minimum and to facilitate the movement of barrows.

8. Every board or plank which forms part of a working-platform shall rest on at least three supports, unless the distances between the putlogs and the thickness of the board or plank are such as to exclude all risk of tipping or undue sagging.

9. Platforms shall be so constructed that the boards or planks cannot be displaced in consequence of normal use.

10. Whenever possible a platform shall extend at least 60 cm. beyond the end of the wall of the building.

11. Every part of a working-platform or working-place from which a person is liable to fall a distance exceeding 2 m. shall be provided—

- (a) With a suitable guard-rail or guard-rails having a cross-section of at least 30 cm.² fixed at least 1 m. above the platform or above any raised standing-place on the platform, and so that the vertical opening below any guard-rail does not exceed 85 cm.;
- (b) With toe-boards which are of sufficient height to prevent the fall of materials and tools from the platform, and in no case less than 15 cm. high, and are as close as possible to the platform.

12. Guard-rails, toe-boards, and other safeguards used on a scaffold platform shall be maintained in position, except that they may be removed for the time and to the extent required to allow the access of persons or the transport or shifting of materials.

13. The guard-rail and toe-boards used on a scaffold platform shall be placed on the inside of the uprights.

14. The platforms of suspended scaffolds shall be provided with guard-rails and toe-boards on all sides, subject to the reservations that—

- (a) On the side facing the wall the guard-rail need not be at a height of more than 70 cm. if the work does not allow of a greater height;
- (b) The guard-rail and toe-boards shall not be compulsory on the side facing the wall if the workers sit on the platform to work, but in such case the platform shall be provided with cables, ropes, or chains affording the workers a firm handhold and capable of holding any worker who may slip.

15. The space between the wall and the platform shall be as small as practically possible except where workmen sit on the platform during their work, in which case it shall not exceed 45 cm.

Regulation 19.—Gangways, Runs, and Stairs.

1. Every gangway or run any part of which is more than 2 m. above the ground or floor shall be—

- (a) closely boarded or planked; and
- (b) At least 50 cm. wide.

2. The maximum slope of any gangway or run shall be 60 cm. per metre.

3. Where the gangway or run is used for the passage of materials there shall be maintained a clear passageway which—

- (a) Is adequate in width for transport of materials without the removal of the guard-rails and toe-boards; and
- (b) Is in any case of a width not less than 60 cm.

4. All planks forming a gangway or run shall be so fixed and supported as to prevent undue or unequal sagging.

5. When the slope renders additional foothold necessary, and in every case where the slope is more than 25 cm. per metre, there shall be proper stepping laths which shall—

- (a) Be placed at suitable intervals; and
- (b) Be the full width of the gangway, except that they may be interrupted over a breadth of 10 cm. to facilitate the movement of barrows.

6. Stairs shall be provided with guard-rails throughout their length.
7. Gangways, runs, and stairs from which a person is liable to fall a distance exceeding 2 m. shall be provided—
 - (a) With a suitable guard-rail or guard-rails having a cross-section of at least 30 cm.² fixed at least 1 m. above the gangway, run, or stair, and so that the vertical opening below any guard-rail does not exceed 85 cm. ; and
 - (b) With toe-boards which are of sufficient height to prevent the fall of material and tools from the gangway, run, or stair, and in no case less than 15 cm. high, and are as close as possible to the gangway, run, or stair.

Regulation 20.—General Provisions concerning Platforms, Gangways, Runs, and Stairs.

1. Every platform, gangway, run, or stairway shall be kept free from any unnecessary obstruction, rubbish, &c.
2. Suitable precautions shall be taken to prevent any platform, gangway, run, or stairway from becoming slippery.
3. No part of a working-platform, gangway, or run shall be supported by loose bricks, drain-pipes, chimney-pots, or other loose or unsuitable material.
4. No working-platform, gangway, or run shall be supported by an eaves gutter, a balcony or its coping, a lighting-conductor, or other unsuitable parts of a building.
5. No working-platform, gangway, or run shall be used for working upon until its construction is completed according to these regulations and the prescribed safeguards properly fixed.

Regulation 21.—Trestle Scaffolds.

1. There shall not be used any trestle scaffold which—
 - (a) Is of more than two tiers ; or
 - (b) Exceeds a height of 3 m. from the ground or floor ;
 - (c) Is erected on a suspended scaffold.
2. The width of a trestle scaffold erected on a platform shall be such as to leave sufficient unobstructed space on the platform for the transport of materials or the passage of persons.
3. Trestles shall be firmly fixed so as to prevent displacement.

Regulation 22.—Ladders.

1. Every ladder used as a means of communication shall rise at least 1 m. above the highest point to be reached by any person using the ladder, or one of the uprights shall be continued to that height to serve as a hand-rail at the top.
2. Ladders shall not stand on loose bricks or other loose packing but shall have a level and firm footing.
3. Every ladder—
 - (a) Shall be securely fixed so that it cannot move from its top or bottom points of rest ; or
 - (b) If it cannot be secured at the top, shall be securely fastened at the base ; or
 - (c) If fastening at the base is also impossible, shall have a man stationed at the foot to prevent slipping.
4. The undue sagging of ladders shall be prevented.
5. Ladders shall be equally and properly supported on each upright.
6. Where ladders connect different floors—
 - (a) The ladders shall be staggered ; and
 - (b) A protective landing with the smallest possible opening shall be provided at each floor.
7. A ladder having a missing or defective rung shall not be used.
8. No ladder having any rung which depends for its support on nails, spikes, or other similar fixing shall be used.
9. Wooden ladders shall be constructed with—
 - (a) Uprights of adequate strength made of wood free from visible defects and having the grain of the wood running lengthwise ; and
 - (b) Rungs made of wood free from visible defects and mortized into the uprights, to the exclusion of any rungs fixed only by nails.
10. Roofers' and painters' ladders shall not be used by workmen in other trades.

Regulation 23.—Fencing of Openings.

1. Every opening left in a floor of a building or in a working-platform for an elevator-shaft or stairway, or for the hoisting of material, or for access by workmen, or for any other purpose shall be provided—
 - (a) With a suitable guard-rail or guard-rails having a cross-section of at least 30 cm.² fixed at least 1 m. above the floor or platform, and so that the vertical opening below any guard-rail does not exceed 85 cm. ;
 - (b) With toe-boards which are of sufficient height to prevent the fall of materials and tools from the floor or platform, and in no case less than 15 cm. high, and are as close as possible to the floor or platform.

2. Every opening in a wall which is less than 1 m. from the floor or platform shall be provided—
 - (a) With a suitable guard-rail or guard-rails, having a cross-section of at least 30 cm.² and fixed at least 1 m. above the floor or platform, and so that the vertical opening below any guard-rail does not exceed 85 cm.; and
 - (b) When necessary, with toe-boards which are of sufficient height to prevent the fall of material and tools, and in no case less than 15 cm. high, and are as close as possible to the floor or platform or to the lower side of the opening.
3. The fencing of openings shall, except in so far as its removal is permitted by the following paragraph, remain in position until it becomes necessary to remove it in order to complete the permanent enclosure.
4. The fencing of openings shall not be removed except for the time and to the extent required to allow the access of persons or the transport or shifting of materials and shall be replaced immediately after.
5. When work is done on or over open joisting, the joisting shall be securely boarded over or other effective measures shall be taken to prevent falls of persons.

Regulation 24.—Roof Work.

1. No person shall be employed on any roof on which, by reason of the pitch, the nature of the surface, or the state of the weather, there is a risk of falling, unless suitable precautions are taken to prevent the fall of persons or materials.
2. On glass roofs, or roofs covered with fragile materials, special precautions shall be taken to prevent the workers from inadvertently stepping on them and to facilitate the safe carrying-out of repairs.
3. (1) Only experienced workmen who are physically and psychologically suitable shall be employed on extensive work on the outside of any roof which has a pitch of over 34° (2 : 3) or is slippery.
- (2) When persons are so employed—
 - (a) Whenever possible the following facilities shall be provided :—
 - (i) Suitable guard-rails ;
 - (ii) A suitable working-platform, securely supported and of a width of not less than 40 cm. ; and
 - (iii) Suitable, sufficient, and properly secured ladders, duck-ladders or crawling-boards ;
 - (b) Whenever it is impossible to provide the facilities specified in subparagraph (a)—
 - (i) Safety belts with ropes enabling the wearers to lash themselves to a solid structure shall be supplied to the workers and used by them ; and
 - (ii) If the safety rope cannot be fixed to a solid structure a second person shall be provided to hold the rope in a secure manner.

Regulation 25.—Miscellaneous Provisions.

1. Any part of the premises where any person at work or passing is liable to be struck by materials, tools, or other articles falling more than 3.5 m. shall be covered in such a manner as to protect such persons, unless other effective steps are taken to prevent falls of objects from such height.
2. Scaffold materials, tools, or other objects shall not be thrown down, but be properly lowered.
3. Safe means of access shall be provided to all working-platforms and other working-places.
4. Every working-place and other place to which access is required for any person and every means of approach thereto shall be efficiently lighted.
5. When necessary, special lighting shall be provided at all parts of scaffolds and structures where materials are hoisted.
6. During all construction, repair, alteration, maintenance, or demolition of buildings, all necessary precautions shall be taken to prevent the workers from coming into contact with electric wires or equipment, including low-tension wires and equipment.
7. Protruding nails shall be knocked in or removed from all materials used in the construction of scaffolding or falsework.
8. No materials on the site shall be so stacked or placed as to cause danger to any person.

PART II : HOISTING-APPLIANCES.

Regulation 26.—General Provisions.

1. Every part of the structure, working-gear and anchoring and fixing appliances of every crane, crab, and winch, and of all other hoisting-machines and tackle shall—
 - (a) Be of good mechanical construction, sound material, and adequate strength and substance, and free from defect ;
 - (b) Be kept in good repair and in good working-order ; and,
 - (c) As far as the construction permits, be examined in position at least once in every week by the driver or other competent person.
2. Adequate steps shall be taken to ascertain the safe working load of every hoisting-appliance.
3. The maximum safe working load shall be plainly marked—
 - (a) Upon every crab, winch, and pulley-block used in the hoisting or lowering of any load ;
 - (b) Upon every derrick pole or mast used in the hoisting or lowering of any load weighing 1,000 kg. or more ; and
 - (c) Upon every crane.

4. In the case of a crane fitted with a derricking-jib, the safe working load at various radii of the jib shall be plainly marked upon it.

5. A crane, crab, winch, or any other hoisting-appliance, or any part of such appliance, shall not, except as permitted by the following paragraph, be loaded beyond the safe working load.

6. For the purpose of making tests of a crane or other hoisting appliance or gear the safe working load may be exceeded by such amount as the competent person appointed to carry out the tests may authorize.

7. During hoisting operations effective precautions shall be taken to prevent any person from standing or passing under the load.

8. No load shall be left suspended from a hoisting-appliance unless there is a competent person actually in charge while the load is so suspended.

9. Every crane-driver or hoisting-appliance operator shall be properly qualified.

10. No person under eighteen years of age shall be in control of any hoisting-machine, including any scaffold-winch, or give signals to the operator.

11. Under normal working-conditions one person only shall be appointed as being responsible for the giving of all signals to the crane-driver.

12. When any hoisting or lowering is performed by means of a crane and the crane-driver or person operating the crane is unable to see the load in all its positions, one or more look-out or signal-men shall be stationed so as to see the load throughout its travel and give the necessary signals to the crane-driver or person operating the crane.

13. (1) For each operation to be performed there shall be a distinctive signal of such a character that the person to whom it is given shall be able to hear or see it easily.

(2) Where a sound, colour, or light signal is used, it shall be made by an efficient device.

(3) Every signal wire shall be adequately protected from accidental interference.

14. Motors, gearing, transmissions, electric wiring, and other dangerous parts of hoisting-appliances shall be provided with efficient safeguards, which shall not be removed while the machine or apparatus is in use. If the safeguards have to be removed they shall be replaced as soon as possible by the persons removing them, and in any case before the machines and apparatus are again taken into normal service.

15. The driver of every crane or similar hoisting-appliance shall be provided with a safe and covered stand, cab, or cabin.

16. (1) Where reasonably practicable the driver's cab on every crane or other hoisting-machine shall, before the crane or other hoisting-machine is put into general use, be completely erected or adequate provision made for the protection of the driver from the weather.

(2) During cold weather the cabin of every power-driven crane or other hoisting-appliance in use shall be adequately heated by suitable means.

Regulation 27.—Winches, Crabs, and Pulleys.

1. Every part of the framework of every crab or winch, including the bearers, shall be of metal.

2. When wire ropes are used, the diameter of the pulleys or drums shall not be less than 400 times the diameter of the wires in the rope excluding the core of the rope.

3. When winch-drums are grooved—

(a) The radius of the grooves shall be approximately the same as, but not less than, the radius of the rope; and

(b) The pitch and the grooves shall not be less than the diameter of the rope.

4. Winch-drums shall be provided with flanges that prevent the rope from slipping off the drum.

5. Every crane, crab, and winch shall be provided with an efficient brake or brakes, and with any other safety device required to prevent the fall of the load when suspended.

6. On every crab or winch the control lever shall be provided with a suitable locking-device.

7. On steam-driven lifting-engines the lever controlling the link motion reversing-gear shall be provided with a suitable springlock arrangement.

Regulation 28.—Suspension and Attachment.

1. All cables or ropes used on hoisting-appliances for raising or lowering materials shall be long enough to leave at least two turns on the drum at every operating position of the appliance.

2. No rope shall be used over a grooved drum or pulley if its diameter exceeds the pitch of the drum grooves or the width of the pulley groove.

3. Wire ropes shall be such as to have a factor of safety of at least six under the maximum load. In calculating the dimensions of wire ropes the ropes shall be assumed to be under tensile stress only.

4. No chain or wire rope which has a knot tied in it shall be used for raising or lowering any load.

5. Every hoisting or derricking rope or chain shall be securely fastened to the barrel of the crane, crab, or winch with which it is used.

6. Each temporary attachment or connection of a rope, chain or other appliance used in the erection or dismantling of a crane shall be adequate and secure.

7. Every rope used in hoisting or lowering or as a means of suspension shall be of suitable quality and adequate strength and in good condition.

8. Every chain, ring, hook, shackle, swivel, and pulley-block used for hoisting or lowering or as a means of suspension shall have been tested and be marked in plain figures and letters with the safe working load and an identification mark.

9. No gear used for attachment or as a means of suspension shall be loaded beyond its safe working load, except for the purpose of making tests.

10. Every chain, ring, hook, shackle, and swivel used in hoisting or lowering, or as a means of suspension which has been lengthened, altered, or repaired by welding shall be adequately tested and examined before being again taken into use.

11. Every hook used for hoisting or lowering shall either—

- (a) Be provided with an efficient catch to prevent the displacement of the sling or load from the hook; or
- (b) Be of such shape as to reduce as far as possible the risk of such displacement.

12. The parts of hooks liable to come into contact with ropes or chains during the raising or lowering of loads shall be rounded.

13. Where double or multiple slings are used for hoisting or lowering purposes the upper ends of the slings shall be connected by means of a shackle or ring and not be put separately into a lifting-hook; this requirement shall not apply when the total load lifted is less than one-half of the safe working load of the hook.

14. When bulky objects are being raised or lowered the maximum safe load of slings shall be determined with reference, not only to their strength, but also to the angle of the legs.

15. Sharp edges of a load shall not be in contact with slings, ropes, or chains.

16. All chains, ropes, slings, and other gear used for hoisting or lowering, or as a means of suspension, shall be periodically examined by a competent person, and this person's findings shall be entered on a certificate or in a special register.

Regulation 29.—Cranes.

1. The stage for every crane shall be built of sound material and be of good mechanical construction having regard to its height and position and to the lifting and reaching capacity of the crane.

2. The platform of every crane shall—

- (a) Be close-planked or plated;
- (b) Be securely fenced according to these regulations;
- (c) Be provided with safe means of access; and
- (d) Be of sufficient area—
 - (i) In all cases, for the driver or operator and signalman; and
 - (ii) In the case of a guy derrick crane, also for the operator of the slewing mechanism.

3. (1) Every fixed crane shall either be securely anchored or be adequately weighted by suitable ballast firmly secured to ensure stability.

(2) When a crane is weighted by ballast a diagram showing the position and size of the counter-weights shall be posted up in the driver's cab.

(3) Every travelling crane shall be provided with a device for anchoring it to the rails of the crane-track.

4. On every stage, gantry, or other place on which a crane moves there shall in so far as practicable be maintained at every position of the crane an unobstructed passageway of a width of at least 60 cm. between the moving parts of the crane and the fixed parts or edge of such stage, gantry, or place.

5. If at any time it is impracticable to maintain a passageway of a width of at least 60 cm. at any place or point, all reasonable steps shall be taken to prevent the access of any person to such place or point at such time.

6. All rails on which a travelling crane moves shall be of adequate section and have an even running surface.

7. The following requirements shall apply to every track of a travelling crane, whether resting on the ground or raised above the ground:—

- (a) The whole track shall be properly laid;
- (b) All the supports shall be of sufficient strength and be maintained in good condition; and
- (c) The ends of the track shall be provided with shoes or buffers.

8. All rails on which a travelling crane moves shall, unless other adequate steps are taken to ensure the proper junction of, and to prevent any material alteration in the gauge of, the rails—

- (a) Be jointed by fish-plates or double chairs; and
- (b) Be securely fastened to sleepers.

9. The track and turntable of every travelling crane shall be installed with the greatest care and in conformity with sound technical principles.

Regulation 30.—Examination of Cranes: Certificates.

1. No crane shall be used unless it has been tested and examined by a competent person acting for the inspection authority and there has been obtained from the person who made the test and examination a certificate thereof specifying the safe working load at various radii of the jib, including the maximum radius at which the jib can be worked.

2. The examinations and tests required by this regulation shall be repeated—

- (a) At such regular intervals as are prescribed by the competent authority; and
- (b) After all substantial alterations or repairs to the crane.

3. The safe working load at any radius specified in the most recent certificate—

- (a) Shall not be more than 80 per cent. of the maximum load which the crane has stood at that radius during the application of the test ; and
- (b) Shall not be greater than the working load indicated by the maker.

31. Regulation.—Derrick Cranes.

1. The maximum radius at which the jib may be worked shall be clearly indicated on every derrick crane.
2. When the jib is at the maximum radius there shall not be less than two dead turns of rope on the derricking-drum.
3. The jib of a Scotch derrick crane shall not be erected between the back-stays of the crane.
4. Every crane having a derricking-jib shall be provided with an effective interlocking arrangement between the derricking-clutch and the pawl sustaining the derricking-drum, except where—
 - (a) The hoisting-drum and the derricking-drum are independently driven ; or
 - (b) The mechanism driving the derricking-drum is self-locking.
5. Where the guys of a guy derrick crane cannot be fixed at approximately equal spacing, such other measures shall be taken as will ensure the safety of the crane.
6. The whole of the appliances for the anchorage of a crane shall be examined on each occasion before the crane is erected.
7. The erection of cranes shall be supervised by a competent person.
8. Each crane shall after each erection on a building-site and before use be tested *in situ* for anchorage by a competent person.
9. Cranes shall be tested for anchorage by the imposition on each anchorage of the maximum uplift or pull exerted either—
 - (a) By a load of 25 per cent. above the maximum load to be lifted by the crane as erected ;
or
 - (b) By a less load arranged to exert an equivalent pull on the anchorage.
10. If the pull applied by the test to any anchorage is less than 25 per cent. in excess of the pull which would be exerted by the maximum safe working load, a loading-diagram appropriate to the crane anchorage shall be affixed in a position where it can readily be seen by the crane-driver.

Regulation 32.—Automatic Safe Load Indicators.

1. No jib crane whether having a fixed jib or a derricking-jib shall be used unless it is fitted with an automatic indicator which—
 - (a) Indicates clearly to the driver or person operating the crane when the load being moved approaches the safe working load of the crane at any inclination of the jib ; and
 - (b) Gives an efficient sound signal when the load being moved is in excess of the safe working load of the crane at any inclination of the jib.
2. The preceding paragraph does not apply to—
 - (a) Any guy derrick crane ;
 - (b) Any hand crane which is being used solely for erecting or dismantling another crane ; or
 - (c) Any crane having a maximum safe working load of 1,000 kg. or less,
 but in all such cases a table showing the safe working loads at various radii of the jib shall be kept attached to the crane.

Regulation 33.—Various Rules concerning Crane Operation.

1. (1) A crane shall not be used otherwise than for direct lifting or lowering of a load unless its stability is not thereby endangered.
- (2) No load which lies in the angle between the backstays of a Scotch derrick crane shall be moved by that crane.
2. Where more than one crane or winch is required to lift or lower one load—
 - (a) The machinery, plant, and appliances used shall be so arranged and fixed that no such crane or winch shall at any time be loaded beyond its safe working load or be rendered unstable in the hoisting or lowering of the load ; and
 - (b) A person shall be specially appointed to co-ordinate the operation of the appliances working together.
3. When a load is thought to approach the maximum safe working load a trial shall be made by raising the load a short distance to ensure that the hoisting appliance can carry it safely.

Regulation 34.—Hoists.

1. Hoists (*i.e.*, lifting appliances provided with a cage or platform that runs in guides) used for raising and lowering materials shall satisfy the requirements of this regulation.
2. (1) Hoist shafts shall be provided with solid walls or other equally effective fencing—
 - (a) At the ground level on all sides ; and
 - (b) At all other levels on all sides to which access is provided.
- (2) The walls of hoist shafts, except at approaches, shall extend at least 2 m. above the floor, platform, or other place to which access is provided.

3. Approaches to hoists shall be provided with solid gates or other equally effective fencing which—

- (a) Are at least 1 m. high ; and
- (b) Close automatically when the hoist platform leaves the landing.

4. Approaches to hoists shall be adequately lighted.

5. The guides of hoist platforms shall offer sufficient resistance to bending, and, in the case of jamming by a safety catch, to buckling.

6. The platform shall be so constructed that safe transport is ensured.

7. On platforms for truck transport the trucks shall be efficiently blocked in a safe position on the platform.

8. Counterweights consisting of an assemblage of several parts shall be made of specially constructed parts rigidly connected together.

9. The counterweight shall run in guides.

10. If two or more wire ropes are used the load shall be equally distributed between them.

11. Each suspension rope shall be in one piece.

12. The rope-ends shall be fastened to the platform attachment by splicing and tight binding with steel wire, by sealing, or by clamping with the aid of rope-clamps ; wherever possible, thimbles shall be used.

13. Drum anchorages of suspension ropes shall be adequate and secure.

14. Ropes shall be long enough to leave at least two turns on the drum when the cage or platform is at its lowest position, and be of such diameter as to have a safety factor of at least eight under the maximum load.

15. When wire ropes are used, the diameter of the pulleys or drums shall not be less than 400 times the diameter of the wires in the rope.

16. When winch drums are grooved—

- (a) The radius of the grooves shall be approximately the same as, but not less than, the radius of the rope ; and
- (b) The pitch of the grooves shall not be less than the diameter of the rope.

17. Winch-drums shall be provided with flanges that prevent the rope from slipping off the drum.

18. It shall not be possible to reverse the motion of the hoist without first bringing it to rest.

19. It shall not be possible to set the hoist in motion from the platform.

20. Pawls and ratchet-wheels with which the pawl must be disengaged before the platform is lowered shall not be used.

21. Where the person operating the hoist cannot see clearly every position of the platform, arrangements shall be made for effective signals to be given to the hoist operator by a responsible person who can see the platform at each position.

22. (1) When the platform is at rest the brake shall be applied automatically.

(2) During loading and unloading the platform shall be blocked by catches or other devices in addition to the brake.

23. Hoists shall be provided with devices that stop the winding-engine as soon as the platform reaches its highest stopping-place.

24. Above the highest stopping-place a clearance shall be provided high enough to allow sufficient unobstructed travel of the cage or platform in case of over-winding.

25. (1) No hoist shall be used unless it has been tested and examined by a competent person and a certificate of such test and examination has been issued by that person in the prescribed form.

(2) Such test and examination shall be repeated—

- (a) At such regular intervals as are prescribed by the competent authority ; and
- (b) After every substantial alteration or repair and every re-erection.

26. (1) The above provisions apply only to hoists used for raising or lowering materials.

(2) No hoist shall be used for the conveyance of persons unless—

- (a) Such use has been authorized by the competent authority ; or
- (b) The hoist complies with the conditions laid down for the installation and operation of lifts used for the conveyance of persons in industrial undertakings.

27. The following notices shall be posted up conspicuously and in very legible characters—

- (a) On all hoists—
 - (i) On the Platform—The carrying capacity in kilograms or other appropriate standard term of weight ; and
 - (ii) On the Winding-engine—The lifting-capacity in kilograms or other appropriate standard term of weight :
- (b) On hoists authorized or certified for the conveyance of persons : On the Platform or Cage—The maximum number of persons to be carried at one time :
- (c) On hoists for goods only : On every Approach to the Hoist—"Goods Hoist ! Use by persons prohibited."

Regulation 35.—Miscellaneous Provisions.

1. Precautions shall be taken to safeguard the workmen examining or lubricating a crane or hoist.

2. No person shall be lifted or carried by a crane except on the driver's platform, or ride in a barrow hoist or in a hod hoist.

3. Every part of a load in course of being hoisted or lowered shall be adequately suspended and supported so as to prevent danger.

4. (1) Every receptacle used for hoisting bricks, tiles, slates, or other material shall be so closed as to prevent the fall of any of the material.
- (2) If loose materials or loaded wheelbarrows are placed directly on a platform for raising or lowering, the platform shall be closed in.
- (3) Materials shall not be raised, lowered, or slewed in such a way as to cause sudden jerks.
5. In hoisting a barrow, the wheel shall not be used as a means of support unless efficient steps are taken to prevent the axle from slipping out of the bearings.
6. When a special ginpole is used it shall be secured by ropes in such a way that it cannot knock against the scaffolds.
7. Jibs for hoisting materials shall not be attached to standards or extension poles.
8. When no jib but only a rope pulley is used the latter may be attached to a cross-beam if the cross-beam—
 - (a) Has sufficient strength and is fixed to at least two standards or extensions in the way prescribed for ledgers; and
 - (b) Does not at the same time serve as a ledger for the scaffold.
9. If a hoisting-appliance or any part thereof moves along a scaffold, adequate measures shall be taken to prevent persons on the scaffold from being struck by the appliance or any part of it.
10. The hoisting of loads at points where there is a regular flow of traffic shall be carried out in an enclosed space, or if this should be impossible—*e.g.*, in the case of bulky objects—measures shall be taken to hold up or divert the traffic for the time being.
11. Adequate steps shall be taken to prevent a load in course of being hoisted or lowered from coming into contact with any objects in such a manner that part of the load or object may become displaced.

PART III. —SAFETY EQUIPMENT AND FIRST AID.

Regulation 36.—Safety Equipment.

1. Where necessary the employer shall provide the workmen with a sufficient number of respirators, goggles, and safety-belts of approved types.
2. Safety-belts shall have life-lines of sufficient length and strength.

Regulation 37.—Rescue Equipment.

When work is carried on in proximity to any place where there is a risk of drowning, all necessary equipment shall be provided and kept ready for use, and all necessary steps taken for the prompt rescue of any person in danger.

Regulation 38.—First-aid Equipment.

1. On every place where building-work is carried on, adequate provision, such as first-aid boxes or cupboards readily accessible and clearly marked, shall be made for the prompt treatment of all injuries likely to be sustained in the course of the work.
2. Such first-aid boxes or cupboards shall be placed under the charge of a responsible person who shall preferably be trained in first aid.

PART IV.—MISCELLANEOUS.

Regulation 39.—Communication of Regulations to Workers.

Copies of these regulations or such extracts thereof as may be prescribed by the competent authority shall be handed to the workers or conspicuously posted up and maintained at suitable places.

Regulation 40.—Duty of Employers to comply with Parts I to III.

It shall be the duty of the employer to comply with Parts I to III of these regulations.

Regulation 41.—Co-operation of Workers and other Persons with the Employer.

1. Every person employed and every person in or upon the work shall co-operate with the employer in carrying out these regulations.
2. Every person employed shall forthwith remedy or report to the employer or foreman any defect that he may discover in the plant or appliances, or any action by any person liable to cause an accident.
3. No person shall interfere with, displace, take away, damage, or destroy any of the plant or safeguards required by the foregoing regulations without the authority of the employer or his responsible foreman.
4. Every person employed shall make proper use of all safeguards, safety devices, or other appliances furnished for his protection, and shall obey all safety instructions pertaining to his work.
5. Every worker shall take the necessary precautions for his own safety and for the safety of any other person on the site, and abstain from any action which might endanger him or other persons.
6. No employed person shall go to or from his workplace otherwise than by the safe means of access and egress provided.

RECOMMENDATION (No. 54) CONCERNING INSPECTION IN THE BUILDING INDUSTRY.

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-third Session on 3rd June, 1937, and

Having decided upon the adoption of certain proposals with regard to inspection in the building industry which is included in the first item on the agenda of the session, and

Having determined that these proposals shall take the form of a recommendation,

adopts, this twenty-third day of June, of the year one thousand nine hundred and thirty-seven, the following recommendation, which may be cited as the Inspection (Building) Recommendation, 1937 :

Whereas the Safety Provisions (Building) Convention, 1937, and the Safety Provisions (Building) Recommendation, 1937, contain provisions relating to labour inspection : Whereas the Conference adopted at its Fifth Session (1923) a recommendation concerning labour inspection : And whereas it is nevertheless desirable that as regards the building industry the attention of members should be drawn to certain other provisions not included in the above-mentioned Convention and recommendations : The Conference recommends that each member of the International Labour Organization should take the following principles and rules into consideration as regards inspection in the building industry :—

1. All work in connection with the construction, repair, alteration, maintenance, and demolition of buildings of all kinds should be subject to inspection.

2. The authority responsible for inspection (hereinafter called the inspection authority) should be a public body and should have all powers necessary to ensure that the laws and regulations in force are strictly applied.

3. Inspectors should have previous technical training and have passed examinations covering all suitable technical and administrative matters which should ensure that they are competent to supervise effectively the enforcement of the safety regulations for the workers employed in the building industry.

4. In order to ensure effective collaboration between the inspection authority and the head of the undertaking, national laws or regulations should make the head of the undertaking responsible—

- (a) For providing for constant and adequate supervision of the work so as to ensure compliance with the safety provisions in force ;
- (b) For taking all other practicable steps necessary to prevent accidents, and, in particular, for not employing on work likely to involve risk of accidents any person whom he knows to be deaf, of defective vision, or liable to giddiness ;
- (c) For informing the inspection authority, in conformity with the national laws or regulations, of the commencement of all building operations undertaken by him ; and
- (d) For reporting to the competent authority, in accordance with the national laws or regulations, accidents occurring in the undertaking.

RECOMMENDATION (No. 55) CONCERNING CO-OPERATION IN ACCIDENT-PREVENTION IN THE BUILDING INDUSTRY.

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-third Session on 3rd June, 1937, and

Having decided upon the adoption of certain proposals with regard to co-operation in accident-prevention in the building industry, which is included in the first item on the agenda of the session, and

Having determined that these proposals shall take the form of a recommendation,

adopts, this twenty-third day of June, of the year one thousand nine hundred and thirty-seven, the following recommendation, which may be cited as the Co-operation in Accident Prevention (Building) Recommendation, 1937 :

Whereas it is considered that in addition to the Safety Provisions (Building) Convention, 1937, the Safety Provisions (Building) Recommendation, 1937, the Inspection (Building) Recommendation, 1937, and the Prevention of Industrial Accidents Recommendation, 1929, it is desirable to make a specific recommendation concerning the prevention of accidents in the building industry by means of safety organizations : The Conference recommends that each member of the International Labour Organization should take the following principles and rules into consideration in connection with accident prevention in the building industry :

1. There should be established safety organizations within the industry to secure the collaboration of all concerned in effecting a reduction in the number and severity of accidents with particular regard to accident risks for which there are no statutory requirements.

2. In order to render this collaboration effective there should be set up within each undertaking, where it is possible, a special safety organization including representatives of the employer and the persons employed.

3. It would also be desirable to have direct collaboration between the competent inspector, the employer, and the representatives of the persons employed in the undertaking in the form and within the limits fixed by the inspection authority.

4. Safety propaganda in the building industry would be more effective if there were constant co-operation between the inspection authority and all the organizations concerned ; safety organizations (joint or separate) of employers and workers ; trade-unions' and employers' associations ; associations of architects or engineers ; standards associations, &c. ; accident-insurance institutions (public, semi-official, or private).

5. (1) Periodical meetings should be held by representatives of the organizations mentioned in the preceding paragraph and representatives of the inspection authority, together with representatives of any other public bodies concerned.

(2) The purpose of such meetings should be to examine jointly the methods that might be taken to improve accident-prevention in the building industry.

6. The inspection authority should promote accident-prevention by collaborating with all parties concerned in the necessary propaganda, which might take such forms as safety education by training courses, demonstrations, meetings, lectures, and films, the distribution of manuals, pamphlets, magazines, or publications reproducing or analysing accident statistics; and the distribution of posters and notices which should as far as possible be illustrated.

RECOMMENDATION (No. 56) CONCERNING VOCATIONAL EDUCATION FOR THE BUILDING INDUSTRY.

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-third Session on 3rd June, 1937, and

Having decided upon the adoption of certain proposals with regard to vocational education for the building industry, which is included in the first item on the agenda of the session, and

Having determined that these proposals shall take the form of a recommendation, adopts, this twenty-third day of June, of the year one thousand nine hundred and thirty-seven, the following recommendation, which may be cited as the Vocational Education (Building) Recommendation, 1937:

The Conference,

Recalling that at its Twelfth Session (1929) it adopted a recommendation concerning the prevention of industrial accidents, one part of which deals with vocational education;

Considering that, in view of the risk of accident, vocational education is of special importance in the case of the *building* industry;

Recommends that technical and vocational school curricula relating to the building industry should include theoretical and practical instruction concerning—

- (a) The materials used for the construction of scaffolds and the principles of erecting and maintaining scaffolds;
- (b) The construction and maintenance of the hoisting-appliances used in the building industry;
- (c) The organization and supervision of safety measures on building-sites; and
- (d) The safety regulations for building-work.

RESOLUTION CONCERNING RESPONSIBILITY OF MACHINE-BUILDERS, ETC., AS REGARDS SAFETY DEVICES IN THE BUILDING INDUSTRY, SUBMITTED BY THE COMMITTEE ON SAFETY IN THE BUILDING INDUSTRY.

Whereas the Draft Convention and Recommendations on safety provisions for workers in the building industry with reference to scaffolding and hoisting machinery do not provide for any obligations to be laid upon builders, dealers, and erectors of hoisting appliances used in the building industry,

Whereas it is necessary to consider whether it is not desirable that the provisions of the Recommendation adopted by the Twelfth Session of the International Labour Conference in 1929 concerning responsibility for the protection of power-driven machinery should be reinforced by the adoption of an international Convention;

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Requests the Governing Body of the International Labour Office to have the necessary investigations undertaken and to place on the agenda of one of the next sessions of the Conference the question of the responsibility of machine-builders, dealers, and erectors as regards safety devices.

MISCELLANEOUS RESOLUTIONS.

FIRST REPORT OF THE RESOLUTIONS COMMITTEE.

The Resolutions Committee constituted by the Conference at its Third Sitting met on 5th June and elected its officers as follows:—

Chairman and Reporter.—Mr. Fabela, Mexican Government Delegate.

Vice-Chairman.—Mr. Harriman, Employers' Delegate of the United States of America; Mr. Hayday, British Workers' Delegate.

The Committee examined the draft resolutions submitted to the Conference in accordance with paragraph 7 of Article 12 of the Standing Orders.

In this first report, the Committee submitted to the Conference the conclusions at which it arrived in regard to seven of the draft resolutions which it had to examine.

Draft Resolution concerning the Protection of Migrant Persons insured or pensioned under Social-insurance Schemes, submitted by Mr. Komarnicki, Polish Government Delegate.

The Committee, after hearing the author of this draft resolution, decided to transmit it to the Conference. The text of the draft resolution is as follows:—

1. Whereas it is more than ever essential, when a resumption of migratory movements may be expected, to secure to persons insured or pensioned under social-insurance schemes who have to change their country of residence, and likewise to their families, the maintenance of their rights, in course of acquisition or acquired, under such schemes, especially schemes of invalidity, old-age and widows' and orphans' insurance:

2. Whereas the bilateral treaties which have been entered into during the last ten years in regard to social insurance and which provide, as between the insurance schemes of the contracting countries, for the maintenance of pension rights are intended to protect the vital interests of migrant insured persons and their families :

3. Whereas the effect of the Draft Convention adopted by the 1935 Session of the International Labour Conference concerning the establishment of an international scheme for the maintenance of rights under invalidity, old-age, and widows' and orphans' insurance will be to promote the general and early acceptance of those methods upon which the bilateral treaties are based, and to secure international recognition of the rights of migrant insured or pensioned persons :

Whereas it is moreover urgent, with a view to facilitating and expediting the putting into operation of the international scheme for the maintenance of rights under invalidity, old-age, and widows' and orphans' insurance, that a systematic collection and study should be made of the legal, technical, and administrative rules laid down in the bilateral treaties and of the experience gained in their application :

The Conference requests the Governing Body to instruct the International Labour Office to prepare, with the help of expert advice, a *collection of the international treaties* and the texts of laws and regulations whose object is to provide for the protection of migrant persons insured or pensioned under social-insurance schemes which would contribute to the general adoption of the principle of the maintenance of rights under invalidity, old-age, and widows' and orphans' insurance.

The resolution was adopted.

Resolution concerning Indigenous Workers, submitted by Mr. Sen, Indian Workers' Delegate.

The Committee, after hearing the author of this draft resolution, decided to transmit it to the Conference. The text of the draft resolution is as follows :—

The Twenty-third Session of the International Labour Conference

Notes with satisfaction that the Governing Body of the International Labour Office has afforded the Conference an opportunity of continuing its work for the protection of Native labour by placing the question of "the regulation of contracts of employment of indigenous workers" on the agenda of the Twenty-fourth Session :

But considering that, even after the adoption of a Draft Convention concerning the contracts of employment of indigenous workers, there will remain a number of special problems of the life and labour of these workers which should be dealt with by international regulations :

Requests the Governing Body to instruct the International Labour Office to study, in consultation with the Committee of Experts on Native Labour, those special problems that may appear suitable for international regulation, and, in particular, the problems of wages (methods and periodicity of payment, advances, deferred pay, remittances to dependants, truck system, legal protection), housing (compounds, accommodation for families, provision of gardens for cultivation of foodstuffs), rations, and the protection of the health of the workers, with a view to the placing of an item dealing with these problems on the agenda of a future session of the Conference.

The resolution was adopted.

Draft Resolution concerning Women Workers, submitted by Mr. McGrady and Miss Abbott, Government Delegates of the United States of America.

The Committee, after hearing Miss Abbott, one of the authors of the resolution, decided to transmit it to the Conference. The text of the draft resolution is as follows :—

Whereas, in view of the social and political changes of recent years and the fact that women workers have suffered from special forms of exploitation and discrimination in the past, there is need to re-examine their general position ; and

Whereas it is for the best interests of society that, in addition to full political and civil rights and full opportunity for education, women should have full opportunity to work and should receive remuneration without discrimination because of sex, and be protected by legislative safeguards against physically harmful conditions of employment and economic exploitation, including the safeguarding of motherhood ; and

Whereas it is necessary that women as well as men should be guaranteed freedom of association by Governments and should be protected by social and labour legislation which world experience has shown to be effective in abolishing special exploitation of women workers : therefore be it

Resolved that the Twenty-third Session of the International Labour Conference, while recognizing that some of these principles lie within the competence of other international bodies, believes them to be of the greatest importance to workers in general and especially to women workers ; and therefore requests the Governing Body to draw them to the attention of all Governments, with a view to their establishment in law and in custom by legislative and administrative action.

The resolution was adopted.

Resolution concerning the Uniformity of the Protection of Workers in China, submitted by Mr. Mertens, Belgian Workers' Delegate, Mr. Chu, Chinese Workers' Delegate, Mr. Koizumi, Japanese Workers' Delegate, and Mr. Sen, Indian Workers' Delegate.

The Committee heard the authors of the three draft resolutions concerning the uniformity of the protection of workers in China, who agreed to combine their draft resolutions in a single text. The Committee decided to transmit the joint draft resolution to the Conference. The final text as amended is as follows :—

Whereas the International Labour Conference at its First Session in 1919 dealt with the difficulties with which China was faced owing to the existence within its territory of industrial undertakings enjoying extra-territoriality :

Whereas even then the Commission on Special Countries reached the unanimous conclusion that a satisfactory solution ought to be found, in the interests both of the Chinese Government and of the workers, who are unquestionably the persons most closely concerned :

Whereas in its report that Commission made the following suggestions :—

In view of the special difficulties which the Chinese Government may experience from the existence, within the area of China, of foreign settlements and lease territories, the commission suggests that the Conference should make the necessary representations to the Governments concerned—that is, to those Governments which at present exercise jurisdiction in these settlements and territories under treaties and engagements with China—to enforce in their territories within China the same restrictions as the Chinese Government has accepted ; or, in the alternative, to decree that labour legislation adopted by the Government of China shall be enforced by that Government within those foreign settlements and territories where extra-territorial jurisdiction exists at present.

Whereas the report was adopted by the Conference ;

Whereas since that time the International Labour Office has never ceased to interest itself in the question in an attempt to reach a satisfactory solution ;

Whereas unfortunately its efforts have proved fruitless ;

Whereas actually the position has to some extent grown worse, as was shown by the declarations and statements made by the Chinese Delegates at the Technical Tripartite Conference on the Textile Industry, held at Washington from 2nd to 17th April, 1937 ;

Whereas it is desirable that the International Labour Organization should continue its efforts with a view to finding a remedy for a state of affairs which was denounced in 1919 by the First Session of the International Labour Conference ;

Whereas it is essential and indispensable that a State should possess complete administrative integrity as regards labour questions in order to enable it to fulfil its obligations as a Member of the International Labour Organization ;

Whereas it is impossible for a State to apply its labour legislation satisfactorily within its territory if the industrial and commercial undertakings in the country which are managed by certain foreigners are not subject to the application of such legislation by the State, whilst other industrial and commercial undertakings are subject thereto ;

Whereas the industrial and commercial undertakings in the country managed by certain foreigners, who are not subject either as regards themselves or their undertakings to the application of labour legislation, nevertheless employ large numbers of the nationals of the country in question, whom they thus deprive of the legitimate protection of the national legislation applied by their own Government ;

The Conference, considering that the International Labour Office should renew its efforts to bring about a settlement which would ensure that working conditions should be regulated on similar lines in the International Settlement and in the rest of China, in order that factories on Chinese territory and within the Settlement should not derive an unfair competitive advantage by availing themselves of the absence of labour standards ;

Requests the Governing Body to re-examine the question and to consider the adoption of any steps or procedure which might lead to an effective solution of this urgent problem by direct agreement between the various authorities concerned or, failing such an agreement, by an international Convention, with a view to ensuring the application of a uniform system of protection for the workers in all undertakings situated on Chinese territory, irrespective of whether they are or are not situated in the foreign settlements, or whether they do or do not enjoy extra-territoriality.

The resolution was adopted.

Resolution concerning the Obligations of Members of the International Labour Organization, submitted by Mr. Kupers, Netherlands Workers' Delegate.

The Committee, after hearing Mr. Serrarens, representing the author of this draft resolution, decided to transmit it to the Conference. The text of the draft resolution is as follows :—

Whereas paragraph 5 of Article 19 of the constitution lays strict obligations on the members of the Organization :

Whereas there are nevertheless doubts as to the fulfilment of those obligations by certain members :

The Conference invites the Governing Body to examine the methods by which the fulfilment of those obligations by all the members may be secured.

The resolution was adopted.

SECOND REPORT OF THE RESOLUTIONS COMMITTEE.

The Resolutions Committee continued its examination of the draft resolutions submitted to the Conference in accordance with paragraph 7 of Article 12 of the Standing Orders. The Committee reached the following conclusions with regard to the remaining four draft resolutions :—

Draft Resolution concerning Smuggling in China, submitted by Mr. Chu, Chinese Workers' Delegate.

The Committee, after hearing the author of the draft resolution, considered its receivability as regards the competence of the Conference, in accordance with paragraph 2 of Article 7E of the Standing Orders. The Committee came to the conclusion that the subject of the resolution was not one which fell within the competence of the International Labour Organization, and therefore decided not to transmit it to the Conference, which accepted the view of the Committee.

Draft Resolution concerning the Collaboration of Burma with the International Labour Organization, submitted by Mr. Sen, Indian Workers' Delegate.

The author of this draft resolution submitted an amended text which the Committee decided to transmit to the Conference. The text as amended is as follows :—

Whereas Burma, which has hitherto enjoyed full membership of the International Labour Organization as part of India, ceased to be a part of India on 1st April, 1937 ;

Whereas the Government Delegate of the United Kingdom has indicated the steps which the Governments of the United Kingdom and of Burma propose to take to ensure the continuation of effective Burmese collaboration with the Organization ;

The Conference—

- (a) Expresses its cordial appreciation of the statement made by the Government Delegate of the United Kingdom on behalf of the Government of Burma that Burma recognizes that the International Labour Conventions ratified by India while Burma was part of India remain binding upon Burma, and that Burma proposes to submit her annual report thereon through the Government of the United Kingdom ; and
- (b) Invites the Governing Body to consider whether it is desirable that there should be included in future Conventions some provision permitting accession thereto by fully self-governing colonies, protectorates, and possessions which are not separate members of the Organization.

This resolution was adopted.

Draft Resolution concerning the Calling of an Advisory Tripartite Labour Conference of Asiatic Countries and the Establishment of an Asiatic Committee, submitted by Mr. Chu, Chinese Workers' Delegate, Mr. Sen, Indian Workers' Delegate, and Mr. Koizumi, Japanese Workers' Delegate.

The Committee, after hearing Mr. Koizumi, one of the authors of the draft resolution, decided to transmit it to the Conference. The text of the draft resolution is as follows :—

“ Whereas it is urgently necessary, both in the interest of the workers directly concerned and as a contribution to the economic prosperity of the world as a whole, to promote far-reaching improvements in conditions of life and labour in Asiatic countries ; and

Whereas the urgency of such action has once again been emphasized by the resolution adopted by the Asiatic Labour Congress held in Tokyo in May, 1937, urging that the attention of the International Labour Conference be drawn once more to the importance of establishing a Tripartite Asiatic Committee to promote this end :

The Conference—

- (1) Notes with satisfaction that the resolution adopted in 1936 for the convocation of an Advisory Tripartite Labour Conference of Asiatic Countries and for the establishment of an Asiatic Committee has been examined by the Governing Body, and that efforts are being made to give effect to this resolution ;
- (2) Notes that the resolution adopted by the Asiatic Labour Congress is further evidence of the widespread approval which the proposal to establish a Tripartite Asiatic Committee has obtained, urges the Governing Body to redouble its efforts for the realization of this object, and is confident that the members concerned will give the Governing Body full support.

This resolution was adopted.

Draft Resolution concerning the Generalization of the Reduction of Hours of Work, submitted by Mr. Mertens, Belgian Workers' Delegate, and Mr. Jouhaur, French Workers' Delegate.

The Committee, after hearing Mr. Mertens, one of the authors of the draft resolution, decided to transmit it to the Conference. The text of the draft resolution is as follows :—

The Twenty-third Session of the International Labour Conference, examining the efforts made since 1931 by the International Labour Organization to reduce as far as possible the disastrous effect of the world depression on the economic system of all countries in general and on the working classes in particular :

Considering that, of the measures advocated, the reduction of hours of work is of outstanding importance and has above all others engaged the attention of the International Labour Organization :

Considering that, at the Eighteenth Session in 1934, the attempts to prepare and adopt a general Convention with a view to introducing the forty-hour week in all countries and in all industries were unsuccessful :

Considering that at that time it appeared that more tangible results could be obtained if the question of the reduction of the working-week were considered separately for each industry :

Considering that for that purpose a procedure was put into operation with a view to the adoption of Conventions covering several industries—for example, the iron and steel industry, the building industry, the coal-mining industry, glass-bottle works, public works, the textile industry, &c. :

Considering that only two Conventions have been adopted—namely, those concerning public works and glass-bottle works :

That, on the other hand, the attempts to arrive at the adoption of Conventions concerning the coal-mining industry, the iron and steel industry, and the building industry were unsuccessful :

Considering that such a procedure entails more risks than tangible results and will require an incalculable number of years before a satisfactory solution is achieved :

Considering that the economic situation and the attempts which have been made to deal with the question show clearly that efforts should be directed towards the adoption of a general Convention :

But considering that the procedure already set in motion concerning the industries included in the agenda of the 1937 and 1938 Sessions should follow its course :

Requests the Governing Body to examine the situation and to consider placing on the agenda of the next session of the Conference the question of the generalization of the reduction of hours of work in all economic activities which are not covered by the Conventions already adopted and those to be adopted by the Twenty-third Session of the Conference.

This resolution was adopted.

Approximate Cost of Paper.—Preparation, not given ; printing (615 copies, including illustrations), £95.

By Authority: E. V. PAUL, Government Printer, Wellington.—1937.

Price 1s. 6d.]

ANALYSIS OF FINAL VOTING.

[Abbreviations.—Abs. = Abstained from voting. For = Voted in favour. Agst. = Voted against. The figure 2 indicates two votes.]

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