

INTERNATIONAL LABOUR OFFICE

REPORT FORM

FOR THE

**MINIMUM AGE (UNDERGROUND WORK)
CONVENTION, 1965 (No. 123)**

The present report form is for the use of countries which have ratified the Convention. It has been approved by the Governing Body of the International Labour Office, in accordance with article 22 of the ILO Constitution, which reads as follows: "Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of Conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request."

GENEVA
1980

REPORT

for the period to , made by the Government of , in accordance with article 22 of the Constitution of the International Labour Organisation, on the measures taken to give effect to the provisions of the

MINIMUM AGE (UNDERGROUND WORK) CONVENTION, 1965

ratification of which was registered on

I. Please give a list of the legislation and administrative regulations, etc., which apply the provisions of the Convention. Where this has not already been done, please forward copies of the said legislation, etc., to the International Labour Office with this report.

Please give any available information concerning the extent to which these laws and regulations have been enacted or modified to permit of, or as a result of, ratification.

II. Please indicate in detail for each of the following Articles of the Convention the provisions of the above-mentioned legislation and administrative regulations, etc., or other measures, under which each Article is applied.

If in your country ratification of the Convention gives the force of national law to its terms, please indicate by virtue of what constitutional provisions the ratification has had this effect. Please also specify what action has been taken to make effective those provisions of the Convention which require a national authority to take certain specific steps for its implementation.

If the Committee of Experts or the Conference Committee on the Application of Conventions and Recommendations has requested additional information or has made an observation on the measures adopted to apply the Convention, please supply the information asked for or indicate the action taken by your Government to settle the points in question.

Article 1

1. For the purpose of this Convention, the term "mine" means any undertaking, whether public or private, for the extraction of any substance from under the surface of the earth by means involving the employment of persons underground.

2. The provisions of this Convention concerning employment or work underground in mines include employment or work underground in quarries.

Please indicate which provision of the national legislation defines the term "mine". If this provision does not apply to underground work in quarries, please indicate the provision which is relevant.

Article 2

1. Persons under a specified minimum age shall not be employed or work underground in mines.

2. Each Member which ratifies this Convention shall specify the minimum age in a declaration appended to its ratification.

3. The minimum age shall in no case be less than 16 years.

Please state which legislative provisions fix the minimum age of employment in mines.

Article 3

Each Member which has ratified this Convention may subsequently notify the Director-General of the International Labour Office, by a further declaration, that it specifies a minimum age higher than that specified at the time of ratification.

Please indicate any progress achieved or envisaged towards raising the minimum age specified at the time of ratification.

Article 4

1. All necessary measures, including the provision of appropriate penalties, shall be taken by the competent authority to ensure the effective enforcement of the provisions of this Convention.

2. Each Member which ratifies this Convention undertakes either to maintain an appropriate inspection service for the purpose of supervising the application of the provisions of the Convention or to satisfy itself that appropriate inspection is carried out.

3. National laws or regulations shall define the persons responsible for compliance with the provisions of this Convention.

4. The employer shall keep, and make available to inspectors, records indicating, in respect of persons who are employed or work underground and who are less than two years older than the specified minimum age—

(a) the date of birth, duly certified wherever possible; and

(b) the date at which the person was employed or worked underground in the undertaking for the first time.

5. The employer shall make available to the workers' representatives, at their request, lists of the persons who are employed or work underground and who are less than two years older than the specified minimum age; such lists shall contain the dates of birth of such persons and the dates at which they were employed or worked underground in the undertaking for the first time.

1. *Please supply information on the inspection system designed to ensure the supervision of the application of the provisions of the Convention, indicating, in particular, to what authority or authorities such inspection is entrusted and by what methods supervision is ensured and supplying, where appropriate, the reports or extracts from the reports of the competent services.*

2. *Please indicate the sanctions provided for in the case of contraventions of the provisions giving effect to the Convention.*

3. *Please indicate what measures have been taken to give effect to paragraphs 4 and 5 of this Article and supply a specimen copy of the record provided for in paragraph 4 as well as of the list provided for in paragraph 5.*

Article 5

The determination of the minimum age to be specified in pursuance of Articles 2 and 3 of this Convention shall be made after consultation with the most representative organisations of employers and workers concerned.

Please indicate what consultations have taken place with employers' and workers' organisations with a view to fixing the minimum age for admission to underground work.

III. Please state whether courts of law or other tribunals have given decisions involving questions of principle relating to the application of the Convention. If so, please supply the text of these decisions.

IV. Please give a general appreciation of the manner in which the Convention is applied in your country, indicating, for instance, the number and nature of the contraventions reported, etc.

V. Please indicate the representative organisations of employers and workers to which copies of the present report have been communicated in accordance with article 23, paragraph 2, of the Constitution of the International Labour Organisation.¹ If copies of the report have not been communicated to representative organisations of employers and/or workers, or if they have been communicated to bodies other than such organisations, please supply information on any particular circumstances existing in your country which explain the procedure followed.

¹ Article 23, paragraph 2, of the Constitution reads as follows: "Each Member shall communicate to the representative organisations recognised for the purpose of article 3 copies of the information and reports communicated to the Director-General in pursuance of articles 19 and 22."

Please indicate whether you have received from the organisations of employers or workers concerned any observations, either of a general kind or in connection with the present or the previous report, regarding the practical application of the provisions of the Convention or the application of the legislation or other measures implementing the Convention. If so, please communicate the observations received, together with any comments that you consider useful.
