

C33 Minimum Age (Non-Industrial Employment) Convention, 1932

Description: Convention concerning the Age for Admission of Children to Non-Industrial Employment (Note: Date of coming into force: 06:06:1935. The Convention was revised in 1937 by Convention No. 60 and in 1973 by Convention No. 138. Following the coming into force of Convention No. 60, Convention No. 33 is no longer open to ratification.)

Convention:C033

Place:Geneva

Session of the Conference:16

Date of adoption:30:04:1932

Subject classification: Minimum Age

Subject: Elimination of Child Labour and Protection of Children and Young Persons

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Sixteenth Session on 12 April 1932, and

Having decided upon the adoption of certain proposals with regard to the age for admission of children to employment in non-industrial occupations, which is the third item on the agenda of the Session, and

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

adopts this thirtieth day of April of the year one thousand nine hundred and thirty-two the following Convention, which may be cited as the Minimum Age (Non-Industrial Employment) Convention, 1932, for ratification by the Members of the International Labour Organisation in accordance with the provisions of the Constitution of the International Labour Organisation:

Article 1

(1) This Convention shall apply to any employment not dealt with in the following Conventions adopted by the International Labour Conference at its First, Second and Third Sessions respectively:

Convention fixing the minimum age for admission of children to industrial employment (Washington, 1919);

Convention fixing the minimum age for admission of children to employment at sea (Genoa, 1920);

Convention concerning the age for admission of children to employment in agriculture (Geneva, 1921);

The competent authority in each country shall, after consultation with the principal organisations of employers and workers concerned, define the line of division which separates the employments covered by this Convention from those dealt with in the three aforesaid Conventions.

(2) This Convention shall 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.

(3) 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 and 5 of this Convention;

(b) domestic work in the family performed by members of that family.

Article 2

Children under fourteen years of age, or children over fourteen 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 twelve years of age may, outside the hours fixed for school attendance, be employed on light work--

(a) which is not harmful to their health or normal development;

(b) which is not such as to prejudice their attendance at school or their capacity to benefit from the instruction there given; and

(c) the duration of which does not exceed two hours per day on either school days or holidays, the total number of hours spent at school and on light work in no case to exceed seven per day.

(2) Light work shall be prohibited--

(a) on Sundays and legal public holidays;

(b) during the night, that is to say during a period of at least twelve consecutive hours comprising the interval between 8 p.m. and 8 a.m.

(3) After the principal organisations of employers and workers concerned have been consulted, national laws or regulations shall--

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

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

(4) 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;

(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) 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;

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