

Coo8 - Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8)

Convention concerning Unemployment Indemnity in Case of Loss or Foundering of the Ship (Entry into force: 16 Mar 1923) Adoption: Geneva, 2nd ILC session (09 Jul 1920) - Status: Instrument to be revised (Technical Convention).

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Preamble

The General Conference of the International Labour Organisation,

Having been convened at Genoa by the Governing Body of the International Labour Office, on the 15th day of June 1920, and

Having decided upon the adoption of certain proposals with regard to the "supervision of articles of agreement; provision of facilities for finding employment for seamen; application to seamen of the Convention and Recommendations adopted at Washington in November last in regard to unemployment and unemployment insurance", which is the second item in the agenda for the Genoa meeting of the Conference, and

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

adopts the following Convention, which may be cited as the Unemployment Indemnity (Shipwreck) Convention, 1920, 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. For the purpose of this Convention, the term **seamen** includes all persons employed on any vessel engaged in maritime navigation.

- 2. For the purpose of this Convention, the term **vessel** includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned; it excludes ships of war.

Article 2

- 1. In every case of loss or foundering of any vessel, the owner or person with whom the seaman has contracted for service on board the vessel shall pay to each seaman employed thereon an indemnity against unemployment resulting from such loss or foundering.
- 2. This indemnity shall be paid for the days during which the seaman remains in fact unemployed at the same rate as the wages payable under the contract, but the total indemnity payable under this Convention to any one seaman may be limited to two months' wages.

Article 3

Seamen shall have the same remedies for recovering such indemnities as they have for recovering arrears of wages earned during the service.

Article 4

- 1. Each Member of the International Labour Organisation which ratifies this Convention engages to apply it to its colonies, protectorates and possessions which are not fully self-governing --
 - (a) except where owing to the local conditions its provisions are inapplicable; or
 - (b) subject to such modifications as may be necessary to adapt its provisions to local conditions.
- 2. Each Member shall notify to the International Labour Office the action taken in respect of each of its colonies, protectorates and possessions which are not fully self-governing.

Article 5

The formal ratifications of this Convention, under the conditions set forth in the Constitution of the International Labour Organisation, shall be communicated to the Director-General of the International Labour Office for registration.

Article 6

As soon as the ratifications of two Members of the International Labour Organisation have been registered with the International Labour Office, the Director-General of the International Labour Office shall so notify all the Members of the International Labour Organisation.

Article 7

This Convention shall come into force at the date on which such notification is issued by the Director-General of the International Labour Office, and it shall then be binding only upon those Members which have registered

their ratifications with the International Labour Office. Thereafter this Convention will come into force for any other Member at the date on which its ratification is registered with the International Labour Office.

Article 8

Subject to the provisions of Article 7, each Member which ratifies this Convention agrees to bring its provisions into operation not later than 1 July 1922, and to take such action as may be necessary to make these provisions effective.

Article 9

A Member which has ratified this Convention may denounce it after the expiration of five years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered with the International Labour Office.

Article 10

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

Article 11

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