

SECTION 15.—DEFINITIONS AND SCOPE

Article 46

For the purposes of this Part of the present Annex—

- (a) The term “agricultural undertaking” may be defined so as to include processes conducted on the undertaking for the preservation and despatch of the agricultural products of the undertaking, unless it is desired to classify these processes as parts of an industrial undertaking;
- (b) The term “commercial undertaking” includes—
 - (i) Commercial establishments and offices, including establishments engaging wholly or mainly in the sale, purchase, distribution, insurance, negotiation, loan, or administration of goods or services of any kind;
 - (ii) Establishments for the treatment or care particularly of the aged, infirm, sick, destitute, or mentally unfit;
 - (iii) Hotels, restaurants, boarding houses, clubs, cafés and other refreshment houses;
 - (iv) Theatres and places of public amusements; and
 - (v) Any establishment similar in character to those enumerated in subparagraphs (i), (ii), (iii), and (iv) above;
- (c) The term “industrial undertaking” includes—
 - (i) Undertakings in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including undertakings engaged in shipbuilding, in the generation, transformation, or transmission of electricity, in the production or distribution of gas or motive power of any kind, in the purification or distribution of water, or in heating;
 - (ii) Undertakings engaged in the construction, reconstruction, maintenance, repair, alteration, or demolition of any one or more of the following: buildings, railways, tramways, airports, harbours, docks, piers, works of protection against floods or coast erosion, canals, works for the purpose of inland, maritime or aerial navigation, roads, tunnels, bridges, viaducts, sewers, drains, wells, irrigation or drainage works, telecommunication installations, works for the production or distribution of electricity or gas, pipelines, waterworks, and undertakings engaged in other similar work or in the preparation for or laying the foundations of any such work or structure;
 - (iii) Mines, quarries or other works for the extraction of minerals from the earth; and
 - (iv) Undertakings engaged in the transport of passengers or goods, excluding transport by hand, unless such undertakings are regarded as parts of the operation of an agricultural or commercial undertaking;
- (d) The terms “agricultural undertaking”, “commercial undertaking” and “industrial undertaking” include both public and private undertakings;
- (e) The term “vessel” includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned, excluding ships of war; it may be interpreted as excluding vessels of less than a specified tonnage and carrying a crew of less than a specified number;
- (f) The term “night” signifies a period of at least eleven consecutive hours: Provided that in those tropical countries in which work is suspended during the middle of the day, the night period may be shorter if compensatory rest is accorded during the day;
- (g) Provisions prescribing a minimum age may be interpreted as relating to an apparent minimum age where records of birth are inadequate.

Article 47

The competent authority may exclude from the application of the provisions of this Part of the present Annex undertakings or vessels in respect of which, from their nature and size, adequate supervision may be impracticable.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organization during its Twenty-sixth Session which was held at Philadelphia and declared closed the 12th day of May 1944.

IN FAITH WHEREOF we have appended our signatures, this seventeenth day of May 1944.

The President of the Conference.

W. NASH.

The Acting Director of the International Labour Office.

EDWARD J. PHELAN.

INTERNATIONAL LABOUR CONFERENCE

RECOMMENDATION [No. 71] CONCERNING EMPLOYMENT ORGANIZATION IN
THE TRANSITION FROM WAR TO PEACE

The General Conference of the International Labour Organization—

Having been convened at Philadelphia by the Governing Body of the International Labour Office, and having met in its Twenty-sixth Session on 20 April 1944, and

Having decided upon the adoption of certain proposals with regard to the organization of employment in the transition from war to peace which is the third item on the agenda of the Session, and