

Co80 - Final Articles Revision Convention, 1946 (No. 80)

Preamble

The General Conference of the International Labour Organisation,

Having been convened at Montreal by the Governing Body of the International Labour Office, and having met in its Twenty-ninth Session on 19 September 1946, and

Having decided upon the adoption of certain proposals with regard to the partial revision of the Conventions adopted by the Conference at its first twenty-eight sessions for the purpose of making provision for the future discharge of certain chancery functions entrusted by the said Conventions to the Secretary-General of the League of Nations and introducing therein certain further amendments consequential upon the dissolution of the League of Nations and the amendment of the Constitution of the International Labour Organisation, a question which is included in the second item on the agenda of the Session, and

Considering that these proposals must take the form of an international Convention,

adopts this ninth day of October of the year one thousand nine hundred and forty-six the following Convention, which may be cited as the Final Articles Revision Convention, 1946:

Article 1

- 1. In the texts of the Conventions adopted by the International Labour Conference in the course of its first twenty-five sessions the words "the Director-General of the International Labour Office" shall be substituted for the words "the Secretary-General of the League of Nations", the words "The Director-General" shall be substituted for the words "the Secretary-General", and the words "the International Labour Office" shall be substituted for the words "the Secretariat" in all passages where these various expressions respectively occur.
- 2. The registration by the Director-General of the International Labour Office of the ratifications of Conventions and amendments, acts of denunciation, and declarations provided for in the Conventions adopted by the Conference in the course of its first twenty-five sessions shall have the same force and effect for all purposes as the registration of such ratifications, acts of denunciation and declarations by the Secretary-General of the League of Nations in accordance with the terms of the original texts of the said Conventions.

- 3. The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications, acts of denunciation and declarations registered by him in accordance with the provisions of the Conventions adopted by the Conference at its first twenty-five sessions as amended by the foregoing provisions of this Article.

Article 2

- 1. The words "of the League of Nations" shall be deleted from the first paragraph of the Preamble of each of the Conventions adopted by the Conference in the course of its first eighteen sessions.
- 2. The words "in accordance with the provisions of the Constitution of the International Labour Organisation" shall be substituted for the words "in accordance with the provisions of Part XIII of the Treaty of Versailles and of the corresponding Parts of the other Treaties of Peace" and the variants thereof contained in the Preambles of the Conventions adopted by the Conference in the course of its first seventeen sessions.
- 3. The words "under the conditions set forth in the Constitution of the International Labour Organisation" shall be substituted for the words "under the conditions set forth in Part XIII of the Treaty of Versailles and the corresponding Parts of the other Treaties of Peace" or any variant thereof in all articles of the Conventions adopted by the Conference in the course of its first twenty-five sessions in which the latter words or any variant thereof occur.
- 4. The words "Article 22 of the Constitution of the International Labour Organisation" shall be substituted for the words "Article 408 of the Treaty of Versailles and the corresponding Articles of the other Treaties of Peace" or any variant thereof in all Articles of the Conventions adopted by the Conference in the course of its first twenty-five sessions in which the latter words or any variant thereof occur.
- 5. The words "Article 35 of the Constitution of the International Labour Organisation" shall be substituted for the words "Article 421 of the Treaty of Versailles and the corresponding Articles of the other Treaties of Peace" in all Articles of the Conventions adopted by the Conference in the course of its first twenty-five sessions in which the latter words or any variant thereof occur.
- 6. The word "Draft" shall be omitted from the expression "Draft Convention" in the Preambles of the Conventions adopted by the Conference in the course of its first twenty-five sessions and in all Articles of the said Conventions in which the said expression occurs.

- 7. The title "Director-General" shall be substituted for the title "Director" in all articles of the Conventions adopted by the Conference in the course of its twenty-eighth session which refer to the Director of the International Labour Office.
- 8. In each of the Conventions adopted by the Conference in the course of its first seventeen sessions there shall be included in the Preamble the words "which may be cited as" together with the short title currently used by the International Labour Office for the Convention in question.
- 9. In each of the Conventions adopted by the Conference in the course of its first fourteen sessions all unnumbered paragraphs of Articles containing more than one paragraph shall be consecutively numbered.

Article 3

Any Member of the Organisation which, after the date of the coming into force of this Convention, communicates to the Director-General of the International Labour Office its formal ratification of any Convention adopted by the Conference in the course of its first twenty-eight sessions shall be deemed to have ratified that Convention as modified by this Convention.

Article 4

Two copies of this Convention shall be authenticated by the signature of the President of the Conference and of the Director-General of the International Labour Office. Of these copies one shall be deposited in the archives of the International Labour Office and the other shall be communicated to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations. The Director-General shall communicate a certified copy of this Convention to each of the Members of the International Labour Organisation.

Article 5

- 1. The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office.
- 2. The Convention shall come into force at the date on which the ratifications of two Members of the International Labour Organisation have been received by the Director-General.
- 3. On the coming into force of this Convention and on the subsequent receipt of further ratifications of the Convention, the Director-General of the International Labour Office shall so notify all the Members of the International Labour Organisation and the Secretary-General of the United Nations.

- 4. Each Member of the Organisation which ratifies this Convention thereby recognises the validity of any action taken thereunder during the interval between the first coming into force of the Convention and the date of its own ratification.

Article 6

On the first coming into force of this Convention the Director-General of the International Labour Office shall cause official texts of the Conventions adopted by the Conference in the course of its first twenty-eight sessions as modified by the provisions of this Convention to be prepared in two original copies, duly authenticated by his signature, one of which shall be deposited in the archives of the International Labour Office and one of which shall be communicated to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations; the Director-General shall communicate certified copies of these texts to each of the Members of the Organisation.

Article 7

Notwithstanding anything contained in any of the Conventions adopted by the Conference in the course of its first twenty-eight sessions, the ratification of this Convention by a Member shall not, ipso jure, involve the denunciation of any such Convention, nor shall the entry into force of this Convention close any such Convention to further ratification.

Article 8

- 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 denunciation of this Convention 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 present form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 9

The English and French versions of the text of this Convention are equally authoritative.