

**CONVENTION (NO. 17) CONCERNING WORKMEN'S
COMPENSATION FOR ACCIDENTS, AS MODIFIED BY THE FINAL
ARTICLES REVISION CONVENTION**

Note: The first Convention was adopted at Geneva, June 10, 1925. The Convention as amended was concurred in by the Senate, S.R. No. 44, May 19, 1960. The Philippine instrument of ratification was signed by the President, September 16, 1960 and deposited with the Director-General of the ILO, November 17, 1960. The original Convention entered into force, April 1, 1927. The amended Convention entered into force with respect to the Philippines, November 17, 1960.

Reference: This Convention is also published in 38 UNTS, p. 229.

The General Conference of the International Labour Organization, Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Seventh Session on 19 May 1925, and Having decided upon the adoption of certain proposals with regard to workmen's compensation for accidents, which is included in the first item of the agenda of the Session, and Having determined that these proposals shall take the form of an International Convention, adopts this tenth day of June of the year one thousand nine hundred and twenty-five the following Convention, which may be cited as the Workmen's Compensation (Accidents) Convention, 1925, for ratification by the Members of the International Labour Organization in accordance with the provisions of the Constitution of the International Labour Organization:

ARTICLE 1

Each Member of the International Labour Organization which ratifies this Convention undertakes to ensure that workmen who suffer personal injury due to an industrial accident, or their dependents, shall be compensated on terms at least equal to those provided by this Convention.

ARTICLE 2

1. The laws and regulations as to workmen's compensation shall apply to workmen, employees and apprentices employed by any enterprise, undertaking or establishment of whatsoever nature, whether public or private.

2. It shall nevertheless be open to any Member to make such exceptions in its national legislation as it deems necessary in respect of—

(a) persons whose employment is of a casual nature and who are employed otherwise than for the purpose of the employer's trade or business;

(b) out-workers;

(c) members of the employer's family who work exclusively on his behalf and who live in his house;

(d) non-manual workers whose remuneration exceeds a limit to be determined by national laws or regulations.

ARTICLE 3

This Convention shall not apply to—

(1) seamen and fishermen for whom provision shall be made by a later Convention;

(2) persons covered by some special scheme, the terms of which are not less favourable than those of this Convention.

ARTICLE 4

This Convention shall not apply to agriculture, in respect of which the Convention concerning workmen's compensation in agriculture adopted by the International Labour Conference at its Third Session remains in force.

ARTICLE 5

The compensation payable to the injured workman, or his dependents, where permanent incapacity or death results from the injury, shall be paid in the form of periodical payments; provided that it may be wholly or partially paid in a lump sum, if the competent authority is satisfied that it will be properly utilized.

ARTICLE 6

In case of incapacity, compensation shall be paid not later than as from the fifth day after the accident, whether it be payable by the employer, the accident insurance institution, or the sickness insurance institution concerned.

ARTICLE 7

In cases where the injury results in incapacity of such a nature that the injured workman must have the constant help of another person, additional compensation shall be provided.

ARTICLE 8

The national laws or regulations shall prescribe such measures of supervision and methods of review as are deemed necessary.

ARTICLE 9

Injured workmen shall be entitled to medical aid and to such surgical and pharmaceutical aid as is recognized to be necessary in consequence of accidents. The cost of such aid shall be defrayed either by the employer, by accident insurance institutions, or by sickness or invalidity insurance institutions.

ARTICLE 10

1. Injured workmen shall be entitled to the supply and normal renewal, by the employer or insurer, of such artificial limbs and surgical appliances as are recognized to be necessary: provided that national laws or regulations may allow in exceptional circumstances the supply and renewal of such artificial limbs and appliances to be replaced by the award to the injured workman of a sum representing the probable