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No. 6352

INTERNATIONAL LABOUR ORGANISATION

Convention (No. 71) concerning seafarers' pensions. Adopted by the General Conference of the International Labour Organisation at its twenty-eighth session, Seattle, 28 June 1946, as modified by the Final Articles Revision Convention, 1946

Official texts: English and French.

Registered by the International Labour Organisation on 18 October 1962.

ORGANISATION INTERNATIONALE DU TRAVAIL

Convention (n° 71) concernant les pensions des gens de mer. Adoptée par la Conférence générale de l'Organisation internationale du Travail à sa vingt-huitième session, Seattle, 28 juin 1946, telle qu'elle a été modifiée par la Convention portant revision des articles finals, 1946

Textes officiels anglais et français.

Enregistrée par l'Organisation internationale du Travail le 18 octobre 1962.

No. 6352. CONVENTION (No. 71)¹ CONCERNING SEAFARERS' PENSIONS. ADOPTED BY THE GENERAL CONFERENCE OF THE INTERNATIONAL LABOUR ORGANISATION AT ITS TWENTY-EIGHTH SESSION, SEATTLE, 28 JUNE 1946, AS MODIFIED BY THE FINAL ARTICLES REVISION CONVENTION, 1946²

The General Conference of the International Labour Organisation,

Having been convened at Seattle by the Governing Body of the International Labour Office, and having met in its Twenty-eighth Session on 6 June 1946, and

Having decided upon the adoption of certain proposals with regard to seafarers' pensions, which is included in the second item on the agenda of the Session, and

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

adopts this twenty-eighth day of June of the year one thousand nine hundred and forty-six the following Convention, which may be cited as the Seafarers' Pensions Convention, 1946 :

¹ In accordance with article 6, the Convention came into force on 10 October 1962, that is to say, six months after the date on which the Director-General of the International Labour Organisation had registered the ratification by five of the States listed in paragraph 2 of article 6 and having at least one million gross register tons of shipping. The Convention came into force on that date in respect of the following States :

<i>States</i>	<i>Date of registration of ratification</i>
*France	9 December 1948
*Norway	4 July 1949
Bulgaria	29 December 1949
*Argentina	17 February 1955
*Netherlands	27 August 1957
Peru	4 April 1962
*Italy	10 April 1962

*States listed in paragraph 2 of article 6 and having at least one million gross register tons of shipping.

² The Convention was further modified by the Final Articles Revision Convention, 1961 : see United Nations, *Treaty Series*, Vol. 423, p. 11. Under article 2 of the Final Articles Revision Convention, 1961, any Member of the Organisation which, after the date of its coming into force (5 February 1962), 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 thirty-two sessions shall be deemed to have ratified that Convention as modified by the Final Articles Revision Convention, 1961.

Article 1

In this Convention the term "seafarer" includes every person employed on board or in the service of any sea-going vessel, other than a ship of war, which is registered in a territory for which the Convention is in force.

Article 2

1. Each Member of the International Labour Organisation for which this Convention is in force shall, in accordance with national laws or regulations, establish or secure the establishment of a scheme for the payment of pensions to seafarers on retirement from sea service.

2. The scheme may embody such exceptions as the Member deems necessary in respect of—

(a) persons employed on board or in the service of—

- (i) vessels of public authorities when such vessels are not engaged in trade ;
- (ii) vessels which are not engaged in the transport of cargo or passengers for the purpose of trade ;
- (iii) fishing vessels ;
- (iv) vessels engaged in hunting seals ;
- (v) vessels of less than 200 gross register tons ;
- (vi) wooden ships of primitive build such as dhows and junks ;

(vii) in so far as ships registered in India are concerned and for a period not exceeding five years from the date of the registration of the ratification of the Convention by India, home-trade vessels of a gross register tonnage not exceeding 300 tons ;

(b) members of the shipowner's family ;

(c) pilots not members of the crew ;

(d) persons employed on board or in the service of the ship by an employer other than the shipowner, except radio officers or operators and catering staff ;

(e) persons employed in port who are not ordinarily employed at sea ;

(f) salaried employees in the service of a national public authority who are entitled to benefits at least equivalent on the whole to those provided for in this Convention ;

(g) persons not remunerated for their services or remunerated only by a nominal salary or wage, or remunerated exclusively by a share of profits ;