

No. 604

INTERNATIONAL LABOUR ORGANISATION

Convention concerning the simplification of the inspection of emigrants on board ship, adopted by the General Conference of the International Labour Organisation at its eighth session, Geneva, 5 June 1926, as modified by the Final Articles Revision Convention, 1946

English and French official texts communicated by the Director-General of the International Labour Office. The registration took place on 15 September 1949.

ORGANISATION INTERNATIONALE DU TRAVAIL

Convention concernant la simplification de l'inspection des émigrants à bord des navires, adoptée par la Conférence générale de l'Organisation internationale du Travail à sa huitième session, Genève, 5 juin 1926, telle qu'elle a été modifiée par la Convention portant revision des articles finals, 1946

Textes officiels anglais et français communiqués par le Directeur général de l'Organisation internationale du Travail. L'enregistrement a eu lieu le 15 septembre 1949.

No. 604. CONVENTION¹ CONCERNING THE SIMPLIFICATION OF THE INSPECTION OF EMIGRANTS ON BOARD SHIP, AS MODIFIED BY THE FINAL ARTICLES REVISION CONVENTION, 1946²

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Eighth Session on 26 May 1926, and

Having decided upon the adoption of certain proposals with regard to the simplification of the inspection of emigrants on board ship, the question on the agenda of the Session, and

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

adopts this fifth day of June of the year one thousand nine hundred and twenty-six the following Convention, which may be cited as the Inspection of Emigrants Convention, 1926, 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

For the purposes of application of this Convention the terms "emigrant vessel" and "emigrant" shall be defined for each country by the competent authority in that country.

Article 2

1. Each Member which ratifies this Convention undertakes to accept the principle that, save as hereinafter provided, the official inspection carried out on board an emigrant vessel for the protection of emigrants shall be undertaken by not more than one Government.

2. Nothing in this Article shall prevent another Government from occasionally and at their own expense placing a representative on board to accompany their nationals carried as emigrants in the capacity of observer, and on condition that he shall not encroach upon the duties of the official inspector.

¹ For the date of entry into force of the Convention and the list of ratifications see Certified Statement on page 290.

² See page 3.

Article 3

If an official inspector of emigrants is placed on board an emigrant vessel he shall be appointed as a general rule by the Government of the country whose flag the vessel flies. Such inspector may, however, be appointed by another Government in virtue of an agreement between the Government of the country whose flag the vessel flies and one or more other Governments whose nationals are carried as emigrants on board the vessel.

Article 4

1. The practical experience and the necessary professional and moral qualifications required of an official inspector shall be determined by the Government responsible for his appointment.

2. An official inspector may not be in any way either directly or indirectly connected with or dependent upon the shipowner or shipping company.

3. Nothing in this Article shall prevent a Government from appointing the ship's doctor as official inspector by way of exception and in case of absolute necessity.

Article 5

1. The official inspector shall ensure the observance of the rights which emigrants possess under the laws of the country whose flag the vessel flies, or such other law as is applicable, or under international agreements, or the terms of their contracts of transportation.

2. The Government of the country whose flag the vessel flies shall communicate to the official inspector, irrespective of his nationality, the text of any laws or regulations affecting the condition of emigrants which may be in force, and of any international agreements or any contracts relating to the matter which have been communicated to such Government.

Article 6

The authority of the master on board the vessel is not limited by this Convention. The official inspector shall in no way encroach upon the master's authority on board, and shall concern himself solely with ensuring the enforcement of the laws, regulations, agreements, or contracts directly concerning the protection and welfare of the emigrants on board.

Article 7

1. Within eight days after the arrival of the vessel at its port of destination the official inspector shall make a report to the Government of the