

INTERNATIONAL LABOUR ORGANISATION

Convention concerning sickness insurance for workers in industry and commerce and domestic servants, adopted by the General Conference of the International Labour Organisation at its tenth session, Geneva, 15 June 1927, 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 l'assurance-maladie des travailleurs de l'industrie et du commerce et des gens de maisons, adoptée par la Conférence générale de l'Organisation internationale du Travail à sa dixième session, Genève, 15 juin 1927, telle qu'elle a été modifiée par la Convention portant révision 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. 607. CONVENTION¹ CONCERNING SICKNESS INSURANCE FOR WORKERS IN INDUSTRY AND COMMERCE AND DOMESTIC SERVANTS, 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 Tenth Session on 25 May 1927, and

Having decided upon the adoption of certain proposals with regard to sickness insurance for workers in industry and commerce and domestic servants, 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 fifteenth day of June of the year one thousand nine hundred and twenty-seven the following Convention, which may be cited as the Sickness Insurance (Industry) Convention, 1927, 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

Each Member of the International Labour Organisation which ratifies this Convention undertakes to set up a system of compulsory sickness insurance which shall be based on provisions at least equivalent to those contained in this Convention.

Article 2

1. The compulsory sickness insurance system shall apply to manual and non-manual workers, including apprentices, employed by industrial undertakings and commercial undertakings, out-workers and domestic servants.

¹ For the date of entry into force of the Convention and the list of ratifications see Certified Statement on page 340.

² See page 3.

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

- (a) temporary employment which lasts for less than a period to be determined by national laws or regulations, casual employment not for the purpose of the employer's trade or business, occasional employment and subsidiary employment;
- (b) workers whose wages or income exceed an amount to be determined by national laws or regulations;
- (c) workers who are not paid a money wage;
- (d) out-workers whose conditions of work are not of a like nature to those of ordinary wage-earners;
- (e) workers below or above age-limits to be determined by national laws or regulations;
- (f) members of the employers' family.

3. It shall further be open to exempt from the compulsory sickness insurance system persons who in case of sickness are entitled by virtue of any laws or regulations, or of a special scheme, to advantages at least equivalent on the whole to those provided for in this Convention.

4. This Convention shall not apply to seamen and sea fishermen for whose insurance against sickness provision may be made by a decision of a later Session of the Conference.

Article 3

1. An insured person who is rendered incapable of work by reason of the abnormal state of his bodily or mental health shall be entitled to a cash benefit for at least the first twenty-six weeks of incapacity from and including the first day for which benefit is payable.

2. The payment of this benefit may be made conditional on the insured person having first complied with a qualifying period and, on the expiry of the same, with a waiting period of not more than three days.

3. Cash benefit may be withheld in the following cases :

- (a) where in respect of the same illness the insured person receives compensation from another source to which he is entitled by law; benefit shall only be wholly or partially withheld in so far as such compensation is equal to or less than the amount of the benefit provided by the present Article;
- (b) as long as the insured person does not by the fact of his incapacity suffer any loss of the normal product of his labour, or is maintained at the expense of the insurance funds or from public funds; nevertheless, cash benefits shall only partially be withheld when the insured person, although thus personally maintained, has family responsibilities;

(c) as long as the insured person while ill refuses, without valid reason, to comply with the doctor's orders, or the instructions relating to the conduct of insured persons while ill, or voluntarily and without authorisation removes himself from the supervision of the insurance institutions.

4. Cash benefit may be reduced or refused in the case of sickness caused by the insured person's wilful misconduct.

Article 4

1. The insured person shall be entitled free of charge, as from the commencement of his illness and at least until the period prescribed for the grant of sickness benefit expires, to medical treatment by a fully qualified medical man and to the supply of proper and sufficient medicines and appliances.

2. Nevertheless, the insured person may be required to pay such part of the cost of medical benefit as may be prescribed by national laws or regulations.

3. Medical benefit may be withheld as long as the insured person refuses, without valid reason, to comply with the doctor's orders or the instructions relating to the conduct of insured persons while ill, or neglects to make use of the facilities placed at his disposal by the insurance institution.

Article 5

National laws or regulations may authorise or prescribe the grant of medical benefit to members of an insured person's family living in his household and dependent upon him, and shall determine the conditions under which such benefit shall be administered.

Article 6

1. Sickness insurance shall be administered by self-governing institutions, which shall be under the administrative and financial supervision of the competent public authority and shall not be carried on with a view of profit. Institutions founded by private initiative must be specially approved by the competent public authority.

2. The insured persons shall participate in the management of the self-governing insurance institutions on such conditions as may be prescribed by national laws or regulations.

3. The administration of sickness insurance may, nevertheless, be undertaken directly by the State where and as long as its administration is rendered difficult or impossible or inappropriate by reason of national conditions, and particularly by the insufficient development of the employers' and workers' organisations.