

No. 637

INTERNATIONAL LABOUR ORGANISATION

Convention concerning safety provisions in the building industry, adopted by the General Conference of the International Labour Organisation at its twenty-third session, Geneva, 23 June 1937, 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 les prescriptions de sécurité dans l'industrie du bâtiment, adoptée par la Conférence générale de l'Organisation internationale du Travail à sa vingt-troisième session, Genève, 23 juin 1937, 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. 637. CONVENTION¹ CONCERNING SAFETY PROVISIONS IN THE BUILDING INDUSTRY, 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 Twenty-third Session on 8 June 1937, and

Considering that building work gives rise to serious accident risks which it is necessary to reduce both on humanitarian and on economic grounds, and

Having decided upon the adoption of certain proposals with regard to safety provisions for workers in the building industry with reference to scaffolding and hoisting machinery, which is the first item on the agenda of the Session, and

Considering that, in view of the desirability of standardising minimum safety provisions without prescribing requirements too rigid for general application, the most appropriate form for these proposals is that of an international Convention accompanied by a Recommendation embodying a model code of safety regulations,

adopts this twenty-third day of June of the year one thousand nine hundred and thirty-seven the following Convention, which may be cited as the Safety Provisions (Building) Convention, 1937 :

PART I. OBLIGATIONS OF PARTIES TO THE CONVENTION

Article 1

1. Each Member of the International Labour Organisation which ratifies this Convention undertakes that it will maintain in force laws or regulations—

(a) which ensure the application of the General Rules set forth in Parts II to IV of this Convention; and

¹ For the date of entry into force of the Convention and the list of ratifications see Certified Statement on page 252.

² United Nations, *Treaty Series*, Volume 38, page 3.

- (b) in virtue of which an appropriate authority has power to make regulations for the purpose of giving such effect as may be possible and desirable under national conditions to the provisions of, or provisions equivalent to the provisions of, the model code annexed to the Safety Provisions (Building) Recommendation, 1937, or any revised model code subsequently recommended by the International Labour Conference.

2. Each such Member further undertakes that it will communicate every third year to the International Labour Office a report indicating the extent to which effect has been given to the provisions of the model code annexed to the Safety Provisions (Building) Recommendation, 1937, or of any revised model code subsequently recommended by the International Labour Conference.

Article 2

1. The laws or regulations for ensuring the application of the General Rules set forth in Parts II to IV of this Convention shall apply to all work done on the site in connection with the construction, repair, alteration, maintenance and demolition of all types of buildings.

2. The said laws or regulations may provide that the competent authority may, after consultation with the organisations of employers and workers concerned where such exist, exempt from all or any of their provisions work of such a character that reasonably safe conditions normally obtain.

Article 3

The laws or regulations for ensuring the application of the General Rules set forth in Parts II to IV of this Convention, and regulations made by the appropriate authority for the purpose of giving effect to the model code annexed to the Safety Provisions (Building) Recommendation, 1937, shall—

- (a) require employers to bring them to the notice of all persons concerned in a manner approved by the competent authority;
- (b) define the persons responsible for compliance therewith; and
- (c) prescribe adequate penalties for any violation thereof.

Article 4

Each Member which ratifies this Convention undertakes to maintain, or satisfy itself that there is maintained, a system of inspection adequate to ensure the effective enforcement of its laws and regulations relating to safety precautions in the building industry.

Article 5

1. In the case of a Member the territory of which includes large areas where, by reason of the sparseness of the population or the stage of economic development of the area, the competent authority considers it impracticable to enforce the provisions of this Convention, the authority may exempt such areas from the application of the Convention either generally or with such exceptions in respect of particular localities or particular kinds of building operations as it thinks fit.

2. Each Member shall indicate in its first annual report upon the application of this Convention submitted under Article 22 of the Constitution of the International Labour Organisation any areas in respect of which it proposes to have recourse to the provisions of the present Article and no Member shall, after the date of its first annual report, have recourse to the provisions of the present Article except in respect of areas so indicated.

3. Each Member having recourse to the provisions of the present Article shall indicate in subsequent annual reports any areas in respect of which it renounces the right to have recourse to the provisions of the present Article.

Article 6

Each Member which ratifies this Convention undertakes to communicate annually to the International Labour Office the latest statistical information relating to the number and classification of accidents occurring to persons occupied on work within the scope of this Convention.

PART II. GENERAL RULES AS TO SCAFFOLDS*Article 7*

1. Suitable scaffolds shall be provided for workmen for all work that cannot be safely done from a ladder or by other means.

2. A scaffold shall not be constructed, taken down, or substantially altered, except—

- (a) under the supervision of a competent and responsible person; and
- (b) as far as possible by competent workers possessing adequate experience in this kind of work.

8. All scaffolds and appliances connected therewith and all ladders shall—

- (a) be of sound material;
- (b) be of adequate strength having regard to the loads and strains to which they will be subjected; and
- (c) be maintained in proper condition.

4. Scaffolds shall be so constructed that no part thereof can be displaced in consequence of normal use.

5. Scaffolds shall not be overloaded and so far as practicable the load shall be evenly distributed.

6. Before installing lifting gear on scaffolds special precautions shall be taken to ensure the strength and stability of the scaffolds.

7. Scaffolds shall be periodically inspected by a competent person.

8. Before allowing a scaffold to be used by his workmen every employer shall, whether the scaffold has been erected by his workmen or not, take steps to ensure that it complies fully with the requirements of this Article.

Article 8

1. Working platforms, gangways and stairways shall—

- (a) be so constructed that no part thereof can sag unduly or unequally;
- (b) be so constructed and maintained, having regard to the prevailing conditions, as to reduce as far as practicable risks of persons tripping or slipping; and
- (c) be kept free from any unnecessary obstruction.

2. In the case of working platforms, gangways, working places and stairways at a height exceeding that to be prescribed by national laws or regulations—

- (a) every working platform and every gangway shall be closely boarded unless other adequate measures are taken to ensure safety;
- (b) every working platform and gangway shall have adequate width; and
- (c) every working platform, gangway, working place and stairway shall be suitably fenced.