



International Labour Conventions Ratified by New Zealand

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INTERNATIONAL LABOUR CONVENTIONS RATIFIED BY NEW ZEALAND

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About this booklet

This booklet is a brief guide to the International Labour Conventions that New Zealand has ratified at 31 August 2008.

For readers who may not be familiar with the background to international standards on labour issues, the booklet provides a brief account of the International Labour Organisation (ILO), and the role played by International Labour Conventions and Recommendations.

This booklet provides summaries of each of the Conventions that New Zealand has ratified, together with the agencies that administer them and a brief outline of how New Zealand implements them (including references to relevant pieces of legislation). Some relevant legislation may have been omitted, although every attempt has been made to ensure that this booklet is as accurate as possible. Each entry also shows when New Zealand ratified the Convention and the total number of countries that have ratified it, as at 31 August 2008.

Entries in this booklet are in numerical order, which is also by date of adoption by the ILO. In Appendices 1, 2 and 3, the Conventions ratified by New Zealand are listed in numerical order, then by subject matter, and then by relevant statute respectively. Conventions that New Zealand ratified and then subsequently denounced are included in Appendix 4, while Appendix 5 contains a list of all ILO Conventions.

Some Conventions contain references to the 'Competent Authority'. For most purposes in a New Zealand context, this should be regarded as a reference to the House of Representatives.

Tokelau is New Zealand's only remaining dependent non-metropolitan territory and therefore the only one for which New Zealand retains responsibility for the application of Conventions. Each entry shows whether the ratification has been extended to include Tokelau.

The Government maintains an ongoing review of employment relations issues. These may result in changes to the way New Zealand implements the provisions of ratified Conventions.

This publication is a guide only and should not be used as a substitute for the Convention texts or for New Zealand legislation. The Department of Labour takes no responsibility for the results of any action taken on the basis of the information in this booklet, nor for any errors or omissions.

Full text versions of Conventions may be obtained from International Services, Department of Labour, PO Box 3705, Wellington, New Zealand; or by emailing International.Services@dol.govt.nz. Alternatively, full text versions of Conventions may also be obtained online from the ILO website (www.ilo.org).

International Labour Organisation

What is the International Labour Organisation?

The ILO was created by the Treaty of Versailles in 1919 and is unique among the United Nation's (UN) specialised agencies for three reasons:

- As the only surviving body of the League of Nations, it is not only older than all the other agencies, but is older than the UN itself;
- Since its conception it has had a tripartite structure. Its governing body has employer and worker members as well as government representatives, and its annual conference is the only regular international forum where employers and workers have full voting rights alongside governments;
- It is the only international organisation whose constitution gives it the supervisory power to require Member countries to report regularly, fully and publicly on the way(s) in which they implement the Conventions they have ratified.

New Zealand is a founding member of the ILO. The accredited channel of communication between the organisation and the government is the Department of Labour. However, in dealing with ILO matters the Department consults widely with other government departments as well as with employer and worker organisations.

International Labour Code

When the International Labour Organisation was established in 1919, its prime function as laid down in its constitution was to establish international standards across the wide range of issues related to labour. The standards that it has set over the years are collectively called the International Labour Code, and consist mainly of Conventions and Recommendations adopted by the ILO's annual general conference. From the legal perspective there is a fundamental difference between these two kinds of instruments:

Conventions

An international labour Convention is a treaty which is designed to be ratified by Members.

In ratifying a Convention, a Member State undertakes to comply with all its provisions and to report regularly to the ILO on how it does so. These reports are examined by an independent committee of eminent jurists, the Committee of Experts on the Application of Conventions and Recommendations.

The Committee of Experts publishes its main findings in a report that becomes the basis of discussions at the annual conference, between the governments concerned and a tripartite committee of representatives of governments, employers and workers.

This booklet lists a number of shelved Conventions. Although ratification is no longer encouraged, publication of the Convention is to be discontinued, and detailed reports on the application of these Conventions is no longer requested, shelving has no impact on the status of this Convention in the legal system of the Member States that have ratified them. As a result, the Government can be subject to the possibility of complaints and representations by an industrial association of employers or of workers or Members of the ILO, concerning failure to observe their provisions. However, the ILO does not proactively request Members to observe a shelved Convention.

An ILO campaign is currently underway to encourage ratification of the 1997 Instrument for the Amendment of the Constitution of the ILO. When enough ratifications of this constitutional amendment are received, the ILO's annual conference will be able to terminate obsolete conventions. New Zealand has ratified this Constitutional Amendment.

Recommendations

An international labour Recommendation sets out a number of standards that are guidelines that governments may choose to follow. It is not a treaty and has no legal force in international law.

Within 12 to 18 months of the annual conference, the full text of every Convention and Recommendation adopted by the conference is published, along with a statement of the action the New Zealand Government proposes to take on it, as an appendix to Parliamentary Paper A.7, the Report of the New Zealand Government Delegates to the International Labour Conference. This paper is printed in the Appendices to the Journal of the House of Representatives and is available in reference libraries or from the Department of Labour.

THE CONVENTIONS AS IMPLEMENTED BY NEW ZEALAND

No. 2 – Unemployment, 1919

Provisions

- This Convention requires ratifying countries to deal with the problem of unemployment by:
 - supplying to the International Labour Office statistics and other information about unemployment and the measures to deal with unemployment;
 - operating a system of free employment agencies; and
 - treating foreign workers no differently from citizens with regards to unemployment insurance, where such insurance systems are established.

Administered by

Department of Labour

- Immigration Act 1987

Ministry of Social Development

- Social Security Act 1964

Statistics New Zealand

- Statistics Act 1975

How New Zealand implements it

- Through Work and Income, the Ministry of Social Development operates a nation-wide network of free public employment agencies (see Convention 88 for details). Work and Income is also responsible for the provision of income support payments (see Convention 44 for details).
- In general, foreign employees who have a residence permit are entitled to income support if they are unemployed, and have been resident for two years. In cases of hardship, an emergency benefit can be paid earlier. Income support can also be provided to people claiming refugee status who have a work permit, and to quota refugees.
- Foreign employees who are in New Zealand unlawfully; or only by virtue of a visitor's permit; a permit to study; a work permit; or a

limited purposes permit, are generally not entitled to income support.

- Statistical and other information is regularly supplied to the International Labour Office. This includes such material as the New Zealand Official Yearbook and Key Statistics from Statistics New Zealand; reports of numbers registered as unemployed, participating in employment programmes, and receiving income support payments from the Ministry of Social Development; and the annual reports of the Ministry of Social Development and the Department of Labour.

This Convention is not applicable to Tokelau.

Ratified – 29 March 1938

Total ratifications – 60

No. 8 – Unemployment Indemnity (Shipwreck), 1920

Provisions

- If a vessel founders or is lost, the owner or employer must pay to all persons employed on board, for each day of ensuing unemployment, up to a total of two months, an indemnity equivalent to their daily wage.
- A vessel includes ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned. However, a vessel excludes ships of war.

Administered by

Maritime New Zealand

- Maritime Transport Act 1994

How New Zealand implements it

- Section 22, of the Maritime Transport Act provides that every employer of seafarers on a New Zealand ship shall, in the event of the loss or foundering of the ship, pay to every seafarer wages at the normal rate until:
 - the seafarer is otherwise employed; or
 - the expiry of two months from the date of loss or foundering, whichever first occurs.

This Convention is not applicable to Tokelau.

Ratified – 11 January 1980

Total ratifications – 34

No. 9 – Placing of Seamen, 1920

Provisions

- This Convention prohibits the charging of fees for finding work for seamen.
- This Convention requires free public employment offices for seamen to be set up and maintained, either jointly by representatives of shipowners and seamen, or by the State.
- Committees representing shipowners and seamen are to be set up to advise on the operation of the offices.
- Seamen must have freedom of choice of ship and shipowners freedom of choice of crew.

Administered by

Department of Labour

- Employment Relations Act 2000

Maritime New Zealand

- Maritime Transport Act 1994

How New Zealand implements it

- Section 27, of the Maritime Transport Act makes it an offence to demand or receive remuneration for providing any seafarer with employment on a ship.
- Seafarers who want employment at sea can leave details of their qualifications and availability at Maritime New Zealand offices at the three major ports, and this information is provided on request to employers.
- Seafarers have free choice of ship, and shipowners free choice of crew.

This Convention is not applicable to Tokelau.

Ratified – 29 March 1938

Total ratifications – 34

No. 10 – Minimum Age (Agriculture), 1921

Provisions

- Children under the age of 14 are prohibited from working in agriculture during school hours.
- Outside school hours they may undertake only light work that cannot affect their health, or their attendance at school.
- Children in technical schools are exempt if their work is approved and supervised by the public authority.

Administered by

Department of Labour

- Health and Safety in Employment Act 1992
- Health and Safety in Employment Regulations 1995

Ministry of Education

- Education Act 1989

How New Zealand implements it

- Sections 20 and 25, of the Education Act require the compulsory enrolment and attendance at school of every child between the ages of 6 and 16. There are some provisions for exemption provided arrangements are made for the child to be taught at least as regularly and well as in a registered school.
- Section 30, of the Education Act prohibits the employment of school age children at any time within school hours, or at any other time which would prevent or interfere with:
 - attendance at school;
 - the ability to do correspondence schooling; or
 - (for exempted children) their ability to be taught at least as regularly and well as in a registered school.
- The Health and Safety in Employment Act requires employers to ensure the safety of all employees at work.
- The Health and Safety in Employment Regulations place additional duties on employers to ensure that employees under 15 years of age do not work in areas that are likely to cause harm to their health and safety.
- Under the Health and Safety in Employment Act, employers must also ensure that children under 15 years are not required to:
 - lift any weight, or perform any task that may be injurious to their health; or
 - work at machinery; or
 - drive or ride upon a tractor, or self-propelled mobile mechanical plant.

- Furthermore, the Health and Safety in Employment Act requires employers to take steps to ensure children under 16 years are not required to work between 10pm and 6am, unless the employment meets an approved code of practice for children under 16 years, for the kind of work the employee is doing. However, there are no such approved codes of practice currently in effect.

This Convention is not applicable to Tokelau.

Ratified – 8 July 1947

Total ratifications – 5

No. 11 – Right of Association (Agriculture), 1921

Provisions

- This Convention requires ratifying countries to guarantee to agricultural workers the same rights of association and combination as industrial workers have.
- This Convention also requires that ratifying countries repeal any statutory or other provisions that restrict those rights for agricultural workers.

Administered by

Department of Labour

- Employment Relations Act 2000
- Trade Unions Act 1908

Ministry of Justice

- Human Rights Act 1993
- New Zealand Bill of Rights Act 1990

How New Zealand implements it

- The Employment Relations Act applies to employees in agriculture to the same extent as to employees in other sectors.
- The Employment Relations Act deals with all matters relating to freedom of association and collective bargaining.
- The Employment Relations Act gives all employees the right to join a union of their choice.
- Furthermore, the Employment Relations Act also gives all employees, including agricultural employees, access to personal grievance procedures if they believe they:
 - have suffered discrimination because of involvement with a union; or
 - have been subject to duress relating to their membership or non-membership of a union.
- Section 17, of the New Zealand Bill of Rights Act guarantees, subject to justified limitations, every person the right to freedom of association.
- The Human Rights Act prohibits discrimination on certain grounds and applies to employees in agriculture to the same extent as it applies to employees in other sectors.

This Convention is not applicable to Tokelau.

Ratified – 29 March 1938

Total ratifications – 122

No. 12 – Workmen’s Compensation (Agriculture), 1921

Provisions

- The laws and regulations that provide for compensation for personal injury arising out of, or in the course of, employment must be extended to cover agricultural workers.
- The protection provided for agricultural workers does not, however, have to be identical to that provided for industrial workers.

Administered by

Accident Compensation Corporation

- Injury Prevention, Rehabilitation, and Compensation Act 2001

Department of Labour

How New Zealand implements it

- New Zealand's accident compensation scheme covers all employees (see Convention 17 for details).
- The Injury Prevention, Rehabilitation and Compensation Act applies to all work-related injuries, irrespective of whether they are agricultural or not. The Act does not distinguish between the industries in which injuries occur.
- The Injury Prevention, Rehabilitation and Compensation Act is administered by the Department of Labour and delivered by the Accident Compensation Corporation.
- The Injury Prevention, Rehabilitation and Compensation Act is the principal act under which the Accident Compensation Corporation operates.

This Convention is not applicable to Tokelau.

Ratified – 29 March 1938

Total ratifications – 76

No. 14 – Weekly Rest (Industry), 1921

Provisions

- All workers in industrial undertakings shall have a rest period of at least 24 hours in every period of seven days.
- Certain exemptions are permitted, with due regard to economic and humanitarian considerations, and after consultation with the responsible employers' and workers' organisations.
- When there are exemptions, compensatory rest periods are, as far as possible, to be provided.

Administered by

Department of Labour

- Employment Relations Act 2000
- Health and Safety in Employment Act 1992
- Health and Safety in Employment Regulations 1995
- Minimum Wage Act 1983

Ministry of Transport

- Transport Act 1962

How New Zealand implements it

- The Health and Safety in Employment Act promotes the prevention of harm in the workplace. While hours of work and weekly rest periods are not explicitly regulated, the Health and Safety in Employment Amendment Act 2003 amends the definition of harm to explicitly include physical or mental harm caused by work-related stress. Furthermore, the definition of hazard has been amended to include hazardous behaviour resulting from physical or mental fatigue.
- The Minimum Wage Act provides that employment agreements must fix a maximum number of hours to be worked in a week. The fixed numbers must not be more than 40 hours in one week, excluding overtime unless the parties to the agreement agree. Where the number of hours agreed is less than 40 the parties must endeavour to fix the daily working hours so they are not on more than 5 days of the week.
- Section 70B, of the Transport Act deals with the hours of work for drivers of heavy motor vehicles and vehicles being used under a transport service licence. A driver of one of these vehicles must have at least 24 consecutive hours off duty during every seven day period.
- Please refer to Convention No. 47 for additional details.

This Convention is not applicable to Tokelau.

Ratified – 29 March 1938
Total ratifications – 119

No. 15 – Minimum Age (Trimmers and Stokers), 1921 [Shelved]

Provisions

- Persons under the age of 18 may not be employed as trimmers or stokers on steamships.
- If, in a given port, the only people available for those jobs are aged between 16 and 18, two people must be employed for each vacancy.
- The master of every vessel is required to keep a register of all persons younger than 18 who are employed on board, or enter their names in the articles of agreement (which must also contain a brief summary of the provisions of the Convention).
- Sailors on newfang led oil-powered ships are not covered.

Administered by

Maritime New Zealand

- Maritime Transport Act 1994

How New Zealand implements it

Section 26, of the Maritime Transport Act:

- prohibits the employment of a person under the age of 18 years as a trimmer or fireman on steamships;
- permits two persons over the age of 16 to be employed in place of one person over 18 in a port where no persons over the age of 18 is available; and
- requires a list of all crew members under the age of 18 to be included in a register.

This Convention is not applicable to Tokelau.

Ratified – 26 November 1959

Total ratifications – 10

No. 16 – Medical Examination of Young Persons (Sea), 1921

Provisions

- No young person under the age of 18 may be employed on a vessel unless they can produce a medical certificate confirming they are fit for work.
- The certificate must be issued by an approved doctor and renewed within 12 months.

Administered by

Maritime New Zealand

- Maritime Transport Act 1994
- Maritime Rules Part 34 – Medical Standards

How New Zealand implements it

Part 34 – Medical Standards of the maritime rules made pursuant to Section 36, of the Maritime Transport Act:

- requires every person under 18 who is employed on any New Zealand or home-trade ship to deliver to the ship's master a medical certificate issued by an approved practitioner; and
- limits the validity of the certificate to no more than 12 months.

This Convention is not applicable to Tokelau.

Ratified – 5 December 1961

Total ratifications – 82

No. 17 – Workmen’s Compensation (Accidents), 1925

Provisions

- This Convention deals with compensation for workers who suffer personal injury due to industrial accident.
- This Convention does not cover seafarers, fishers, or agricultural workers.
- Some categories of workers may be exempted, for example, outworkers, members of the employer's family who live at home, persons who earn more than a specified amount, and so on.
- Compensation is payable to the injured worker or his or her dependants.
- In the case of permanent incapacity or death, compensation shall be paid as periodical payments, although a lump sum may be paid if the competent authority is satisfied that it will be properly utilised.
- Compensation in the case of incapacity must be paid not later than as from the fifth day after the accident.
- Additional compensation is to be paid if the injured worker requires constant care.
- Injured workers are entitled to whatever medical, surgical and pharmaceutical aid is necessary, and the cost of this is to be met by the employer or an insurance institution.
- They are also entitled to the supply and renewal of artificial limbs and surgical appliances; although in exceptional circumstances a cash equivalent may be provided for these.

Administered by

Accident Compensation Corporation

- Injury Prevention, Rehabilitation, and Compensation Act 2001

Department of Labour

- Health and Safety in Employment Act 1992
- Health and Safety in Employment Regulations 1995

Ministry of Social Development

- Social Security Act 1964

How New Zealand implements it

- The Injury Prevention, Rehabilitation, and Compensation Act applies to all injuries sustained in New Zealand, including work-related injuries. It sets out entitlements to be provided to injured workers who have cover, including compensation for lost earnings, payment for, and contributions towards, the costs of treatment, and payment or provision of social, physical, and vocational rehabilitation.

- The Act places an emphasis on minimising the incidence of injury and the impact of injury. Accordingly, the Act focuses upon injury prevention and rehabilitating claimants to the maximum extent practicable, and facilitating, where possible, a sustainable return to work and independence.
- The Act applies equally to all workers and covers all workers in New Zealand. The only difference made in relation to those who work on a casual basis is for the purpose of calculating weekly compensation for lost earnings, which reflects such workers' uneven earning patterns.
- No differentiation is made between workers based on the industry within which they work.
- Compensation for lost earnings is paid on a weekly basis, and is not generally able to be paid in a lump sum. However, the Act introduced lump sum payments for workers who have suffered permanent impairment.
- Weekly compensation is payable to the worker if they have been incapacitated by the injury.
- If an injury has caused a worker's death, compensation for lost earnings is paid to the spouse, children and any other dependants of the deceased worker.
- For work injuries, compensation is paid from the first day of incapacity. For the first week of incapacity the injured worker's employer pays this weekly compensation; after this Accident Compensation Corporation pays for the compensation.
- Where necessary, the Accident Compensation Corporation may provide an attendant carer for the injured worker, in addition to compensation for lost earnings.
- Free necessary treatment is available at all New Zealand emergency departments in public hospitals, regardless of the degree of injury.
- People who are incapacitated and unable to work may be entitled to a Sickness Benefit or Invalid's Benefit and/or Disability Allowance paid under the Social Security Act.

This Convention is not applicable to Tokelau.

Ratified – 29 March 1938

Total ratifications – 71

No. 22 – Seamen’s Articles of Agreement, 1926

Provisions

- This Convention applies to sea-going vessels (with specified exceptions) registered in any country that ratifies it.
- Articles of agreement are to be signed, with adequate supervision by the competent authority, by the shipowner or his/her representative and by the seafarer.
- The agreements may be for a definite period or for a single voyage or, if national law permits, for an indefinite period.
- They should contain particulars listed in the Convention (such as, the name and age of the seafarer, the place and date the agreement was completed, the voyage or voyages to be undertaken, the capacity in which s/he is employed, when and where s/he is to report, what wages s/he is to be paid, what leave s/he is to get, when and how the agreement will terminate, and so on) and state clearly the respective rights and obligations of each of the parties.
- If national law requires a crew list to be carried on board, the agreement must be either recorded in or attached to the list.
- Appropriate measures are to be taken to enable the seafarer to check on his or her rights and obligations while s/he is on board, for instance by posting the conditions of the agreement in a place easily accessible from the crew's quarters.
- This Convention also establishes the conditions under which an agreement may be terminated by either party.

Administered by

Department of Labour

- Employment Relations Act 2000
- Holidays Act 2003
- Minimum Wage Act 1983
- Minimum Wage Order 2008
- Wages Protection Act 1983

Maritime New Zealand

- Maritime Transport Act 1994

There are additional pieces of legislation that are relevant, however the aforementioned Acts are the key pieces of legislation pertaining to this Convention.

How New Zealand implements it

- The Employment Relations Act covers employment agreements in general. It applies to all employees, including seafarers whose

work is largely covered by the Maritime Transport Act and persons working in all other fields of employment.

- Part 3, of the Maritime Transport Act applies to the provisions of the Convention, in particular, the conditions applicable to articles of agreement for ships' crews and record maintenance.
- The Employment Relations Act is the primary piece of legislation that provides recognition of the right to organise and collectively bargain in New Zealand. The key objectives of the Employment Relations Act are promoting good faith, collective bargaining, and the effective resolution of workplace problems.
- Section 22, of the Maritime Transport Act requires that every employer of a seafarer on any New Zealand ship, other than a pleasure craft, going on an overseas voyage must, before the departure of the ship, enter into articles of agreement, in a form approved by the Director of Maritime Safety as meeting the requirements of the Convention, with every seafarer in relation to the voyage. The form of articles prescribed must be signed by the ship owner or owner's representative and the seafarer.

This Convention is not applicable to Tokelau.

Ratified – 29 March 1938

Total ratifications – 60

No. 23 – Repatriation of Seamen, 1926

Provisions

- This Convention applies to sea-going vessels (with specified exemptions) registered in any country that ratifies it.
- A seafarer who is landed during, or on expiry of, his term of engagement shall be repatriated to his or her own country or to the port of engagement or to the port at which the voyage commenced.
- A foreign seafarer engaged in a country other than his or her own is to be repatriated as provided by national law, or, if there is no such law, as in the articles of agreement.
- The costs of repatriation are to include transport charges, food and accommodation during the journey, and maintenance up to the time of departure.
- If the seafarer is discharged for reasons beyond the seafarer's control, for instance because of work accident or shipwreck, the seafarer is not to bear the costs of repatriation.
- If he or she is repatriated as a crew member, the seafarer must be paid for work performed during the voyage.

Administered by

Maritime New Zealand

- Maritime Transport Act 1994

However, administrative assistance for the care and repatriation of seafarers on New Zealand ships would be provided by the Ministry of Foreign Affairs and Trade.

How New Zealand implements it

- Section 22, of the Maritime Transport Act provides that an employer of seafarers on a New Zealand ship (other than a pleasure craft) going on an overseas voyage must arrange at the termination of the voyage for the seafarers' return to their own country or to the port where the voyage commenced, or any other mutually agreed place.
- The same obligation is placed on an employer under Section 22, of the Maritime Transport Act, where a seafarer is left behind as a result of:
 - injury sustained during employment;
 - shipwreck;
 - illness not due to wilful act or default of the seafarer;
 - discharge for any cause for which the seafarer cannot be held responsible.
- Where the employer fails to follow the course of action required by Section 22, of the Maritime Transport Act, and the seafarer pays

the expenses for maintenance and return, the seafarer is entitled to claim them as wages owing.

This Convention is not applicable to Tokelau.

Ratified – 11 January 1980

Total ratifications – 46

No. 26 – Minimum Wage-Fixing Machinery, 1928

Provisions

- Ratifying countries are to create and maintain machinery to fix minimum rates of wages for workers employed in certain sectors where there are no effective arrangements for regulating wage rates (whether by collective agreement or otherwise) and in which wages are exceptionally low.
- Ratifying countries are free to decide, after consulting the appropriate workers' and employers' organisations, which sectors the minimum wage-fixing machinery is to be applied to.
- They can also decide the nature and form of the machinery and how it will operate, provided the principles specified in the Convention are observed.
- Measures must also be taken to ensure that the minimum rates of wages are paid. This includes a system of supervision and sanctions.
- Ratifying countries must supply information annually to the ILO on the sectors the minimum wage-fixing machinery applies to, the approximate numbers of workers covered and the wage rates that have been fixed.

Administered by

Department of Labour

- Disabled Persons Employment Promotion Repeal Act 2007
- Equal Pay Act 1972
- Employment Relations Act 2000
- Minimum Wage Act 1983
- Minimum Wage Order 2008

How New Zealand implements it

- Under the Employment Relations Act employers and employees negotiate their employment agreement, which may be:
 - individual, covering one employer and his employee; or
 - collective, covering two or more employees and their employer(s).
- The employment agreement sets out the agreed conditions of employment including wage rates, which may not be less than the minimum prescribed by the Minimum Wage Act. Employers must pay at least the minimum wage – even if an employee is paid by commission or by piece rate.
- The Minimum Wage Act provides the minimum for wage payments in the labour force, and the minimum wage is reviewed annually. The Minimum Wage Order currently provides a minimum wage for employees aged 16 years or older, including home workers,

casuals, temporary and part-time workers, and a minimum training wage for new entrants which applies to some 16 and 17 year old workers. However, there is no statutory minimum wage for employees who are under 16 years old.

- The Minimum Wage Act is enforced by labour inspectors employed by the Department of Labour.
- A labour inspector, on behalf of the employee, may issue a demand notice or take a claim for a breach of the Minimum Wage Act to the Employment Authority, which can impose penalties as well as order restitution.
- An employee, or their union, may pursue a breach through mediation, and failing agreement through the Employment Relations Authority.

This Convention is not applicable to Tokelau.

Ratified – 29 March 1938

Total ratifications – 103

No. 29 – Forced Labour, 1930

Provisions

- Forced or compulsory labour is defined as any work exacted under the threat of any penalty and for which a person has not offered him or herself voluntarily.
- Ratifying states undertake to abolish the use of compulsory labour in all its forms.
- Exceptions are made for:
 - compulsory military service;
 - normal civic obligations including minor community service;
 - penal labour exacted following a conviction in a court of law and performed under the supervision and control of a public authority (not work for private individuals or bodies);
 - work exacted in emergencies; and
 - work demanded by law or custom in countries where food production is organised on a communal basis.

Administered by

Department of Corrections

- Corrections Act 2004
- Corrections Regulations 2005
- Sentencing Act 2002

Department of Labour

- Health and Safety in Employment Act 1992

Ministry of Justice

- Crimes Act 1961
- Criminal Justice Act 1985
- Criminal Justice Regulations 1958
- Sentencing Act 2002

How New Zealand implements it

- New Zealand has not enacted any laws that specifically prohibit forced labour.
- Compliance with the Convention is dependent on various sanctions against illegal imprisonment or detention, on the entitlements of employees as specified in various Acts and collective agreements, and on the absence of legislative provisions that permit forced labour.
- The Department of Corrections has developed a Prisoner Employment Strategy (PES) that provides the framework to increase both prisoner participation in (from 40-60%), and the quality of, employment and education available to prisoners. The

PES is designed to increase prisoner participation in employment, and to provide prisoners with quality training which will increase their chances of obtaining sustainable post release employment.

- Under the PES, prisoners work for the New Zealand Department of Corrections in various working environments to promote their rehabilitation. Prisoners are not contracted directly to private sector entities, and are able to freely choose whether to participate in work by signing consent forms prior to starting employment.
- The requirements of the Health and Safety in Employment Act are observed by prison management with respect to inmate employment.

This Convention is applicable to Tokelau. Forced labour is not, and has not been an issue in Tokelau. Compulsory work is not required of either prison inmates or social welfare beneficiaries; and there are no prisons in Tokelau.

Ratified – 29 March 1938

Total ratifications – 172

No. 32 – Protection Against Accidents (Dockers) (Revised), 1932

Provisions

- This Convention aims to ensure that workers who load or unload ships are protected against accidents. It deals with a number of technical aspects, such as:
 - safety of workplaces;
 - safety of means of access, such as ladders and gangways;
 - lighting;
 - handling of hatch coverings and beams;
 - safety of cargo handling gear and appliances, safe working loads, inspection of appliances and keeping of those inspections;
 - safety in general: standard loads, signals, stacking of goods, loading or unloading of goods in bulk, the use of stages and trolleys, etc.;
 - work in the presence of dangerous goods;
 - first aid;
 - designation of persons or bodies responsible for safety; and
 - provision for a system of inspection and the posting of regulations.
- Reciprocal arrangements are to be made between Member States that ratify the Convention, particularly with regards to mutual recognition of arrangements for testing, examining and annealing, and of certificates and records relating to these activities.

Administered by

Maritime New Zealand

- Maritime Transport Act 1994
- Maritime Rules Part 24A Carriage of Cargoes – Dangerous Goods
- Maritime Rules Part 24C Carriage of Cargoes – Specific Cargoes
- Maritime Rules Part 49 – Ships’ Lifting Appliances

Department of Labour

- Hazardous Substances and New Organisms Act 1996
- Health and Safety in Employment Act 1992
- Health and Safety in Employment Regulations 1995
- Code of Practice for Health and Safety in Port Operations 2004

The Code of Practice for Health and Safety in Port Operations was published in 2004. This Code was a replacement and a revision of the Port Safety Guidelines, which were published in 1997. The Code is based on Convention No. 152 – Occupational Safety and Health (Dock Work).

How New Zealand implements it

- The Health and Safety in Employment Act, and the Health and Safety in Employment Regulations cover the occupational safety and health of people working ashore. The Health and Safety in Employment Act also covers persons working aboard a ship in the following situations:
 - The worker must have a New Zealand employment agreement that is governed by New Zealand law; and
 - The ship must be:
 - i. A New Zealand ship (wherever it might operate); or
 - ii. A foreign ship on demise charter to a New Zealand operator (when operating on New Zealand's coast).
- The Health and Safety in Employment Act also imposes a duty on both employers and employees to follow safe work practices.
- In the case of ships' lifting appliances, Part 49 – Ships' Lifting Appliances of the maritime rules provides that the use of lifting appliances must be carried out by a competent person as defined by the rule.
- The Code of Practice for Health and Safety in Port Operations provide recommendations and guidance on safe work practices for those working in port operations, and sets minimum requirements for lifting machinery and other equipment.
- The Code of Practice requires adequate measures to be taken to ensure employees' safe embarking, transport and disembarking. Any vessel used for this purpose must also meet the appropriate maritime rules.
- Ships' lifting appliances are subject to inspection in accordance with the requirements of Maritime Rules Part 49, and the power under Section 54, of the Maritime Transport Act which requires inspections in the interest of maritime safety and the health and safety of seafarers. Breaches of the obligations in respect of the certification, examination and inspection of ships' lifting appliances are punishable by a range of measures including fines, the suspension or imposition of conditions on or revocation of certificates, the detention of a ship and the seizure of equipment.
- The Code of Practice for Health and Safety in Port Operations also contains a section on hazardous substances which provides that the operation must comply with the Maritime Rule Part 24A Carriage of Cargoes – Dangerous Goods and Part 24C Carriage of Cargoes – Specific Cargoes which relates to the carriage of specific cargoes such as bulk cargoes, timber and livestock. The Code also provides that the operation must comply with controls placed on substances by regulations made under the Hazardous Substances and New Organisms Act 1996. Additionally, the operation must comply with the specific workplace health and safety measure under the Health and Safety in Employment Act 1992.
- Inspectors employed by the Department of Labour carry out inspection of ports to ensure the safety of dock workers. Breaches

of the Health and Safety in Employment Act can be punished in a range of measures including fines and prosecutions.

This Convention is not applicable to Tokelau.

Ratified – 29 March 1938

Total ratifications – 33

No. 42 – Workmen’s Compensation (Occupational Diseases) (Revised), 1934

Provisions

- Compensation is to be paid to workers incapacitated by occupational diseases, or, in cases of death, to their dependants.
- The rate of compensation must be not less than what is paid to workers injured in industrial accidents.
- Attached to the Convention is a schedule of diseases and poisonings, and of trades and processes where those diseases and poisonings can occur. If a disease or poisoning affects a worker engaged in the trade or process listed opposite it in the schedule, the ratifying country is required to consider it an occupational disease.

Administered by

Accident Compensation Corporation

- The Injury Prevention, Rehabilitation, and Compensation Act 2001

Department of Labour

How New Zealand implements it

- The Injury Prevention, Rehabilitation, and Compensation Act incorporates the schedule of diseases and poisonings of this Convention, and specifically requires claims for cover for diseases and poisonings included in the schedule to be automatically accepted in the relevant circumstances.
- The Injury Prevention, Rehabilitation, and Compensation Act also provides cover for any gradual process, disease or infection arising out of and in the course of employment.

This Convention is not applicable to Tokelau.

Ratified – 29 March 1938

Total ratifications – 41

No. 44 – Unemployment Provision, 1934 [Shelved]

Provisions

- Benefits or allowances are to be paid to the involuntarily unemployed, through a compulsory or voluntary insurance scheme or a combination of both, or through one of these forms of insurance combined with a complementary assistance scheme.
- This Convention specifies the categories of persons to be covered and the conditions they must meet to qualify for the benefit.
- It defines 'suitable employment' which the unemployed person may be required to accept, the grounds on which beneficiaries may lose their entitlement, the maximum duration of the benefit, the form of payment, and the rights of non-residents, frontier workers and foreigners.

Administered by

Ministry of Social Development

- Social Security Act 1964

How New Zealand implements it

- The Unemployment Benefit is the main form of income support for the unemployed, and is available to all people who meet the eligibility criteria. The Unemployment Benefit is funded from general taxation and there is no qualifying period of employment in order for an unemployed person to be eligible.
- A person is entitled to the Unemployment Benefit if he or she is not in full time employment; but available for and seeking it; willing and able to undertake it; and has taken reasonable steps to find it.
- An Unemployment Benefit may also be granted on the grounds of hardship.
- A person granted an Unemployment Benefit, is subject to a work test, which includes obligations to seek work, and undergo training. In some situations the work test also applies to the spouse of the recipient.
- Failure without good reason to meet the conditions of the work test will result in withdrawal of the benefit.
- In the following situations there is no entitlement to an Unemployment Benefit:
 - a full time student (except between academic years);
 - unemployed because of strike action either personally or by fellow members of the same employees' organisation at the same place of employment;
 - unemployed or on leave without pay for the purpose of undertaking employment-related training; or

- has moved to an area with reduced employment prospects without good reason.
- A person is not entitled to an Unemployment Benefit for 13 weeks following the cessation of their employment:
 - If they have left their employment without good reason (including self-employed people who chose to sell or close down a viable business); or
 - If they have lost their employment because of serious misconduct.
- However, during a 13 week non-entitlement period, a provisional benefit may be available, subject to satisfactory participation in a suitable job search activity.
- Entitlement to receive the Unemployment Benefit is subject to an income test, for which the income of both spouses is taken into account. If other income is sufficiently high to fully abate the benefit, the applicant would not be eligible for a payment.
- In some circumstances the Unemployment Benefit is subject to an asset test.
- Most applicants for an Unemployment Benefit are subject to a stand down (wait) period of between one and ten weeks. The length of the stand down is determined in relation to an applicant's income and family circumstances.
- There is no limit on the duration for which the Unemployment Benefit may be paid, provided the beneficiary continues to meet the eligibility criteria.
- A person can qualify for the non-work tested Sickness Benefit on the grounds of sickness, injury or disability.
- A person is entitled to a Sickness Benefit if he or she:
 - is not in full time employment, is willing to undertake it, but because of sickness, injury or disability is limited in his or her capacity to seek, undertake, or be available for it;
 - is in employment, but is losing earnings because of a reduced level of working due to sickness or injury.
- The following additional criteria for an Unemployment Benefit and Sickness Benefit also apply:
 - the person is aged 18 years or over, or 16 years or over and married¹ and with one or more dependent children;
 - the person has resided continuously in New Zealand for at least two years at any one time;
 - the person has no income, or an income less than the amount that would result in their benefit being fully abated.
- Appeals against decisions on benefits can be taken to the independent Social Security Appeal Authority.
- In general, foreign employees who have a residence permit are entitled to income support on the grounds of unemployment only if they have been resident for two years. Income support can also be

¹ 'Married' includes defacto relations between a couple of both the opposite or same sex.

provided to people claiming refugee status who have a work permit, and to quota refugees. Foreign employees who are in New Zealand unlawfully, or only by virtue of a visitor's permit, or a permit to study, are not entitled to income support on the grounds of unemployment.

This Convention is not applicable to Tokelau.

Ratified – 29 March 1938

Total ratifications – 12

No. 47 – Forty-Hour Week, 1935

Provisions

- Ratifying countries must declare their approval:
 - of the principle of a 40 hour week implemented in such a manner that the standard of living is not reduced in consequence; and
 - of the measures considered appropriate to achieve the 40 hour week.
- They must undertake to apply this principle to classes of employment as prescribed in other Conventions that they may ratify.

Administered by

Department of Labour

- Employment Relations Act 2000
- Health and Safety in Employment Act 1992
- Health and Safety in Employment Regulations 1995
- Minimum Wage Act 1983

How New Zealand implements it

- The Minimum Wage Act provides that employment agreements shall fix the working week at not more than 40 hours, excluding overtime, to be worked on not more than five days of the week, unless the parties to the agreement agree. Overtime rates are set by negotiation.
- Employers must keep wage and time records and make them available to employees.
- The Health and Safety in Employment Act requires employers to prevent harm occurring to employees in the workplace. While hours of work and weekly rest periods are not explicitly regulated, the Health and Safety in Employment Amendment Act 2003 amends the definition of harm to explicitly include physical or mental harm caused by work-related stress. The definition of hazard has also been amended to include hazardous behaviour resulting from physical or mental fatigue.
- In the transport sector, there are specific controls on the working hours of certain occupations or roles. These are contained in the respective legislative regimes for air, sea, road and rail transport.
- In all other sectors, the Department of Labour's guidance encourages employers and others responsible for organising the work of others to address issues of fatigue systemically, as they would other hazards. Guidance is framed around the recognition of fatigue and its causes in the workplace, and then developing appropriate strategies, policies and procedures for a particular

setting. All employers are required by law to take 'all practicable steps' to do this.

- Penalty actions and compliance orders for breach of agreement can be pursued by the employee, or their union, through mediation, or failing agreement, in the Employment Relations Authority.
- The Department of Labour's Work/Life Balance programme promotes flexible working arrangements, such as part-time work, working from home or term-time working.
- The Employment Relations (Flexible Working Arrangements) Amendment Act 2007 provides certain employees with the right to request a variation to their hours of work, days of work, or place of work. To be eligible for the 'right to request' an employee must have the care of a person and have been employed by their employer for six months prior to making the request. The Act provides a process for how requests are to be made and responded to, and a process for resolving any disagreements relating to a request for flexible working arrangements.
- A review of the Employment Relations (Flexible Working Arrangements) Amendment Act will be completed in 2010 and will consider whether the statutory right to request flexible work should be extended to all employees.

This Convention is not applicable to Tokelau.

Ratified – 29 March 1938

Total ratifications – 14

No. 50 – Recruiting of Indigenous Workers, 1936 [Shelved]

Provisions

- This Convention prescribes a number of conditions that must be met if indigenous people are recruited for work for which they have not spontaneously offered their services.
- It deals with such issues as pressure by employers, protection of the political and social organisation of the peoples concerned, protection of the families of recruited workers, the licensing of recruitment agents, and the protection of the workers themselves in terms of health, transport, repatriation, advances of wages, and so on.

Administered by

Not applicable.

How New Zealand implements it

- This Convention applies to employees in dependent territories of ILO members. It establishes a set of rules to protect the indigenous people in such territories from the harmful social, economic and other consequences of labour recruiting schemes imposed upon them.
- New Zealand's only remaining dependent territory is Tokelau, to which the Convention has not been applied.

Ratified – 8 July 1947

Total ratifications – 30

No. 52 – Holidays with Pay, 1936

Provisions

- This Convention applies to persons employed in virtually all undertakings, public and private, industry, commerce and services. All people covered by it are to receive at least six working days' of annual paid holiday. People under 16 are entitled to at least 12 working days' of annual holiday after one year of continuous service.
- Public holidays and sick leave are not to be included in the annual holiday.
- For the full period of holiday a worker is entitled to either his or her usual remuneration or the remuneration determined by collective agreement.
- Any agreement to relinquish the right to an annual holiday with pay, or to forgo such a holiday, shall be void.
- Employers are to keep a record of each worker showing his or her start date, annual holiday entitlement, the dates when the holiday is taken and the pay received during each holiday.
- Ratifying countries are to set up a system of sanctions to ensure these provisions are observed.

Administered by

Department of Labour

- Employment Relations Act 2000
- Holidays Act 2003
- Minimum Wage Act 1983
- Minimum Wage Order 2008

State Services Commission

- State Sector Act 1988

How New Zealand implements it

- The Holidays Act provides for paid annual holidays, public holidays, sick leave and bereavement leave for all employees employed in New Zealand (including the Crown and its employees) except officers, ratings, soldiers or airmen in the New Zealand Defence Force.
- Under the Holidays Act, all employees are entitled, irrespective of age, to a minimum of four weeks paid annual holidays after the first year of employment, or to proportionate holiday pay when the employee has been employed for less than one year. Holiday pay is to be at least the same rate as the employee's ordinary pay at the time the holiday begins.

- Except where expressly provided, no employment agreement can deprive an employee of any right or benefit the Holidays Act provides.
- Employers are required to keep records for each employee, showing details of holidays and holiday pay taken and entitlements, in addition to the hours an employee has worked and the wages paid for the hours worked.
- The Act is enforced by the labour inspectorate. Labour inspectors have the power to enter workplaces and question any occupants, employees, or employers; to inspect and copy wage and time information; and to initiate proceedings to obtain compliance with the Act or to bring a penalty action against an employer in the Employment Relations Authority. A labour inspector may issue a demand notice for non-compliance or pursue breaches in the Employment Relations Authority.
- An employee, or their union, may seek mediation and failing agreement pursue the matter in the Employment Authority.
- Collective and individual agreements in the public service match or exceed the Holidays Act's holiday provisions.
- In order for a worker to qualify for holidays and leave under the Holidays Act they need to be classified as an employee and completed a term of continuous service of:
 - Six months employments for special (sick and bereavement) leave; and
 - Twelve months employment for annual leave.

This Convention is not applicable to Tokelau.

Ratified – 10 November 1950

Total ratifications – 40

No. 53 – Officers’ Competency Certificates, 1936

Provisions

- No person shall carry out the duties of master or skipper, navigating officer in charge of a watch, chief engineer or engineer officer in charge of a watch, unless he or she holds the appropriate certificate of competency.
- The certificate must be issued or approved by the public authority of the territory where the vessel is registered.
- The certificate may be awarded only to people who meet certain conditions in terms of minimum age, experience and examinations.
- Enforcement measures must be set in place and must include the maintenance of an efficient inspection system.

Administered by

Maritime New Zealand

- Maritime Transport Act 1994
- Maritime Rules Part 31A – Crewing and Watchkeeping – Unlimited, Offshore and Coastal (Non-Fishing Vessels)
- Maritime Rules Part 31B – Crewing and Watchkeeping – Offshore, Coastal and Restricted (Non-Fishing Vessels)
- Maritime Rules Part 31C – Crewing and Watchkeeping – Fishing Vessels
- Maritime Rules Part 32 –Qualifications and Amendments 1 and 2

How New Zealand implements it

- The maritime rules made under the Maritime Transport Act prescribe the qualifications and examination requirements for the holders of certificates of competency of masters, mates and ships’ engineers.
- The Maritime Transport Act provides the necessary enforcement mechanisms to support the requirements implemented under the maritime rules.

This Convention is not applicable to Tokelau.

Ratified – 29 March 1938

Total ratifications – 37

No. 58 – Minimum Age (Sea) (Revised), 1936

Provisions

- Young persons under the age of 15 may not be employed on vessels other than vessels upon which only members of the same family are employed.
- Children aged not less than 14 may, however, be granted a certificate permitting them to be employed if the appropriate authority is satisfied that the employment will be beneficial to the child.
- The master of every vessel must keep a register of all persons under the age of 16 years employed on board, or enter their names and date of birth in the articles of agreement.
- Work done by children on school or training ships is exempt when it is approved and supervised by the public authority.

Administered by

Maritime New Zealand

- Maritime Transport Act 1994

Ministry of Education

- Education Act 1989

Department of Labour

- Employment Relations Act 2000

How New Zealand implements it

- Section 26, of the Maritime Transport Act requires that:
 - the master of a New Zealand ship must keep a register of all crew members under the age of 18. This register will include the birth date of crew members under the age of 18;
 - no person of an age that requires that person to be enrolled at school may be employed on any ship in any capacity;
 - the minimum age of employment on a vessel is set at 16 years of age; and
 - no person under the age of 18 shall be employed as a trimmer or stoker. However, two persons over the age of 16 can be employed to do the work which would otherwise have been performed by one person over the age of 18 years, if the employer is unable to obtain other staff.
- Sections 20 and 25, of the Education Act require the compulsory enrolment and attendance at school of all children between the ages of 6 and 16 years.

- The Employment Relations Act requires every employer to keep a wage and time record for each employee, and if the employee is under 20 the record is to include his or her age.

This Convention is not applicable to Tokelau.

Ratified – 7 June 1946

Total ratifications – 17

No. 59 – Minimum Age (Industry) (Revised), 1937

Provisions

- Children under 15 years of age are not permitted to be employed in any public or private industrial undertaking, or in any branch of an industrial undertaking.
- Certain exceptions may be made to enable young persons to be employed in family undertakings, except in work which is dangerous to the life, health or morals of the persons employed there.
- Work in technical schools that is approved and supervised by a public authority is exempt.
- Every employer in an industrial undertaking is required to keep a register of all workers under the age of 18, and of their date of birth.
- A higher minimum age should be set for work that is dangerous to the life, health or morals of the workers.

Administered by

Department of Labour

- Employment Relations Act 2000
- Health and Safety in Employment Act 1992
- Health and Safety in Employment Regulations 1995

Ministry of Justice

- Sale of Liquor Act 1989

Ministry of Education

- Education Act 1989

Ministry of Transport

- Land Transport Act 1998

How New Zealand implements it

- Sections 20 and 25, of the Education Act require the compulsory enrolment and attendance at school of every child between the ages of 6 and 16 years. There are some provisions for exemptions provided arrangements are made for the child to be taught at least as regularly and as well as in a registered school.
- Section 30, of the Education Act prohibits the employment of school age children at any time within school hours, or at any other time which would prevent or interfere with:
 - attendance at school;
 - the ability to do correspondence schooling; or

- (for exempted children) their ability to be taught at least as regularly and well as in a registered school.
- The Health and Safety in Employment Act requires employers to ensure the safety of all employees at work.
- The Health and Safety in Employment Regulations prohibit children under 15 years of age from working on particular equipment such as machinery and mechanical plant that is likely to cause harm to their health or safety.
- Employers must ensure that children under 15 years are not required to:
 - lift any weight or perform any task that may be injurious to their health;
 - work at machinery; or
 - drive or ride upon a tractor, or a self-propelled mobile mechanical plant.
- Employers must take steps to ensure children under 16 years are not required to work between 10pm and 6am, unless the employment meets an approved code of practice for children under 16 years, for the kind of work the employee is doing. However, there are no such approved codes of practice currently in effect.
- Under the Sale of Liquor Act, a person under 18 may not sell or serve liquor in a restricted area of licensed premises while the area is open for the sale of liquor.
- Under Section 25, of the Land Transport Act 1998, the minimum age for holding or obtaining a driver licence in New Zealand is 15 years. The Land Transport (Driver Licensing) Rule covers the licensing of drivers of motor vehicles.
- In 2006, an amendment was made to the Education Act introducing the National Student Number into Part 30, Section 341. This amendment provides additional security for monitoring the attendance and achievement of New Zealand students.

This Convention is not applicable to Tokelau.

Ratified – 8 July 1947

Total ratifications – 11

No. 64 – Contracts of Employment (Indigenous Workers), 1939 [Shelved]

Provisions

- This Convention is designed to regulate contracts of employment of indigenous workers. In this Convention, indigenous workers are defined as workers 'belonging to or assimilated to the indigenous population of a dependent territory of a Member of the Organisation or belonging to or assimilated to the dependent indigenous population of the home territory of a Member of the Organisation.'
- The contracts covered by this Convention are for the most part contracts of employment under which a worker enters the service of an employer as a manual worker.
- This Convention contains detailed provisions regarding the form and content of such contracts and the conditions of their validity.

Administered by

Not applicable.

How New Zealand implements it

- New Zealand does not have a 'dependent' indigenous population of its home territory. Its only dependent territory is Tokelau, to which the Convention does not apply. Accordingly, this Convention has no application to New Zealand.

Ratified – 8 July 1947

Total ratifications – 28

No. 65 – Penal Sanctions (Indigenous Workers), 1939 [Shelved]

Provisions

- All penal sanctions are to be abolished for any breach of contract of employment by an indigenous worker (as defined in Convention 64).
- For the purpose of this Convention breach of contract is defined as:
 - refusal or failure to commence or perform the service stipulated in the contract;
 - neglect of duty or lack of diligence; or
 - absence without permission or valid reason; and desertion.

Administered by

No designated agency.

How New Zealand implements it

- In New Zealand, as in Tokelau, no act or default is punishable unless it is expressly made punishable by an Act of Parliament or other enactment.
- No enactment in either country makes it an offence for an 'indigenous employee' to break a contract of employment.
- No penal sanctions can therefore lawfully be imposed for breach of employment contract.
- Any employer who attempted to impose such a sanction on any employee by taking the law into his own hands would be liable to be charged with assault or another criminal offence.

This Convention is applicable to Tokelau.

Ratified – 8 July 1947

Total ratifications – 32

No. 68 – Food and Catering (Ships’ Crews), 1946

Provisions

- Ratifying countries are to promote a proper standard of food supply and catering service for the crews of sea-going vessels engaged in the transport of cargo or passengers. Regulations are to be framed and enforced that deal with: food and water supplies; catering equipment; food storage, handling and service; the inspection of these supplies and facilities; the certification of catering staff; and research into, and education concerning methods of ensuring a proper food supply and catering service.
- The provisions are to be administered by a permanent staff of qualified persons, including inspectors. National laws or regulations must prescribe penalties for failure to comply with laws or regulations in force and for any attempt to obstruct an inspector.
- The competent authority must prepare an annual report, which is to be made available to all bodies and persons concerned and is also to be sent to the International Labour Office.
- Training courses for employment in the catering department of seagoing ships are to be organised either in approved schools or through other arrangements acceptable to both ship owners' and seafarers' organisations.

Administered by

Maritime New Zealand

- Maritime Transport Act 1994
- Maritime Rules Part 51 – Crew Accommodation

Ministry of Health

How New Zealand implements it

- Section 23, of the Maritime Transport Act provides that employers of seafarers on New Zealand ships must provide suitable supplies of food and water.
- Part 51 – Crew Accommodation of the maritime rules pursuant to the Maritime Transport Act sets standards for the arrangement and equipping of galleys on seagoing ships.
- Ships’ masters must every week inspect all parts of the ship where food is kept or served. Maritime Safety Inspectors employed by the Maritime Safety Authority also make annual inspections.
- Polytechnics undertake seafarers’ training which includes the training of ships’ cooks and stewards. The courses are based on research carried out by the polytechnics and the Ministry of Health.
- Representatives of seafarers, shipowners, government and polytechnics meet regularly to discuss training standards.

- The New Zealand Food Standards Authority also provides advice on the proper manufacture and preparation of food.

This Convention is not applicable to Tokelau.

Ratified – 31 May 1977

Total ratifications – 25

No. 69 – Certification of Ships' Cooks, 1946

Provisions

- Every ship's cook must hold a certificate of qualification; prerequisites for which are that he or she has reached a prescribed minimum age, served at sea for a minimum period decided by the competent authority, and passed an examination as prescribed in the Convention.
- The term 'ship's cook' is defined as the person directly responsible for the preparation of meals for the crew.
- The requirement of a certificate of qualification may be waived if there is an inadequate supply of certified ship's cooks.
- Certificates of qualification issued in other countries may be recognised.

Administered by

Maritime New Zealand

- Maritime Transport Act 1994
- Maritime Rules Part 31A – Crewing and Watchkeeping – Unlimited, Offshore and Coastal (Non-Fishing Vessels)
- Maritime Rules Part 31B – Crewing and Watchkeeping – Offshore, Coastal and Restricted (Non-Fishing Vessels)
- Maritime Rules Part 31C – Crewing and Watchkeeping – Fishing Vessels
- Maritime Rules Part 32 – Qualifications and Amendments 1 and 2

How New Zealand implements it

- The maritime rules pursuant to the Maritime Transport Act provide for the continued certification of ships' cooks on foreign-going New Zealand ships
- Polytechnics carry out the training and certification of ships' cooks. Certificate standards are set by the Hospitality Standards Institute. They include proficiency in preparing meals in a commercial kitchen. Standards are registered on the National Qualifications Framework. Certificates are issued by the New Zealand Qualifications Authority and the Hospitality Standards Institute.
- Representatives of seafarers, shipowners, government and the polytechnics meet regularly to discuss training standards.

This Convention is not applicable to Tokelau.

Ratified – 11 January 1980

Total ratifications – 38

No. 74 – Certification of Able Seamen, 1946

Provisions

- All persons employed as able seamen are required to have undergone an examination and be certificated.
- No person may be engaged on any vessel as an able seaman unless he or she:
 - is a person who under national law is regarded as competent to perform any duty that may be required of a member of the crew serving in the deck department; and
 - holds a certificate of qualification as an able seaman granted in accordance with the provisions of this Convention.
- No person may be granted such a certificate unless he or she:
 - is at least 18 years old;
 - has served at sea in the deck department for at least 36 months (with certain defined exemptions); and
 - has passed an examination of proficiency in seamanship.
- The competent authority is required to make arrangements for the examinations and for granting the certificates of qualification. It may provide for certificates issued in other countries to be recognised.

Administered by

Maritime New Zealand

- Maritime Transport Act 1994
- Maritime Rules Part 32 – Qualifications and Amendments 1 and 2
- Maritime Rules Part 35 – Audits and Examinations

How New Zealand implements it

- Maritime Rules Part 32 – Qualifications and Amendments 1 and 2 set out sea service, age, examination and certification requirements in line with the provisions of the convention.
- The training of able seamen is undertaken by polytechnics.
- Representatives of seafarers, shipowners, government and the polytechnics meet regularly to discuss seafarer training standards.
- Inspections of New Zealand vessel are carried out on a regular basis by Maritime Safety Inspectors, and such inspections include the checking of crews' certification.

This Convention is not applicable to Tokelau.

Ratified – 5 December 1961

Total ratifications – 29

No. 80 – Final Articles Revision, 1946

Provisions

- This provides for the Conventions adopted at the first 28 sessions of the International Labour Conference to be partially revised to take account of:
 - the dissolution of the League of Nations; and
 - the association of the ILO with the United Nations as a specialised agency.

Ratified – 8 July 1947

Total ratifications – 57

No. 81 – Labour Inspection, 1947

Provisions

- Ratifying countries are required to maintain a system of labour inspection in industry and commerce.
- The inspection staff must comprise a sufficient number of adequately trained public officials with the status and stability of employment to make them independent of changes of government and of improper influences.
- There must be enough inspectors to carry out their duties effectively and they are to be provided with the necessary resources.
- The functions of the labour inspection system are:
 - to enforce the legal provisions relating to conditions of work and the protection of workers;
 - to inform and advise employers and workers on how they can best comply with the laws; and
 - to advise the competent authority of defects or abuses not specifically covered by existing legal provisions.
- Inspectors are to have free right of entry to workplaces at any time without prior notice and to carry out any examination or enquiry they consider necessary to satisfy themselves that the legal provisions are being strictly observed.
- Inspectors must have the power to take steps to remedy defects they find in plant, layout or working methods that they believe constitute a threat to the health or safety of workers.
- National laws are to provide penalties for violations of the laws that labour inspectors administer, and for obstructing inspectors in the course of their duties.
- Labour inspectors must report periodically to the central inspection authority, and that authority must publish an annual general report on the work of the inspection services under its control.

Administered by

Department of Labour

- Disabled Persons Employment Promotion Repeal Act 2007
- Employment Relations Act 2000
- Health and Safety in Employment Act 1992
- Health and Safety in Employment Amendment Act 2006
- Holidays Act 2003
- Minimum Wage Act 1983
- Minimum Wage Order 2008
- Parental Leave and Employment Protection Act 1987
- Parental Leave and Employment Protection Amendment Regulations 2006

There are additional pieces of legislation that are relevant to this Convention; however the aforementioned Acts are the key pieces of legislation.

How New Zealand implements it

- The Department of Labour operates two inspectorates:
 - the labour inspectorates of the Workplace Services, Workplace Group provide advice and information to employers and employees on the statutory terms and conditions of employment, and investigate complaints about breaches; and
 - the health and safety inspectorates of the Occupational Safety and Health Service carry out inspections, investigations and audits, and enforce the health and safety legislation. An important role of the Service is advice and education.
- The Department of Labour Workplace Contact Centre has established a Small Business Information Unit. The Contact Centre is the first point of contact for information and assistance on workplace matters including employment relations and occupational health and safety.
- All people appointed as inspectors are appointed by the Secretary of Labour and their employment can only be terminated by the Secretary.
- Inspectors have free right of entry to premises and the power to require health and safety defects to be remedied. When appropriate or necessary, they can issue demand notices for non-compliance, or pursue breaches in the Employment Relations Authority (labour inspectors) or the District Court (health and safety inspectors).
- The annual report of the inspectors' activities is published as part of the annual report of the Department of Labour.
- The Parental Leave and Employment Protection (Paid Parental Leave for Self-Employed Persons) Amendment Act 2006 amended the Parental Leave and Employment Protection Act 1987 by extending entitlement to government funded paid parent leave to persons who are self-employed. This amendment has provided for Labour Inspectors to make determinations in respect of self-employed persons as Labour Inspectors previously had no role in applying employment related entitlements to persons who are self-employed.
- The Department of Labour reviews the minimum wage rates on an annual basis. The applicable minimum wage rates are provided for by Minimum Wage Orders. The current Minimum Wage Order is the Minimum Wage Order 2008.

This Convention is not applicable to Tokelau.

Ratified – 30 November 1959
Total ratifications – 137

No. 82 – Social Policy (Non-Metropolitan Territories), 1947

Provisions

- This Convention sets out the policies and measures which ratifying countries must apply in their non-metropolitan territories.
- The aim of this Convention is the well-being and development of the people in the territories and to promote their desire for social progress, whereas the principal objective in economic development planning is to be the improvement of standards of living.
- This Convention addresses:
 - how to avoid disruption of family life and traditional social units;
 - urban congestion;
 - living conditions and establishment of industries in rural areas;
 - alienation of land;
 - producer and consumer co-operatives; and
 - basic living conditions.
- Other issues covered in this Convention include the protection of migrant workers; remuneration; non-discrimination on grounds of race, colour, sex, belief, tribal association or trade union affiliation; and education and training.

Administered by

Ministry of Foreign Affairs and Trade

- Tokelau Act 1948
- Tokelau Crimes Regulations 1975
- Tokelau (Territorial Sea and Exclusive Economic Zone) Act 1977

Department of Internal Affairs

- Citizenship Act 1977

How New Zealand implements it

- The Tokelau Act provides the basis for Tokelau's legislative, judicial and administration system.
- The territory is administered by the Administrator of Tokelau under delegation from the Minister of Foreign Affairs. The Administrator has, since 1994, delegated his powers to the General Fono (Tokelauan legislature) and, when the General Fono is not in session, to the Council of Faipule (Tokelauan Cabinet).
- The only significant employer is the Tokelau Public Service, whose conditions of employment are monitored by the Tokelau Employment Commissioner. The Commissioner is a transitional position, soon to be replaced with a three person Tokelau Employment Commission.

- The main economic activities other than the public service are the production and gathering of food, fishing, village maintenance, and handcrafts.
- Tokelauans are New Zealand citizens under the Citizenship Act.
- New Zealand provides financial support for Tokelau in a three-year Economic Support arrangement, the latest of which covers the period from 1 July 2007 to 30 June 2010.

This convention is applicable to Tokelau.

Ratified – 19 June 1954

Total ratifications – 4

No. 84 – Right of Association (Non-Metropolitan Territories), 1947

Provisions

- Employers and workers in non-metropolitan territories are both to be guaranteed the right to associate.
- All practicable measures are to be taken to assure to trade unions the right to conclude collective agreements with employers.
- Other issues covered by this Convention include the protection of workers and application of labour legislation; conciliation machinery; and machinery for dispute settlement.

Administered by

Not applicable.

How New Zealand implements it

- At the time of ratification, this Convention was applied to the Cook Islands and Niue. However, the Cook Islands attained full self-governing constitutional status in 1965 and Niue in 1974.
- As the Cook Islands and Niue are no longer considered non-metropolitan territories, it would not be appropriate for the Government to report on their compliance with this Convention. Accordingly the Government refers ILO report requests to the appropriate labour institutions in the Cook Islands and Niue.

The Convention is not applicable to Tokelau.

Ratified – 1 July 1952

Total ratifications – 4

No. 88 – Employment Service, 1948

Provisions

- Ratifying countries must maintain a free public employment service, comprising a nation-wide network of local and regional offices, under the direction of a national authority.
- The general policy of the service is to be developed in consultation with employer and worker organisations, through advisory committees.
- The staff of the employment service must comprise a sufficient number of adequately trained public officials with the status and stability of employment to make them independent of changes of government and of improper influences.
- The service must ensure effective recruitment and placement by:
 - helping workers find suitable employment and employers find suitable workers;
 - obtaining vacancies;
 - interviewing applicants for employment;
 - referring applicants to vocational guidance or training if appropriate;
 - assisting occupational and geographic mobility; and
 - collecting and disseminating data on the employment market.
- The employment service is also to co-operate in administering unemployment relief schemes, and in social and economic planning.
- Employment offices must be permitted to specialise by occupations and industries, and to meet the needs of particular groups, such as young or disabled people.
- Employers and workers are both to be encouraged to make full use of the service.

Administered by

Department of Labour

Ministry of Justice

- Human Rights Act 1993

Ministry of Social Development

- Social Security Act 1964

Privacy Commissioner

- Privacy Act 1993

Statistics New Zealand

- Statistics Act 1975

How New Zealand implements it

- Work and Income, a service of the Ministry of Social Development, operates a nation-wide network of service centres. Work and Income aims to assist people who are unemployed and seeking work, by providing:
 - quality nation-wide placement services to employers and job seekers;
 - programmes that help people increase their opportunities for employment;
 - work opportunities for communities; and
 - information and advice on the employment market.
- All Work and Income service centres are required to ensure that they meet the needs of groups with particular disadvantages, including women, Maori and Pacific Islands people, youth, and people with disabilities.
- Work and Income staff are recruited solely on the basis of merit, and are given full training. Work and Income provides integrated delivery of income support and employment services.
- All employers may use Work and Income, which maintains contact with employers in order to obtain vacancies and place job seekers.
- Work and Income refers job seekers to suitable vacancies and also, if appropriate, to places in vocational guidance, careers advice, training, or other employment assistance programmes. Recipients of a work-tested benefit are automatically registered as job seekers. Non-work tested beneficiaries and people not receiving a benefit are eligible to register as job seekers.
- Statistics New Zealand and Work and Income collect data on a wide range of matters, such as employment, unemployment and vacancies. The Department of Labour collates and interprets a range of data on the labour market and the wider economy, as a contribution to social and economic planning.
- Informal ongoing consultation with employer and employee organisations on the operation of Work and Income takes place at the local level. There is also a formal advisory committee with employer and employee representation that has a role in advising on policies relating to the employment of women.

This Convention is not applicable to Tokelau.

Ratified – 3 December 1949

Total ratifications – 85

No. 92 – Accommodation of Crews (Revised), 1949

Provisions

- This Convention is designed to ensure that crew accommodation on sea-going vessels meets certain minimum standards of safety, hygiene and comfort. It lays down general principles and specifies in some detail, the technical standards relating to the location, design and construction of crew accommodation.
- This Convention deals with ventilation, heating, lighting, sleeping rooms (location, minimum floor area and head room, berth arrangements and size, maximum number of occupants, furniture and equipment), mess room and recreation accommodation, sanitary accommodation, hospital or sick bay accommodation and facilities for washing and drying clothes and for hanging oilskins.
- Organisations of shipowners and seafarers must be consulted on a number of specified matters and particularly about any alterations required to bring existing vessels into closer conformity with this Convention.
- The competent authority must give prior approval to the plans for any construction or alterations to crew accommodation, and must inspect all vessels on registration or re-registration, after alteration, or following a complaint by a recognised organisation representing a proportion of the crew, that the accommodation does not comply with this Convention.
- The master and at least one crew member are to inspect all crew accommodation at least weekly.

Administered by

Maritime New Zealand

- Maritime Transport Act 1994
- Maritime Rules Part 51 – Crew Accommodation

How New Zealand implements it

- Part 51 – Crew Accommodation of the maritime rules pursuant to the Maritime Transport Act gives effect to the requirements of this Convention.

This Convention is not applicable to Tokelau.

Ratified – 31 May 1977

Total ratifications – 47

No. 97 – Migration for Employment (Revised), 1949

Provisions

- Ratifying countries are to make available on request to the International Labour Office and to other Members, information about its policies, laws and regulations relating to emigration and immigration, migration for employment and any general agreements and special arrangements it has concluded.
- A free service is to be maintained to assist migrants for employment and give them accurate information, and steps must be taken to deal with misleading propaganda on migration.
- Migrants are to enjoy adequate medical attention and good hygiene conditions while travelling and on arrival.
- They are to be treated no less favourably than citizens with regards to remuneration, trade union membership, accommodation, social security and employment taxes.
- Migrants and their families who have been admitted on a permanent basis may not be returned to their territory of origin if illness or injury prevents them from following their occupations.
- This Convention has three annexes, whose adoption is optional:
 - Annex I which contains detailed provisions on recruitment, placing and conditions of work of migrants not recruited under government-sponsored group schemes;
 - Annex II which deals with recruitment, placing and conditions of migrants recruited under government-sponsored group schemes; and
 - Annex III which deals with the importing of personal effects, tools and equipment.

Administered by

Department of Labour

- Employment Relations Act 2000
- Immigration Act 1987

Ministry of Justice

- Human Rights Act 1993
- New Zealand Bill of Rights Act 1990

How New Zealand implements it

- New Zealand has excluded Annex I of this Convention.
- The Immigration Act and the regulations made under the Act establish the legislative framework within which government policies are administered.
- The Immigration Act provides for residence permits to be issued to approved migrants, who then have the right to stay in New Zealand

indefinitely, and need no further approval to take up work or enter any course of study or training. However, the grant of both welfare benefits and student allowances are tested against a two year residence requirement, except in the case of refugees. Migrants with resident permits have full access on the same terms as New Zealand citizens to the free employment services provided by the Government.

- Applications by temporary migrants for work permits are tested against the labour market, and are approved for only a limited period.
- With regard to terms and conditions of employment, no distinction is made between New Zealand citizens and migrants who are lawfully in New Zealand on residence permits. Persons who believe they have suffered discrimination by reason of their national origin may make a complaint under the Human Rights Act or pursue a personal grievance under the Employment Relations Act.
- There is no provision whereby migrants and their family may be returned to their country of origin if, because of illness or injury, they are unable to follow their occupations.
- It is an offence under the Immigration Act to publish or disseminate false or misleading information for the purpose of encouraging or preventing migration to New Zealand. Additionally, penalties for migrant trafficking have been introduced under the Immigration Act.
- Once migrants have been resident in New Zealand for two years they become entitled to access standard income support from the Government. Financial assistance is also available to those migrants who have been resident for less than two years where a need for emergency assistance is demonstrated.
- In terms of assistance with employment, Work and Income is directly accountable to Government for the provision of a range of free services to people seeking work and requiring income support. Work and Income aims to facilitate job seekers who are residents into, or towards, independence by providing a range of services.
- The Recognised Seasonal Employer (RSE) Work Policy facilitates the temporary entry of overseas workers to meet labour shortages in the horticulture and viticulture industries. The RSE Work Policy is geared towards Pacific States, and employers are able to recruit from eligible Pacific Islands Forum member nations. Recruiting from other countries is allowed if employers have already made reasonable attempts to recruit from the Pacific; or a pre-established relationship with another country.
- Apart from refugees who come to New Zealand under the Refugee Quota Programme, all migrants organise their own travel arrangements to New Zealand. Refugees who come under the Refugee Quota Programme have their airfares paid for, and undergo a six week orientation programme at the Mangere Refugee Resettlement Centre. The Refugee and Migrant Service is

contracted to locate and maintain sponsors for refugees when they leave the centre.

This Convention is not applicable to Tokelau.

Ratified – 10 November 1950

Total ratifications – 47

No. 98 – Right to Organise and Collective Bargaining, 1949

Provisions

- This Convention ensures that workers shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment.
- Workers' and employers' organisations shall enjoy adequate protection against any acts of interference by each other or each other's agents or members in their establishment, functioning or administration.
- Machinery appropriate to national conditions shall be established, where necessary, for the purpose of ensuring respect for the right to organise.
- Measures appropriate to national conditions shall be taken, where necessary, to encourage and promote the full development and utilisation of machinery for voluntary negotiation between employers or employers' organisations and workers' organisations, with a view to the regulation of terms and conditions of employment by means of collective agreements.

Administered by

Commerce Commission

- Commerce Act 1986

Department of Labour

- Employment Relations Act 2000
- Trade Unions Act 1908

Ministry of Justice

- Human Rights Act 1993
- New Zealand Bill of Rights Act 1990

How New Zealand implements it

- The Employment Relations Act is the primary piece of legislation that provides recognition of the right to organise and collectively bargain in New Zealand. The key objectives of this Act are promoting good faith, collective bargaining, and the effective resolution of workplace problems.
- The Trade Unions Act provides clear recognition of the role of trade unions. The Act defined trade unions widely to include workers', employers' and trade organisations.
- The Bill of Rights Act affirms, protects and promotes human rights and fundamental freedoms. This Act applies to acts of the legislative, executive, or judicial arms of government, or by persons

or bodies in the performance of a public function, power or duty conferred or imposed by or pursuant to law.

- The Human Rights Act prohibits discrimination on the grounds of sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status, or sexual orientation. Workers and employers cannot be excluded from any association on any of the prohibited grounds of discrimination in the Human rights Act, nor can associations that exclude workers or employers on any of these grounds be established.
- The Commerce Act provides protection for trade unions from allegations that collective bargaining is anti-competitive. It protects the right to bargain collectively by exempting contracts and arrangements about terms and conditions of employment from its general provisions prohibiting anti-competitive practices.

This Convention is not applicable to Tokelau.

Ratified – 9 June 2003

Total ratifications – 158

No. 99 – Minimum Wage Fixing Machinery (Agriculture), 1951

Provisions

- Ratifying countries are to create or maintain adequate machinery for fixing minimum wage rates for people employed in agriculture and related occupations.
- The precise undertakings, occupations and categories of persons covered are to be determined after consulting with the most representative organisations of employers and workers concerned.
- The employers and workers concerned are to take part in, or be consulted about, the operation of the minimum wage fixing machinery, on a basis of complete equality.
- Minimum wage rates that have been fixed are binding on both employers and workers and not able to be abated.
- Ratifying countries are to implement measures for supervision, inspection and sanctions to ensure that the wages paid are not less than the minimum rate.
- A worker who is paid less than the minimum rate is entitled to take proceedings to recover the underpaid amount.

Administered by

Department of Labour

- Employment Relations Act 2000
- Minimum Wage Act 1983
- Minimum Wage Order 2008

How New Zealand implements it

- See Convention 26 for details.

This Convention is not applicable to Tokelau.

Ratified – 1 July 1952

Total ratifications – 52

No. 100 – Equal Remuneration, 1951

Provisions

- Equal remuneration is to be paid to men and women workers for work of equal value without discrimination based on sex.
- The principle of equal remuneration for work of equal value must be applied to all workers.
- Remuneration is defined as the ordinary or basic wage or salary, plus any additional emoluments payable directly or indirectly by the employer to the worker, in cash or kind, and arising out of the employment.
- Differential wage rates that correspond to differences in job content are not contrary to the principle of equal remuneration.

Administered by

Department of Labour

- Disabled Persons Employment Promotion Repeal Act 2007
- Employment Relations Act 2000
- Equal Pay Act 1972
- Holidays Act 2003
- Minimum Wage Act 1983
- Minimum Wage Order 2008
- Parental Leave and Employment Protection Act 1987

Ministry of Justice

- Human Rights Act 1993

Ministry of Women's Affairs

State Services Commission

- Government Service Equal Pay Act 1960

There are other agencies and additional pieces of legislation that are relevant to this Convention; however the aforementioned Acts are the key pieces of legislation.

How New Zealand implements it

- The Equal Pay Act requires all male and female employees to be paid at a rate of remuneration in which there is no element of differentiation based on sex. An employer cannot pay men and women different pay rates for doing the same or substantially similar work, if the only difference is their sex.
- The Equal Pay Act defines remuneration as the salary or wages actually and legally payable to an employee, and includes time and piece wages, overtime, bonus payments, allowances, fees,

commission, and other special payments and emoluments. An individual employee and employer are permitted to agree on a rate based on the special qualifications, experience or other qualities of the employee, where this does not involve any discrimination based on sex.

- The Government Service Equal Pay Act requires all government employees to receive equal remuneration for equal work.
- The only pay rates set by national law are the minimum wage rates for new entrants, adults and trainees set under the Minimum Wage Act 1983. The wage rates apply equally to men and women. The Minimum Wage Order currently provides a minimum wage for employees aged 16 years or older, including home workers, casuals, temporary and part-time workers, and a minimum training wage for new entrants which applies to some 16 and 17 year old workers. However, there is no statutory minimum wage for employees who are under 16 years old.
- The Human Rights Act and the Employment Relations Act prohibit discrimination in employment on the grounds of gender.
- The Human Rights Commission and the Department of Labour investigate equal pay complaints in all sectors. Individuals are able to choose the procedures they wish to follow in making a complaint of pay discrimination.
- The Ministry of Women's Affairs is continuing to work closely with the Department of Labour on policy responses to deliver greater pay and employment equity to New Zealand women.
- Additionally, the Government has embarked on a five-year Pay and Employment Equity Plan of Action, based on existing legislation. This ensures that remuneration is free of gender bias and that barriers to employment equity for women are removed in these sectors.

The Convention is applicable to Tokelau.

Ratified – 3 June 1983

Total ratifications – 164

No. 101 – Holidays with Pay (Agriculture) 1952

Provisions

- Workers employed in agriculture and related occupations must be granted an annual holiday with pay after a period of continuous service with the same employer.
- Each ratifying country is free to decide whether to provide for it through collective agreement or regulation.
- Where appropriate, provision is to be made for:
 - more favourable treatment for young workers in cases where the annual holiday is considered inadequate for them;
 - an increase in the duration of the annual holiday with length of service;
 - proportionate holidays (or payment in lieu) for continuous service of less than a year; and
 - exclusion from the annual paid holiday of public holidays, weekly rest intervals and sick leave.
- Every person taking their annual holiday is to receive their usual remuneration or remuneration calculated as prescribed by the national laws, collective agreements or arbitration awards.
- Any agreement to relinquish the right to an annual holiday with pay or to forgo the holiday is to be void.
- There must be adequate inspection and supervision to ensure these standards are met.

Administered by

Department of Labour

- Employment Relations Act 2000
- Holidays Act 1981

How New Zealand implements it

- The Holidays Act applies to all employees, including agricultural employees.
- See Convention 52 for details.

This Convention is not applicable to Tokelau.

Ratified – 24 July 1953

Total ratifications – 34

No. 104 – Abolition of Penal Sanctions (Indigenous Employees), 1955 [Shelved]

Provisions

- Penal sanctions for breaches of contract of employment by indigenous workers are to be abolished immediately.
- For the purpose of this Convention, breach of contract is defined as:
 - refusal or failure to commence or perform the service stipulated in the contract;
 - neglect of duty or lack of diligence;
 - absence without permission or valid reason;
 - or desertion.

Administered by

No designated agency.

How New Zealand implements it

- See Convention 65 for details.

This Convention is applicable to Tokelau.

Ratified – 28 June 1956

Total ratifications – 26

No. 105 – Abolition of Forced Labour, 1957

Provisions

- Ratifying states undertake to abolish any form of forced or compulsory labour:
 - as a means of political coercion or education or as punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system;
 - as a method of mobilising and using labour for purposes of economic development;
 - as a means of labour discipline;
 - as a punishment for having participated in strikes; or
 - as a means of racial, social, national or religious discrimination.
- Although there is some overlap, the scope is not identical with that of Convention 29.
- This Convention supplements Convention 29 in that it relates not to the nature of the labour imposed, but to the act being repressed.

Administered by

Department of Corrections

- Corrections Act 2004
- Corrections Regulations 2005
- Sentencing Act 2002

Ministry of Justice

- Crimes Act 1961
- Criminal Justice Act 1985
- Criminal Justice Regulations 1958
- Sentencing Act 2002

How New Zealand implements it

- New Zealand has not enacted any laws that specifically prohibit forced labour.
- Compliance with this Convention is dependent on various sanctions against illegal imprisonment or detention, on the entitlements of employees as specified in various Acts and collective agreements and on the absence of legislative provisions that permit forced labour.
- The New Zealand Government considers that inmate labour and community work are not compulsory labour for the purposes of this Convention, as they fall within the exception given in Article 2 of Convention 29.
- See Convention 29 for further details.

This Convention is applicable to Tokelau. However forced labour is not, and has not, been an issue in Tokelau.

Ratified – 14 June 1968

Total ratifications – 168

No. 111 – Discrimination (Employment and Occupation), 1958

Provisions

- This Convention defines discrimination as including any distinction, exclusion or preference, other than those based on the inherent requirements of a particular job, made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.
- The terms 'employment' and 'occupation' include access to vocational training, access to employment and to particular occupations, and terms and conditions of employment.
- Ratifying countries must declare and pursue a national policy designed to promote equality of opportunity and treatment in employment and occupation, in order to eliminate discrimination.

Administered by

Department of Labour

- Disabled Persons Employment Promotion Repeal Act 2007
- Employment Relations Act 2000
- Equal Pay Act 1972
- Minimum Wage Act 1983
- Minimum Wage Order 2008
- Parental Leave and Employment Protection Act 1987

Ministry of Justice

- Human Rights Act 1993
- New Zealand Bill of Rights Act 1990

Ministry of Social Development

- New Zealand Sign Language Act 2006

Ministry of Women's Affairs

State Services Commission

- Government Service Equal Pay Act 1960
- State Sector Act 1988

There are other agencies and additional pieces of legislation that are relevant, however the aforementioned Acts are the key pieces of legislation pertaining to this Convention.

How New Zealand implements it

- The Human Rights Act prohibits discrimination on grounds specified by this Convention, plus some additional grounds.
- The prohibited grounds of discrimination under the Human Rights Act include sex, marital status, religious belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status, or sexual orientation.
- The Human Rights Act makes it unlawful for an employer to:
 - refuse to employ a qualified applicant for available work;
 - offer a qualified applicant or employee less favourable conditions of work including less favourable fringe benefits, opportunities for promotion, training, and transfer;
 - terminate the employment of an employee, or cause an employee to retire or resign on the basis of one of the prohibited grounds of discrimination.
- There are a number of exceptions that include where the ground is a genuine occupational qualification; and for reasons of privacy. Measures to assist particular groups to achieve an equal place in the community do not amount to discrimination.
- Remedies for discrimination are available under the Human Rights Act and the Employment Relations Act. An employee may choose to use the procedures under either Act.
- An employee may pursue a personal grievance under the Employment Relations Act if he/she has been dismissed, or not given the same employment opportunities as someone with similar skills or qualifications, because of the employee's colour, race, national or ethnic origin; marital status; religious or ethical belief; sex; age; or their involvement with a union. Remedies include reinstatement, compensation, and reimbursement for lost earnings.
- A number of employment and training schemes have been established to assist unemployed and disadvantaged people towards opportunities for employment. Other initiatives to promote equality of opportunity for employees include the Equal Employment Opportunities Trust and the Equal Employment Opportunities Contestable Fund.
- The State Sector Act requires all Government Departments to be 'good employers' and develop an Equal Employment Opportunities programme.
- There is also a range of measures to increase employment opportunities for women, including the work of the Ministry of Women's Affairs, the two equal pay acts, and the Parental Leave and Employment Protection Act that provides leave to either parent after the birth or adoption of a child.
- The New Zealand Sign Language Act promotes and maintains the used of New Zealand Sign Language by declaring it to be an official language of New Zealand.

This Convention is applicable to Tokelau.

Ratified – 3 June 1983

Total ratifications – 166

No. 116 – Final Articles Revision, 1961

Provisions

- This provides for the Conventions adopted at the first 32 sessions of the International Labour Conference to be partially revised so as to permit the Governing Body, whenever it considers it necessary:
 - to request a report on the working of a Convention; and
 - to consider the question of its revision.

Ratified – 1 March 1963

Total ratifications – 77

No. 122 – Employment Policy, 1964

Provisions

- Ratifying countries are required to declare and pursue, as a major goal, an active policy designed to promote full, productive and freely chosen employment.
- The policy is aimed at ensuring there is work for all people who are looking for work, that it is as productive as possible, and that there is freedom of choice of employment.
- It must take due account of the stage and level of economic development and mutual relationships between employment objectives and other economic and social objectives.
- The measures adopted for achieving the objectives of the active employment policy must be kept under review.
- Representatives of the persons affected by the measures to be taken, and in particular the representatives of employers and workers, must be consulted concerning employment policies with a view to taking full account of their experience and views, and obtaining their full cooperation and support.

Administered by

Department of Labour

- Disabled Persons Employment Promotion Repeal Act 2007
- Employment Relations Act 2000
- Equal Pay Act 1972
- Industry Training Act 1992

Ministry of Education

- Education Act 1989

Ministry of Justice

- Human Rights Act 1993
- Race Relations Act 1971

Ministry of Social Development

- Social Security Act 1964

State Services Commission

- Government Service Equal Pay Act 1960

Tertiary Education Commission

There are other agencies that also administer acts and policies that have an impact on employment policy, but the above are the key agencies and pieces of legislation pertaining to this Convention.

How New Zealand implements it

- An Employment Strategy has been introduced by the Government to strengthen labour market performance by increasing participation in the labour market. The Employment Strategy aims to:
 - maximise the number of jobs that provide opportunities to increase potential and enhance productivity;
 - minimise persistent disadvantage in the labour market and enhance the sustainability of employment; and
 - improve the quality of people's working lives.
- The Government also has various employment initiatives and strategies aimed at disadvantaged groups and individuals. This includes a Unified Skills Strategy which focuses on lifting productivity through skills development and deployment of the existing workforce.
- The Department of Labour is the major agency responsible for employment policy. Its role is to facilitate equity, efficiency and flexibility in the labour market by developing policy which seeks to help disadvantaged job seekers find work and encourage people who receive income support to become self supporting where this is possible.
- The Ministry of Social Development is the major agency for the delivery of employment policy. Through Work and Income, the Ministry of Social Development provides:
 - access to a free nation-wide network; and
 - a range of services to help disadvantaged job seekers into the workforce, such as work focus interviews, job clubs, workplace modification grants for people with disabilities, wage subsidies, training, and project-based work experience programmes.
- The Department of Labour provides a range of services to help communities, groups and individuals identify their local resources, overcome barriers to employment and enterprise development, and generate employment opportunities at a local and national level.
- The Tertiary Education Commission's Training Opportunities Programme (TOP) provides training to school leavers and long term unemployed people, to improve their chances of finding employment. Through its links to the National Qualifications Framework, TOP is also designed to lead towards recognised qualifications.
- Industry training represents an important strategic partnership between government, industry, firms and employees in New Zealand. Under the Industry Training Act, the Industry Training Strategy offers a framework for government and industry to make an ongoing investment in skills development. For employees, it provides a means to develop skills and gain nationally recognised qualifications while in employment.
- Freedom of choice of employment is guaranteed by the various equal opportunities acts described under Convention 111.

This Convention is not applicable to Tokelau.

Ratified – 15 July 1965

Total ratifications – 97

No. 133 – Accommodation of Crews (Supplementary Provisions), 1970

Provisions

- This Convention is designed to supplement the provisions of Convention 92, in view of the rapidly changing characteristics of both the construction and the operation of modern ships.
- This Convention prescribes the minimum floor area and occupancy rates for sleeping rooms, and minimum mess, recreation and ablutions facilities. It permits variation for distinctive religious and social practices, and provides for alterations in existing ships.
- The shipowners' and seafarers' organisations must be consulted on any variations to the standard requirements, on the drafting and administration of regulations, and on alterations to ships that already existed at the time of ratification.
- Adequate inspection is required, specified persons are to be responsible for compliance, and there must be penalties for violations.

Administered by

Maritime New Zealand

- Maritime Transport Act 1994
- Maritime Rules Part 51 – Crew Accommodation

How New Zealand implements it

- Part 51 – Crew Accommodation of the maritime rules pursuant to the Maritime Transport Act gives effect to the requirements of this Convention.

This Convention is not applicable to Tokelau.

Ratified – 31 May 1977

Total ratifications – 32

No. 134 – Prevention of Accidents (Seafarers), 1970

Provisions

- This Convention deals with accident prevention measures on board ships at sea and in port.
- Ratifying countries are to ensure that occupational accidents are adequately reported and investigated, and that comprehensive statistics are kept and analysed.
- Specific provisions dealing with the prevention of occupational accidents are to be laid down by law, codes of practice or other appropriate means.
- The shipowner's obligation to provide protective equipment is to be matched by a requirement that seafarers observe the relevant accident prevention measures.
- Designated crew members are to be responsible, under the ship's master, for accident prevention.
- The Competent Authority must set up occupational accident prevention programmes with the co-operation of the shipowners' and seafarers' organisations, and health protection measures are to be included in training curricula. Seafarers are to be given information about particular hazards.
- National or local joint accident prevention committees are to be set up, with representation of the shipowners' and seafarers' organisations.
- Research must be undertaken into general trends and into hazards that are identified by statistics.

Administered by

Maritime New Zealand

- Maritime Transport Act 1994
- Maritime Rules Part 21— Safe Ship Management Systems
- Maritime Rules Part 49 – Ships' Lifting Appliances

Department of Labour

- Health and Safety in Employment Act 1992
- Health and Safety in Employment Regulations 1995

The Code of Practice for Health and Safety in Port Operations was published in 2004. This Code was a replacement and a revision of the Port Safety Guidelines, which were published in 1997. The Code is based on Convention No. 152 – Occupational Safety and Health (Dock Work). The Code of Practice superseded the Harbours Act 1950, and the General Harbour Regulations, which were revoked in 2003.

How New Zealand implements it

- Part 3, of the Maritime Transport Act requires employers of seafarers to systematically manage hazards in the sea-going work place, and provide appropriate training and supervision.
- Sections 30 and 31, of the Maritime Transport Act provide for the recording and reporting of accidents, incidents and mishaps.
- Part 21 – Safe Ship Management Systems of the maritime rules pursuant to the Maritime Transport Act, requires ship operators to implement safety management systems aimed at ensuring a safe working environment, safeguards against all identified risks and continuous improvement in the safety management skills of personnel ashore and on board ships. Elements of such systems must include defined responsibilities for safety, documented operation and emergency procedures, and the systematic investigation and analysis of accident and incidents with a view to improving safety.
- The training of seafarers and instruction in accident prevention are carried out by maritime training establishments.
- Training courses include fire-fighting, survival craft, and courses on tanker safety for deck and engine room crew.
- Representatives of seafarers, shipowners, government, and training establishments meet regularly to discuss accident prevention training standards.
- Maritime New Zealand reports regularly on accidents to seafarers and to all other interested parties.

This Convention is not applicable to Tokelau.

Ratified – 31 May 1977

Total ratifications – 29

No. 144 – Tripartite Consultation (International Labour Standards), 1976

Provisions

- This Convention promotes tripartite consultation on ILO standards.
- It requires ratifying countries to operate agreed procedures for effective consultation with the most representative organisations of employers and workers.
- The specified topics for consultation are:
 - International Labour Conference (ILC) agenda items;
 - the submission to Parliament of newly adopted ILO instruments;
 - proposals for ratification and denunciation of Conventions;
 - the Government's regular reports to the ILO on how it implements the Conventions it has already ratified; and
 - the Government's reports to the ILO on Conventions which it has not ratified, including reports for the annual follow-up concerning non-ratified fundamental Conventions.

Administered by

Department of Labour

How New Zealand implements it

- The Department of Labour consults regularly on ILO matters with Business New Zealand and the New Zealand Council of Trade Unions as the most representative employer and employee organisations.
- Draft responses to questionnaires about ILC agenda items, Article 22 reports on ratified Conventions, and Article 19 reports on unratified Conventions (including reports for the annual follow-up concerning non-ratified Fundamental Conventions) are forwarded to the social partners for comment and a meeting may be convened, if the partners request it, to attempt to reach a consensus view which can be incorporated into the Government reply.
- Government briefing papers for Conference delegates are provided to all members of the delegation and the likely stance of the three parties discussed at a pre-Conference briefing session.
- The social partners are invited to comment on the Government's proposed action statement on new instruments adopted at the ILC. The statement is amended if factual errors are apparent or unconsidered ideas are put forward.
- An annual tripartite debriefing session for Conference delegates discusses the most recently adopted Conventions and their prospects for ratification. The social partners are able to call for the consideration of any other particular Convention for consideration

for ratification or denunciation, with the onus on whoever calls for the discussion to provide a discussion document.

This Convention is not applicable to Tokelau.

Ratified – 5 June 1987

Total ratifications – 121

No. 145 – Continuity of Employment (Seafarers), 1976

Provisions

- Ratifying countries must have a national policy that encourages:
 - qualified seafarers to be provided with continuous or regular employment so far as is practicable; and, as a consequence;
 - shipowners to be provided with a stable and competent workforce.
- Seafarers are to be assured either minimum periods of employment, or a minimum income or a monetary allowance, the manner and extent of which are to depend on the country's economic and social situation.
- The regular employment might be achieved by contracts for regular or continuous employment with a shipping firm or shipowners' association, or by registers or lists of qualified seafarers. Seafarers on a register or list are to have priority of engagement.
- Ratifying countries must also ensure that appropriate safety, health, welfare and vocational training provisions apply to seafarers.

Administered by

Department of Labour

- Employment Relations Act 2000
- Minimum Wage Act 1983

Maritime New Zealand

- Maritime Transport Act 1994

How New Zealand implements it

- Seafarers who want employment at sea can leave details of their qualifications and availability for work at Maritime Safety Authority offices at the three major ports, and this information is provided on request to employers.
- All seafarers are engaged on contracts providing unbroken service with individual employers, the effect of which is to provide continuous pay irrespective of the amount of sea service performed. The Government is not involved in administering these arrangements.
- Appropriate safety, health, welfare and vocational training is provided in line with the requirements of international treaties.
- The object of the Employment Relations Act is to build productive employment relationships through promoting good faith in the employment environment and the employment relationship.

This Convention is not applicable to Tokelau.

Ratified – 11 January 1980
Total ratifications – 17

No. 155 – Occupational Safety and Health, 1981

Provisions

- Each Member shall, in the light of national conditions and practice, and in consultation with the most representative organisations of employers and workers, formulate, implement and periodically review a coherent national policy on occupational safety, occupational health and the working environment.
- The aim of the policy shall be to prevent accidents and injury to health arising out of, linked with or occurring in the course of work, by minimising so far as is reasonably practicable, the causes of hazards inherent in the working environment.
- Employers shall be required to ensure that, so far as is reasonably practicable, the workplaces, machinery, equipment and processes under their control are safe and without risk to health. Employers are also required to ensure that chemical, physical and biological substances and agents under their control are without risk to health when the appropriate measures of protection are taken.
- Employers shall be required to provide, where necessary, adequate protective clothing and protective equipment to prevent, so far as is reasonably practicable, risk of accidents or of adverse effects on health. Furthermore, employers shall be required to provide, where necessary, measures to deal with emergencies and accidents, including adequate first-aid arrangements.
- Occupational safety and health measures shall not involve any expenditure for the workers.

Administered by

Accident Compensation Corporation

- Injury Prevention, Rehabilitation, and Compensation Act 2001

Department of Labour

- Health and Safety in Employment Act 1992

Workplace Health and Safety Council

How New Zealand implements it

- The Health and Safety in Employment Act deals with all health and safety issues in all workplaces and during all work activity. The Act:
 - defines a place of work as any place where any person is to work, is working for the time being, or customarily works for gain or reward; and
 - sets duties on different parties in places of work, including employers, employees, persons in control of a place of work,

the self-employed, people who sell or supply plant and principals to a contract of service.

- However, there are limitations to the extent of coverage of the Health and Safety in Employment Act. These are the New Zealand Defence Forces, and work performed for the owner in a private home. The New Zealand Defence Forces are excluded from the Act's provisions relating to accident investigation provisions and inspection of high security defence areas. This provision is intended to ensure that high security areas are protected. Whereas, occupiers of a home do not have duties to people who perform residential work.
- Primary responsibility for health and safety within the workplace rests with the employer. The employer has duties in relation to the identification and management of hazards, information, and training and supervision. Employees in turn have to ensure their own safety while at work. Employees, their representatives, and employers have a responsibility to cooperate in good faith to establish and maintain employee participation systems.
- The Health and Safety in Employment Act requires employers, self-employed, and principals to maintain a register of accidents and serious harm. Accidents are defined in the Health and Safety in Employment Act as an event that cause any person to be harmed, or might have caused harm in different circumstances.
- The Health and Safety in Employment Act also requires employers, self-employed and principals to notify the Department of Labour in the occurrence of serious harm as soon as possible after the occurrence. The definition of serious harm is currently under review. This process has involved extensive public consultation and consultation with the social partners.
- In 2003, the New Zealand Government developed the New Zealand Injury Prevention Strategy. The Strategy provides a coordinated approach and a framework for injury prevention. Stakeholders involved in achieving the aims of the Strategy include regional, local, non-government organisation, and businesses and community groups within the wider community.
- The Workplace Health and Safety Council was established by Cabinet decision, and first met in May 2007. The Council's purpose is to provide leadership, coordination, and advice on relevant legislation, standards and policies. In particular, it will build consensus and provide advice to Ministers on workplace health and safety matters.
- Additionally, specific codes of practice have been developed to address the prevention of major industrial accidents.
- Health and safety services are freely provided by the Department of Labour and the Accident Compensation Corporation through the provision of technical information and guidance through their websites and call centres. Furthermore, health and safety inspectors have a duty to help employers, employees and others to improve workplace safety through information and education.

This Convention is not applicable to Tokelau.

Ratified – 12 June 2007

Total ratifications – 50

No. 160 – Labour Statistics, 1985

Provisions

- This Convention ensures regular collection, compilation and publication of basic labour statistics, which shall be progressively expanded in accordance with its resources to cover the following subjects:
 - economically active population, employment, where relevant unemployment, and where possible visible underemployment;
 - structure and distribution of the economically active population, for detailed analysis and to serve as benchmark data;
 - average earnings and hours of work (hours actually worked or hours paid for) and, where appropriate, time rates of wages and normal hours of work;
 - wage structure and distribution;
 - labour cost;
 - consumer price indices;
 - household expenditure or, where appropriate, family expenditure and, where possible, household income or, where appropriate, family income;
 - occupational injuries and, as far as possible, occupational diseases; and
 - industrial disputes.
- Nothing in this Convention shall impose an obligation to publish or reveal data which could result in the disclosure in any way of information relating to an individual statistical unit, such as a person, a household, an establishment or an enterprise.
- Current statistics shall be compiled in such a way as to be representative of the country as a whole.

Administered by

Department of Labour

- Employment Relations Act 2000
- Injury Prevention, Rehabilitation, and Compensation Act 2001

Statistics New Zealand

- Statistics Act 1975

How New Zealand implements it

- New Zealand collects and publishes statistics on the abovementioned subjects.
- The Statistics Act, under which Statistics New Zealand functions, provides for the protection of confidentiality. Information furnished

to the Statistician under this Act shall only be used for statistical purposes.

This Convention is not applicable to Tokelau.

Ratified – 6 November 2001

Total Ratifications – 46

No. 182 – Worst Forms of Child Labour, 1999

Provisions

- Ratifying countries are required to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour.
- The term 'worst forms of child labour' covers:
 - all forms of slavery or practices similar to slavery;
 - the use, procuring or offering of a child for prostitution, production of pornography or pornographic performances;
 - the use, procuring or offering of a child for illicit activities; and
 - work which is likely to harm the health, safety or morals of a child.
- The Convention applies to all children and young persons under the age of 18 years.

Administered by

Department of Labour

- Employment Relations Act 2000
- Health and Safety in Employment Act 1992
- Health and Safety in Employment Regulations 1995
- Minimum Wage Act 1983
- Minimum Wage Order 2008
- Minors' Contracts Act 1969

Ministry of Education

- Education Act 1989

Ministry of Justice

- Crimes Act 1961
- Films, Videos and Publications Classification Act 1993
- Human Rights Act 1993
- Prostitution Reform Act 2003
- Sale of Liquor Act 1989

Ministry of Social Development

- Children, Young Persons and Their Families Act 1989

There are other agencies and additional pieces of legislation that are relevant, however the aforementioned Acts are the key pieces of legislation pertaining to this Convention.

How New Zealand implements it

- New Zealand has a number of provisions that restrict the employment of young persons.
- Sections 20 and 25, of the Education Act require the compulsory enrolment and attendance at school of every child between the ages of 6 and 16. There are some provisions for exemption provided arrangements are made for the child to be taught at least as regularly and well as in a registered school.
- Section 30, of the Education Act prohibits the employment of school age children at any time within school hours, or at any other time which would prevent or interfere with:
 - attendance at school;
 - the ability to do correspondence schooling; or
 - (for exempted children) their ability to be taught at least as regularly and well as in a registered school.
- The Employment Relations Act sets out New Zealand's employment relations framework and applies to all employees, regardless of their age. One of the objectives of the Act is to acknowledge and address the inherent inequality of power in the employment relationship.
- The processes and institutions of the Employment Relations Act produce results that are likely to benefit young people. The Act provides for a range of mediation services, including the provision of information to face-to-face mediated meetings, and adjudication in the Employment Relations Authority.
- The Health and Safety in Employment Act operates on the basis of protection of the health and safety of all persons, including those under the age of 18 years. There are some Health and Safety in Employment Regulations specifically preventing employees of a certain age from undertaking work or employment of a particular description.
- The Minors' Contracts Act provides protection for people aged less than 18 years entering contracts. It provides that certain contracts made by minors are generally unenforceable against the minor unless the contract is fair and reasonable.
- The Crimes Act contains several provisions prohibiting sexual offences involving persons under the age of 16:
 - under the Crimes Act it is an offence to be a client in an act of prostitution by a person under the age of 18 years;
 - the Crimes Act also prohibits offering another person's body for prostitution and procuring any person for the purposes of prostitution;
 - the Crimes Act has a range of provisions prohibiting slavery, debt bondage and serfdom.
- Furthermore, the Prostitution Reform Act prohibits anyone assisting persons under 18 years in providing commercial sexual services; it prohibits anyone receiving earnings from commercial sexual services provided by persons under 18 years; and it prohibits

anyone contracting for commercial sexual services from, or being a client of, a person under the age of 18 years.

- The Films, Videos and Publications Classification Act prohibits producing, distributing or possessing child pornography.
- The Sale of Liquor Act prohibits the employment of those under the age of 18 in any capacity in any restricted area on licensed premises while that area is open for the sale of liquor.

This Convention is not applicable to Tokelau.

Ratified – 14 June 2001

Total ratifications – 165

Appendix 1: Ratified Conventions in numerical order

No.	Convention	Ratification Date
2	Unemployment Convention, 1919	29.03.1938
8	Unemployment Indemnity (Shipwreck) Convention, 1920	11.01.1980
9	Placing of Seamen Convention, 1920	29.03.1938
10	Minimum Age (Agriculture) Convention, 1921	08.07.1947
11	Right of Association (Agriculture) Convention, 1921	29.03.1938
12	Workmen's Compensation (Agriculture) Convention, 1921	29.03.1938
14	Weekly Rest (Industry) Convention, 1921	29.03.1938
15	Minimum Age (Trimmers and Stokers) Convention, 1921	26.11.1959
16	Medical Examination of Young Persons (Sea) Convention, 1921	05.12.1961
17	Workmen's Compensation (Accidents) Convention, 1925	29.03.1938
22	Seamen's Articles of Agreement Convention, 1926	29.03.1938
23	Repatriation of Seamen Convention, 1926	11.01.1980
26	Minimum Wage-Fixing Machinery Convention, 1928	29.03.1938
29	Forced Labour Convention, 1930	29.03.1938
32	Protection Against Accidents (Dockers) Convention (Revised), 1932	29.03.1938
42	Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934	29.03.1998
44	Unemployment Provision Convention, 1934	29.03.1938
47	Forty-Hour Week Convention, 1935	29.03.1938
50	Recruiting of Indigenous Workers Convention, 1936	08.07.1947
52	Holidays with Pay Convention, 1936	10.11.1950
53	Officers' Competency Certificates Convention, 1936	29.03.1938
58	Minimum Age (Sea) Convention (Revised), 1936	07.06.1946
59	Minimum Age (Industry) Convention (Revised), 1937	08.07.1947
64	Contracts of Employment (Indigenous Workers) Convention, 1939	08.07.1947
65	Penal Sanctions (Indigenous Workers) Convention, 1939	08.07.1947
68	Food and Catering (Ships' Crews) Convention, 1946	31.05.1977
69	Certification of Ships' Cooks Convention, 1946	11.01.1980
74	Certification of Able Seamen Convention, 1946	05.12.1961
80	Final Articles Revision Convention, 1946	08.07.1947
81	Labour Inspection Convention, 1947	30.11.1959
82	Social Policy (Non-Metropolitan Territories) Convention, 1947	19.06.1954
84	Right of Association (Non-Metropolitan Territories)	01.07.1952

	Convention, 1947	
88	Employment Service Convention, 1948	03.12.1949
92	Accommodation of Crews Convention (Revised), 1949	31.05.1977
97	Migration for Employment Convention (Revised), 1949	10.11.1950
98	Right to Organise and Collective Bargaining Convention, 1949	09.06.2003
99	Minimum Wage Fixing Machinery (Agriculture) Convention, 1951	01.07.1952
100	Equal Remuneration Convention, 1951	03.06.1983
101	Holidays with Pay (Agriculture) Convention, 1952	24.07.1953
104	Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955	28.06.1956
105	Abolition of Forced Labour Convention, 1957	14.06.1968
111	Discrimination (Employment and Occupation) Convention, 1958	03.06.1983
116	Final Articles Revision Convention, 1961	01.03.1963
122	Employment Policy Convention, 1964	15.07.1965
133	Accommodation of Crews (Supplementary Provisions) Convention, 1970	31.05.1977
134	Prevention of Accidents (Seafarers) Convention, 1970	31.05.1977
144	Tripartite Consultation (International Labour Standards) Convention, 1976	05.06.1987
145	Continuity of Employment (Seafarers) Convention, 1976	11.01.1980
155	Occupational Safety and Health Convention, 1981	12.06.2007
160	Labour Statistics Convention, 1985	06.11.2001
182	Worst Forms of Child Labour Convention, 1999	14.06.2001

Appendix 2: Ratified Conventions by subject matter

1. Freedom of association and collective bargaining

A. Freedom of association and collective bargaining

- No. 98 – Right to Organise and Collective Bargaining, 1949
- No. 11 – Right of Association (Agriculture), 1921
- No. 84 – Right of Association (Non-Metropolitan Territories), 1947

2. Forced labour

- No. 29 – Forced Labour, 1930
- No. 105 – Abolition of Forced Labour, 1957

3. Elimination of child labour and protection of children and young persons

A. Child labour

- No. 182 – Worst Forms of Child Labour, 1999

B. Protection of children and young persons

- No. 10 – Minimum Age (Agriculture), 1921
- No. 15 – Minimum Age (Trimmers and Stokers), 1921
- No. 16 – Medical Examination of Young Persons (Sea), 1921
- No. 58 – Minimum Age (Sea) (Revised), 1936
- No. 59 – Minimum Age (Industry) (Revised), 1937

4. Equality of opportunity and treatment

- No. 100 – Equal Remuneration, 1951
- No. 111 – Discrimination (Employment and Occupation), 1958

5. Tripartite consultation

- No. 144 – Tripartite Consultation (International Labour Standards), 1976

6. Labour administration and inspection

A. Labour inspection

- No. 81 – Labour Inspection, 1947

B. Statistics

- No. 160 – Labour Statistics, 1985

7. Employment policy and promotion

A. Employment policy

- No. 122 – Employment Policy, 1964

B. Other instruments on employment policy and promotion

- No. 2 – Unemployment, 1919
- No. 88 – Employment Service, 1948

8. Minimum Wages

- No. 26 – Minimum Wage-Fixing Machinery, 1928
- No. 99 – Minimum Wage Fixing Machinery (Agriculture), 1951

9. Working time

- No. 14 – Weekly Rest (Industry), 1921
- No. 47 – Forty-Hour Week, 1935
- No. 52 – Holidays with Pay, 1936
- No. 101 – Holidays with Pay (Agriculture), 1952

10. Occupational safety and health

- No. 155 – Occupational Safety and Health, 1981

11. Social security

A. Employment injury benefit

- No. 12 – Workmen's Compensation (Agriculture), 1921
- No. 17 – Workmen's Compensation (Accidents), 1925
- No.42 – Workmen's Compensation (Occupational Diseases) (Revised), 1934

B. Unemployment Benefit

- No. 44 – Unemployment Provision, 1934

C. Seafarers

- No. 8 – Unemployment Indemnity (Shipwreck), 1929

12. Social policy

- No. 82 – Social Policy (Non-Metropolitan Territories), 1947

13. Migrant Workers

- No. 97 – Migration for Employment, 1949

14. Seafarers

A. Protection of children and young persons

- No. 16 – Medical Examination of Young Persons (Sea), 1921
- No. 58 – Minimum Age (Sea) (Revised), 1936

B. Access to employment

- No. 9 – Placing of Seamen, 1920
- No. 53 – Officers' Competency Certificates, 1936
- No. 69 – Certification of Ships' Cooks, 1946
- No. 74 – Certification of Able Seamen, 1946

C. General conditions of employment

- No. 22 – Seamen's Articles of Agreement, 1926
- No. 23 – Repatriation of Seamen, 1926

D. Safety, health and welfare

- No. 68 – Food and Catering (Ships' Crews), 1946
- No. 92 – Accommodation of Crews (Revised), 1949
- No. 133 – Accommodation of Crews (Supplementary Provisions), 1970
- No. 134 – Prevention of Accidents (Seafarers), 1970

E. Security of employment

- No. 145 – Continuity of Employment (Seafarers), 1976

F. Social security

- No. 8 – Unemployment Indemnity (Shipwreck), 1929

15. Dockworkers

- No. 32 – Protection against Accidents (Dockers) (Revised), 1932

16. Indigenous and tribal peoples

- No. 50 – Recruiting of Indigenous Workers, 1936
- No. 64 – Contracts of Employment (Indigenous Workers), 1939
- No. 65 – Penal Sanctions (Indigenous Workers), 1939
- No. 104 – Abolition of Penal Sanctions (Indigenous Workers), 1955

15. Final Articles Conventions

- No. 80 – Final Articles Revision, 1946
- No. 116 – Final Articles Revision, 1961

Appendix 3: List of Statutes and the Conventions to which they apply

Name of Statute	ILO Conventions to which it applies
Children, Young Persons and Their Families Act 1989	182
Citizenship Act 1997	82
Commerce Act 1986	98
Corrections Act 2004	29, 105
Crimes Act 1961	29, 105, 182
Criminal Justice Act 1985	29, 105
Disabled Persons Employment Promotion Repeal Act 2007	26, 81, 100, 111, 122
Education Act 1989	10, 58, 59, 122, 182
Employment Relations Act 2000	9, 11, 14, 22, 26, 47, 52, 58, 59, 81, 97, 98, 99, 100, 101, 111, 122, 145, 160, 182
Equal Pay Act 1972	26, 100, 111, 122
Films, Videos and Publications Classification Act 1993	182
Government Service Equal Pay Act 1960	100, 111, 122
Hazardous Substances and New Organisms Act 1996	32
Health and Safety in Employment Act 1992	10, 14, 17, 29, 32, 47, 59, 81, 81, 134, 155, 182
Holidays Act 2003	22, 52, 81, 100, 101
Human Rights Act 1993	11, 88, 97, 98, 100, 111, 122, 182
Immigration Act 1987	2, 97
Industry Training Act 1992	122
Injury Prevention, Rehabilitation, and Compensation Act 2001	12, 17, 42, 155, 160
Land Transport Act 1998	59
Maritime Transport Act 1994	8, 9, 15, 16, 22, 23, 32, 53, 58, 68, 69, 74, 92, 133, 134, 145
Minimum Wage Act 1983	14, 22, 26, 47, 52, 81, 99, 100, 111, 145, 182
Minors' Contracts Act 1969	182
New Zealand Bill of Rights Act 1960	11, 97, 98, 111
New Zealand Sign Language Act 2006	111
Parental Leave and Employment Protection Act 1987	81, 100, 111
Privacy Act 1993	88
Prostitution Reform Act 2003	182

Race Relations Act 1971	122
Sale of Liquor Act 1989	59, 182
Sentencing Act 2002	29, 105
Social Security Act 1964	2, 17, 44, 88, 122
State Sector Act 1988	52, 111
Statistics Act 1975	2, 88, 160
Tokelau Act 1948	82
Tokelau (Territorial Sea and Exclusive Economic Zone) Act 1977	82
Trade Unions Act 1908	11, 98
Transport Act 1962	14
Wages Protection Act 1983	14, 22

NOTE: This list is not exhaustive. There are cases where additional pieces of legislation are relevant to the Conventions listed in this document; however, this document has only identified the key pieces of legislation relevant to each Convention.

Appendix 4: Denunciation of Conventions

Every Convention contains an Article defining the conditions under which States which have ratified the Convention may denounce it.

In the case of Conventions 1-25, denunciation is permitted after the expiration of a stated period (usually ten years but in certain cases five years) from the date on which the Convention first came into force.

In the case of Convention 26 onwards, denunciation is permitted within an interval of a year (referred to informally as a window of opportunity) from the expiration of a succession of periods (usually ten years, but in certain cases five years) from the date on which the Convention first came into force.

Denunciations are usually the automatic consequence of a State's ratification of a revised or more up-to-date Convention on the same subject. A State may also denounce a Convention because it can no longer comply with its provisions or it is no longer in accordance with its views and concerns.

New Zealand has denounced the following nine Conventions:

Night Work (Women) Convention, 1934 (No. 41)

Denounced in 1950 as the result of ratifying Night Work (Women) (Revised) Convention, 1948 (No. 89).

Minimum Age (Non-Industrial Employment) (Revised) Convention, 1937 (No. 60)

Denounced in 1961 because some of its requirements were at variance with established New Zealand law and practice (for example, children under 13 selling newspapers) and legislative changes did not have public or parental support.

Night Work (Women) (Revised) Convention, 1948 (No. 89)

Denounced in 1981 because the Convention was considered discriminatory and in contravention of the Human Rights Commission Act.

Inspection of Emigrants Convention, 1926 (No. 21)

Denounced in 1982 because it was not considered appropriate to the New Zealand situation where migrants no longer travel in groups on board ships.

Underground Work (Women) Convention, 1935 (No. 45)

Denounced in 1987 because the Convention discriminates between the treatment of men and women in contravention of the Human Rights Commission Act and international human rights instruments.

Hours of Work (Industry) Convention, 1919 (No. 1)
Hours of Work (Commerce and Offices) Convention, 1930 (No. 30)
Reduction of Hours of Work (Glass-Bottle Works) Convention, 1935 (No. 49)

Denounced in 1989 because these Conventions no longer reflected labour practice in New Zealand and were considered to restrict the adoption of more flexible working hours.

Statistics of Wages and Hours of Work Convention, 1938 (No. 63)

Denounced in 2001 because this Convention is now out of date. This Convention has been superseded by the Labour Statistics Convention, 1985 (no. 160) which provides superior guidelines for the collection of labour statistics of international comparability.

Appendix 5: Official titles of Conventions adopted by the International Labour Conference

No.	Convention
1	Hours of Work (Industry) Convention, 1919
2	Unemployment Convention, 1919
3	Maternity Protection Convention, 1919
4	Night Work (Women) Convention, 1919 (shelved)
5	Minimum Age (Industry) Convention, 1919
6	Night Work of Young Persons (Industry) Convention, 1919
7	Minimum Age (Sea) Convention, 1920
8	Unemployment Indemnity (Shipwreck) Convention, 1920
9	Placing of Seamen Convention, 1920
10	Minimum Age (Agriculture) Convention, 1921
11	Right of Association (Agriculture) Convention, 1921
12	Workmen's Compensation (Agriculture) Convention, 1921
13	White Lead (Painting) Convention, 1921
14	Weekly Rest (Industry) Convention, 1921
15	Minimum Age (Trimmers and Stokers) Convention, 1921 (shelved)
16	Medical Examination of Young Persons (Sea) Convention, 1921
17	Workmen's Compensation (Accidents) Convention, 1925
18	Workmen's Compensation (Occupational Diseases) Convention, 1925
19	Equality of Treatment (Accident Compensation) Convention, 1925
20	Night Work (Bakeries) Convention, 1925 (shelved)
21	Inspection of Emigrants Convention, 1926 (shelved)
22	Seamen's Articles of Agreement Convention, 1926
23	Repatriation of Seamen Convention, 1926
24	Sickness Insurance (Industry) Convention, 1927
25	Sickness Insurance (Agriculture) Convention, 1927
26	Minimum Wage-Fixing Machinery Convention, 1928
27	Marking of Weight (Packages Transported by Vessels) Convention, 1929
28	Protection against Accidents (Dockers) Convention, 1929 (shelved)
29	Forced Labour Convention, 1930
30	Hours of Work (Commerce and Offices) Convention, 1930
31	Hours of Work (Coal Mines) Convention, 1931 (withdrawn by the ILC – decision of 15 June 2000)
32	Protection Against Accidents (Dockers) Convention (Revised), 1932
33	Minimum Age (Non-Industrial Employment) Convention, 1932
34	Fee-Charging Employment Agencies Convention, 1933 (shelved)
35	Old-Age Insurance (Industry, etc) Convention, 1933 (shelved)
36	Old-Age Insurance (Agriculture) Convention, 1933 (shelved)
37	Invalidity Insurance (Industry, etc) Convention, 1933 (shelved)
38	Invalidity Insurance (Agriculture) Convention, 1933 (shelved)
39	Survivors' Insurance (Industry, etc) Convention, 1933 (shelved)
40	Survivors' Insurance (Agriculture) Convention, 1933 (shelved)

41	Night Work (Women) Convention (Revised), 1934 (shelved)
42	Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934
43	Sheet-Glass Works Convention, 1934 (shelved)
44	Unemployment Provision Convention, 1934 (shelved)
45	Underground Work (Women) Convention, 1935
46	Hours of Work (Coal Mines) Convention (Revised), 1935 (withdrawn by the ILC - decision of 15 June 2000)
47	Forty-Hour Week Convention, 1935
48	Maintenance of Migrants' Pension Rights Convention, 1935 (shelved)
49	Reduction of Hours of Work (Glass-Bottle Works) Convention, 1935 (shelved)
50	Recruiting of Indigenous Workers Convention, 1936 (shelved)
51	Reduction of Hours of Work (Public Works) Convention, 1936 (withdrawn by the ILC - decision of 15 June 2000)
52	Holidays with Pay Convention, 1936
53	Officers' Competency Certificates Convention, 1936
54	Holidays with Pay (Sea) Convention, 1936
55	Shipowners' Liability (Sick and Injured Seamen) Convention, 1936
56	Sickness Insurance (Sea) Convention, 1936
57	Hours of Work and Manning (Sea) Convention, 1936
58	Minimum Age (Sea) Convention (Revised), 1936
59	Minimum Age (Industry) Convention (Revised), 1937
60	Minimum Age (Non-Industrial Employment) Convention (Revised), 1937 (shelved)
61	Reduction of Hours of Work (Textiles) Convention, 1937 (withdrawn by the ILC - decision of 15 June 2000)
62	Safety Provisions (Building) Convention, 1937
63	Convention concerning Statistics of Wages and Hours of Work, 1938
64	Contracts of Employment (Indigenous Workers) Convention, 1939 (shelved)
65	Penal Sanctions (Indigenous Workers) Convention, 1939 (shelved)
66	Migration for Employment Convention, 1939 (withdrawn by the ILC - decision of 15 June 2000)
67	Hours of Work and Rest Periods (Road Transport) Convention, 1939 (shelved)
68	Food and Catering (Ships' Crews) Convention, 1946
69	Certification of Ships' Cooks Convention, 1946
70	Social Security (Seafarers) Convention, 1946
71	Seafarers' Pensions Convention, 1946
72	Paid Vacations (Seafarers) Convention, 1946
73	Medical Examination (Seafarers) Convention, 1946
74	Certification of Able Seamen Convention, 1964
75	Accommodation of Crews Convention, 1946
76	Wages, Hours of Work and Manning (Sea) Convention, 1946
77	Medical Examination of Young Persons (Industry) Convention, 1946

78	Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946
79	Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946
80	Final Articles Revision Convention, 1946
81	Labour Inspection Convention, 1947 Protocol of 1995 to the Labour Inspection Convention, 1947
82	Social Policy (Non-Metropolitan Territories) Convention, 1947
83	Labour Standards (Non-Metropolitan Territories) Convention, 1947
84	Right of Association (Non-Metropolitan Territories) Convention, 1947
85	Labour Inspectorates (Non-Metropolitan Territories) Convention, 1947
86	Contracts of Employment (Indigenous Workers) Convention, 1947 (shelved)
87	Freedom of Association and Protection of the Right to Organise Convention, 1948
88	Employment Service Convention, 1948
89	Night Work (Women) Convention (Revised), 1948 Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948
90	Night Work of Young Persons (Industry) Convention (Revised), 1948
91	Paid Vacations (Seafarers) Convention (Revised), 1949 (shelved)
92	Accommodation of Crews Convention (Revised), 1949
93	Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949
94	Labour Clauses (Public Contracts) Convention, 1949
95	Protection of Wages Convention, 1949
96	Fee-Charging Employment Agencies Convention (Revised), 1949
97	Migration for Employment Convention (Revised), 1949
98	Right to Organise and Collective Bargaining Convention, 1949
99	Minimum Wage Fixing Machinery (Agriculture) Convention, 1951
100	Equal Remuneration Convention, 1951
101	Holidays with Pay (Agriculture) Convention, 1952
102	Social Security (Minimum Standards) Convention, 1952
103	Maternity Protection Convention (Revised), 1952
104	Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955 (shelved)
105	Abolition of Forced Labour Convention, 1957
106	Weekly Rest (Commerce and Offices) Convention, 1957
107	Indigenous and Tribal Populations Convention, 1957
108	Seafarers' Identity Documents Convention, 1958
109	Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958
110	Plantations Convention, 1958 Protocol of 1982 to the Plantations Convention, 1958
111	Discrimination (Employment and Occupation) Convention, 1958

112	Minimum Age (Fishermen) Convention, 1959
113	Medical Examination (Fishermen) Convention, 1959
114	Fishermen's Articles of Agreement Convention, 1959
115	Radiation Protection Convention, 1960
116	Final Articles Revision Convention, 1961
117	Social Policy (Basic Aims and Standards) Convention, 1962
118	Equality of Treatment (Social Security) Convention, 1962
119	Guarding of Machinery Convention, 1963
120	Hygiene (Commerce and Offices) Convention, 1964
121	Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980]
122	Employment Policy Convention, 1964
123	Minimum Age (Underground Work) Convention, 1965
124	Medical Examination of Young Persons (Underground Work) Convention, 1965
125	Fishermen's Competency Certificates Convention, 1966
126	Accommodation of Crews (Fishermen) Convention, 1966
127	Maximum Weight Convention, 1967
128	Invalidity, Old-Age and Survivors' Benefits Convention, 1967
129	Labour Inspection (Agriculture) Convention, 1969
130	Medical Care and Sickness Benefits Convention, 1969
131	Minimum Wage Fixing Convention, 1970
132	Holidays with Pay Convention (Revised), 1970
133	Accommodation of Crews (Supplementary Provisions) Convention, 1970
134	Prevention of Accidents (Seafarers) Convention, 1970
135	Workers' Representatives Convention, 1971
136	Benzene Convention, 1971
137	Dock Work Convention, 1973
138	Minimum Age Convention, 1973
139	Occupational Cancer Convention, 1974
140	Paid Educational Leave Convention, 1974
141	Rural Workers' Organisations Convention, 1975
142	Human Resources Development Convention, 1975
143	Migrant Workers (Supplementary Provisions) Convention, 1975
144	Tripartite Consultation (International Labour Standards) Convention, 1976
145	Continuity of Employment (Seafarers) Convention, 1976
146	Seafarers' Annual Leave with Pay Convention, 1976
147	Merchant Shipping (Minimum Standards) Convention, 1976 Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976
148	Working Environment (Air Pollution, Noise and Vibration) Convention, 1977
149	Nursing Personnel Convention, 1977
150	Labour Administration Convention, 1978
151	Labour Relations (Public Service) Convention, 1978
152	Occupational Safety and Health (Dock Work) Convention, 1979

153	Hours of Work and Rest Periods (Road Transport) Convention, 1979
154	Collective Bargaining Convention, 1981
155	Occupational Safety and Health Convention, 1981 Protocol of 2002 to the Occupational Safety and Health Convention, 1981
156	Workers with Family Responsibilities Convention, 1981
157	Maintenance of Social Security Rights Convention, 1982
158	Termination of Employment Convention, 1982
159	Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983
160	Labour Statistics Convention, 1985
161	Occupational Health Services Convention, 1985
162	Asbestos Convention, 1986
163	Seafarers' Welfare Convention, 1987
164	Health Protection and Medical Care (Seafarers) Convention, 1987
165	Social Security (Seafarers) Convention (Revised), 1987
166	Repatriation of Seafarers Convention (Revised), 1987
167	Safety and Health in Construction Convention, 1988
168	Employment Promotion and Protection against Unemployment Convention, 1988
169	Indigenous and Tribal Peoples Convention, 1989
170	Chemicals Convention, 1990
171	Night Work Convention, 1990
172	Working Conditions (Hotels and Restaurants) Convention, 1991
173	Protection of Workers' Claims (Employer's Insolvency) Convention, 1992
174	Prevention of Major Industrial Accidents Convention, 1993
175	Part-time Work Convention, 1994
176	Safety and Health in Mines Convention, 1995
177	Home Work Convention, 1996
178	Labour Inspection (Seafarers) Convention, 1996
179	Recruitment and Placement of Seafarers Convention, 1996
180	Seafarers' Hours of Work and the Manning of Ships Convention, 1996
181	Private Employment Agencies Convention, 1997
182	Worst Forms of Child Labour Convention, 1999
183	Maternity Protection Convention, 2000
184	Safety and Health in Agriculture Convention, 2001
185	Seafarer's Identity Documents Convention (Revised), 2003
	Maritime Labour Convention, 2006 [this convention does not have a number]
187	Promotional Framework for Occupational Safety and Health Convention, 2006
188	Work in Fishing Convention, 2007

