

§ 792. - Certification of Ships' Cooks Convention 27 giugno 1946 n. 69 (1).

(1) E in vigore il 22 Aprile 1953. Ratificata dall' Italia il 22 ottobre 1952.

Art. 1. 1. This Convention applies to sea-going vessels, whether publicly or privately owned, which are engaged in the transport of cargo or passengers for the purpose of trade and registered in a territory for which this Convention is in force.

2. National laws or regulations or, in the absence of such laws or regulations, collective agreements between employers and workers shall determine the vessels or classes of vessels which are to be regarded as sea-going vessels for the purpose of this Convention.

Art. 2. For the purpose of this Convention the term *ship's cook* means the person directly responsible for the preparation of meals for the crew of the ship.

Art. 3. 1. No person shall be engaged as ship's cook on board any vessel to which this Convention applies unless he holds a certificate of qualification as ship's cook granted in accordance with the provisions of the following Articles.

2. Provided that the competent authority may grant exemptions from the provisions of this Article if in its opinion there is an inadequate supply of certificated ships' cooks.

Art. 4. 1. The competent authority shall make arrangements for the holding of examinations and for the granting of certificates of qualification.

2. No person shall be granted a certificate of qualification unless—

- (a) he has reached a minimum age to be prescribed by the competent authority;
- (b) he has served at sea for a minimum period to be prescribed by the competent authority; and
- (c) he has passed an examination to be prescribed by the competent authority.

3. The prescribed examination shall provide a practical test of the candidate's ability to prepare meals; it shall also include a test of his knowledge of food values, the drawing up of varied and properly balanced menus, and the handling and storage of food on board ship.

4. The prescribed examination may be conducted and certificates granted either directly by the competent authority or, subject to its control, by an approved school for the training of cooks or other approved body.

Art. 5. Article 3 of this Convention shall apply after the expiration of a period not exceeding three years from the date of entry into force of the Convention for the territory where the vessel is registered: Provided that, in the case of a seaman who has had a satisfactory record of two years' service as cook before the expiration of the aforesaid period, national laws or regulations may provide for the acceptance of a certificate of such service as equivalent to a certificate of qualification.

Art. 6. The competent authority may provide for the recognition of certificates of qualification issued in other territories.

Art. 7. The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Art. 8. 1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force six months after the date on which there have been registered ratifications by nine of the following countries: United States of America, Argentine Republic, Australia, Belgium, Brazil, Canada, Chile, China, Denmark, Finland, France, United Kingdom of Great Britain and Northern Ireland, Greece, India, Ireland, Italy, Netherlands, Norway, Poland, Portugal, Sweden, Turkey and Yugoslavia, including at least five countries each of which has at least one million gross register tons of shipping. This provision is included for the purpose of facilitating and encouraging early ratification of the Convention by Member States.

3. Thereafter, this Convention shall come into force for any Member six months after the date on which its ratification has been registered.

Art. 9. 1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation should not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Art. 10. 1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Art. 11. The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Art. 12. At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Art. 13. 1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

a) the ratification by a Member of the new revising

Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 9 above, if and when the new revising Convention shall have come into force; b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Art. 14. The English and French versions of the text of this Convention are equally authoritative.