**MINISTARSTVO RADA I SOCIJALNE SKRBI**

**8**

1. Na temelju točke III. Odluke o objavljivanju konvencija Međunarodne organizacije rada kojih je Republika Hrvatska stranka na temelju notifikacije o sukcesiji (»Narodne novine – Međunarodni ugovori« broj 6/95), Ministarstvo rada i socijalne skrbi Republike Hrvatske objavljuje Konvenciju o naknadama koje se isplaćuju radnicima za profesionalne bolesti.

2. Tekst Konvencije u izvorniku na engleskom jeziku i u prijevodu na hrvatski jezik glasi:

**Konvencija 18**

**Konvencija o naknadama koje se isplaĆuju radnicima za profesionalne bolesti**

Opća konferencija Međunarodne organizacije rada koju je u Ženevi sazvalo Upravno vijeće Međunarodnog ureda rada, sas­tavši se na svom sedmom zasjedanju 19. svibnja 1925.,

i

odlučivši prihvatiti određene prijedloge u vezi s naknadama za profesionalne bolesti, a što je prva točka dnevnog reda zasjedanja, i

odlučivši da ovi prijedlozi dobiju oblik međunarodne konvencije;

usvaja desetog lipnja tisuću devetsto dvadeset i pete godine sljedeću konvenciju koja se naziva Konvencija o naknadi štete radnicima (profesionalne bolesti) iz 1925. na ratifikaciju članicama Međunarodne organizacije rada u skladu s odredbama Statuta Međunarodne organizacije rada:

Članak 1.

1. Svaka članica Međunarodne organizacije rada koja ratificira ovu Konvenciju obvezuje se da će radnicima koji postanu nesposobni za rad zbog profesionalne bolesti ili, u slučaju smrti koja nastupi kao posljedica takve bolesti, osobama koje su oni uzdržavali, osigurati naknadu u skladu s općim načelima nacionalnog zakonodavstva koje se odnosi na naknadu za slučajeve industrijskih nesreća.

2. Iznos takve naknade ne smije biti manji od iznosa propisanog nacionalnim zakonodavstvom za ozljedu koja proizlazi iz industrijske nesreće. Uzimajući u obzir prethodnu odredbu, prilikom utvrđivanja u svojim nacionalnim zakonima i drugim propisima uvjeta pod kojima će naknada za navedene bolesti biti plativa, te prilikom primjene na navedene bolesti svojih zakona i drugih propisa kojima se uređuje pitanje naknade za slučajeve industrijskih nesreća, svaka članica može usvojiti one izmjene i dopune koje smatra primjerenima.

Članak 2.

Svaka članica Međunarodne organizacije rada koja ratificira ovu Konvenciju obvezuje se da će profesionalnim bolestima smatrati one bolesti i trovanja koja su prouzročena tvarima navedenim u priloženoj Tablici, kada te bolesti ili takva trovanja pogađaju radnike zaposlene u trgovini ili industrijama navedenim u suprotnoj koloni navedene Tablice, te proizlaze iz rada u poduzećima obuhvaćenim navedenim nacionalnim zakonodavstvom.

TABLICA

*Popis bolesti i toksičnih tvari Popis odgovarajućih*

*industrija i procesa*

Trovanje olovom, njegovim       Obrada rude koja sadrži

legurama ili spojevima i       olovo,

njihove posljedice               uključujući olovni pepeo
                                          u tvornicama cinka.

                                          Topljenje starog cinka i olova

                                          u ingotima.

                                          Izrada predmeta od lijevanog

                                          željeza ili od olovnih legura.

                                          Zaposlenost u poligrafskim

                                          industrijama.

                                          Proizvodnja olovnih spojeva.

                                          Proizvodnja i popravljanje

                                          električnih akumulatora.

                                          Priprema i korištenje emajla

                                          koji sadrži olovo.

                                          Poliranje pomoću olovnih

                                          strugotina ili kita u prahu

                                          s olovnim sadržajem.

                                          Svi slikarski radovi koji

                                          uključuju pripremu

                                          i rukovanje premazima,

                                          ljepilima ili bojama

                                          koje sadrže olovne pigmente.

Trovanje živom, njenim       Obrada živine rude.

amalgamima i spojevima i   Proizvodnja živinih spojeva.

njihove posljedice               Proizvodnja mjernih

                                          i laboratorijskih uređaja.

                                          Priprema sirovine za izradu

                                          šešira.

                                          Pozlata u vatri.

                                          Korištenje živinih crpki u

                                          proizvodnji električnih žarulja.

                                          Proizvodnja fulminata sa

                                          živinim upaljačima.

Infekcija antraksom            Rad sa životinjama zaraženima

                                          antraksom.

                                          Rukovanje s životinjskim

                                          truplima ili dijelovima takvih

                                          trupala, uključujući kožu,

                                          kopita

                                          i rogove.

                                          Utovar i istovar ili prijevoz

                                          robe.

Članak 3.

Službene ratifikacije ove Konvencije će se, pod uvjetima utvrđenim Statutom Međunarodne organizacije rada, priopćiti glavnom ravnatelju Međunarodnog ureda rada radi registracije.

Članak 4.

1. Ova Konvencija stupa na snagu onog datuma kada kod glavnog ravnatelja budu registrirane ratifikacije dviju članica Međunarodne organizacije rada.

2. Ona obvezuje samo one članice čije su ratifikacije registrirane u Međunarodnom uredu rada.

3. Nakon toga, ova Konvencija stupa na snagu u odnosu na svaku članicu onog datuma kada njezina ratifikacija bude registrirana u Međunarodnom uredu rada.

Članak 5.

Čim ratifikacije dviju članica Međunarodne organizacije rada budu registrirane u Međunarodnom uredu rada, glavni ravnatelj Međunarodnog ureda rada će to notificirati svim članicama Međunarodne organizacije rada. On će im također notificirati registraciju svih ratifikacija koje mu naknadno priopće članice Organizacije.

Članak 6.

Uzimajući u obzir odredbe članka 4., svaka članica koja ratificira ovu Konvenciju obvezuje se primjenjivati odredbe članaka 1. i 2. najkasnije od 1. siječnja 1927. i poduzimati sve potrebne mjere kako bi osigurala provedbu tih odredaba.

Članak 7.

Svaka članica Međunarodne organizacije rada koja je ratificirala ovu Konvenciju obvezuje se da će je primjenjivati na svoje kolonije, posjede i protektorate u skladu s odredbama članka 35. Statuta Međunarodne organizacije rada.

Članak 8.

Članica koja je ratificirala ovu Konvenciju može je otkazati nakon isteka roka od pet godina od datuma kada je Konvencija stupila na snagu, izjavom koju dostavlja glavnom ravnatelju Međunarodnog ureda rada radi registracije. Takav otkaz proizvodi pravni učinak godinu dana nakon datuma kada je registriran u Međunarodnom uredu rada.

Članak 9.

Najmanje jednom u deset godina Upravno vijeće Među­narodnog ureda rada će Općoj konferenciji podnijeti izvješće o primjeni ove Konvencije i razmotriti potrebu uvrštavanja pitanja njezine revizije ili izmjene na dnevni red Konferencije.

Članak 10.

Engleski i francuski tekst ove Konvencije jednako su vjerodostojni.

**Convention No. 18**

**Convention concerning Workmenžs Compensation for Occupational Diseases**

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Seventh Session on 19 May 1925, and

Having decided upon the adoption of certain proposals with regard to workmenžs compensation for occupational diseases, which is included in the first item of the agenda of the Session, and

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

adopts the tenth day of June of the year one thousand nine hundred and twenty-five, the following Convention, which may be cited as the Workmenžs Compensation (Occupational Diseases) Convention, 1925, for ratification by the Members of the International Labour Organisation in accordance with the provisions of the Constitution of the International Labour Organisation:

Article 1

1. Each Member of the International Labour Organisation which ratifies this Convention undertakes to provide that compensation shall be payable to workmen incapacitated by occupational diseases, or, in case of death from such diseases, to their dependants, in accordance with the general principles of the national legislation relating to compensation for industrial accidents.

2. The rates of such compensation shall be not less than those prescribed by the national legislation for injury resulting from industrial accidents. Subject to this provision, each Member, in determining in its national law or regulations the conditions under which compensation for the said diseases shall be payable, and in applying to the said diseases its legislation in regard to compensation for industrial accidents, may make such modifications and adaptations as it thinks expedient.

Article 2

Each Member of the International Labour Organisation which ratifies this Convention undertakes to consider as occupational diseases those diseases and poisonings produced by the substances set forth in the Schedule appended hereto, when such diseases or such poisonings affect workers engaged in the trades or industries placed opposite in the said Schedule, and result from occupation in an undertaking covered by the said national legislation.

SCHEDULE

*List of diseases*                 *List of corresponding
                                          toxic substances industries                        and processes*

Poisoning by lead, its alloys       Casting of old zinc and

Handling of ore containing lead in ingots.

lead, or compounds and their    Manufacture of articles made sequelae. including fine shot in      of cast lead or of lead alloys.

zinc factories.                     Employment in the

                                          polygraphic industries.

                                          Manufacture of lead

                                          compounds.

                                          Manufacture and repair

                                          of electric accumulators.

                                          Preparation and use of enamels

                                          containing lead.

                                          Polishing by means of

                                          lead files or putty powder with                     a lead content.

                                          All painting operations

                                          involving the preparation and                       manipulation of coating

                                          substances, cements or

                                          colouring substances

                                          containing lead pigments.

Poisoning by mercury, its    Manufacture of mercury

Handling of mercury ore.    compounds.

amalgams and compounds and  Manufacture of measuring and

their sequelae.                    laboratory apparatus.

                                          Preparation of raw material

                                          for the hatmaking industry.

                                          Hot gilding.

                                          Use of mercury pumps in the

                                          manufacture of incandescent                        lamps.

                                          Manufacture of fulminate of

                                          mercury primers.

Anthrax infection.               Work in connection with

                                          animals infected with anthrax.

                                          Handling of animal carcasses                       or parts of such carcasses

                                          including hides, hoofs and                horns.

                                          Loading and unloading or

                                          transport of merchandise.

Article 3

The formal ratifications of this Convention, under the conditions set forth in the Constitution of the International Labour Organisation, shall be communicated to the Director-General of the International Labour Office for registration.

Article 4

1. This Convention shall come into force at the date on which the ratifications of two Members of the International Labour Organisation have been registered by the Director-General.

2. It shall be binding only upon those Members whose ratifications have been registered with the International Labour Office.

3. Thereafter, the Convention shall come into force for any member at the date on which its ratification has been registered with the International Labour Office.

Article 5

As soon as the ratifications of two Members of the International Labour Organisation have been registered with the International Labour Office, the Director-General of the International Labour Office shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of the ratifications which may be communicated subsequently by other Members of the Organisation.

Article 6

Subject to the provisions of Article 6, each Member which ratifies this Convention agrees to bring the provisions of Articles 1 and 2 into operation not later than 1 January 1927 and to take such action as may be necessary to make these provisions effective.

Article 7

Each Member of the International Labour Organisation which ratifies this Convention engages to apply it to its colonies, possessions and protectorates, in accordance with the provisions of Article 35 of the Constitution of the International Labour Organisation.

Article 8

A Member which has ratified this Convention may denounce it after the expiration of five 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 shall not take effect until one year after the date on which it is registered with the International Labour Office.

Article 9

At such times as it may consider necessary 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.

Article 10

The French and English texts of this Convention shall both be authentic.

Klasa: 910-01/01-01/234
Urbroj: 524-02/3-01-5
Zagreb, 3. prosinca 2001.

Ministar rada i socijalne skrbi**Davorko Vidović,**v. r.