

Statement of interpretation on Article 3§2

Proceeding from its interpretation of Article 3-1, the Committee took the view that Article 3-2 likewise relates to all economic sectors. Moreover, it considered that a Contracting State cannot be regarded as meeting the prescribed obligation unless its measures of supervision are enforced by adequate civil and criminal sanctions. It also observed that the contracting States should give detailed information concerning any national measures exempting certain undertakings from supervision.

On this point, the Committee, while observing that all the Contracting States made explicit mention of criminal liability in connection with the enforcement of the provisions under this paragraph, wished that the Second Reports would provide information on the civil liability of employers in the event of failure to comply with the regulations in question.