

No. 33 of 1953.

A LAW TO AMEND AND CONSOLIDATE THE LAW RELATING TO THE EMPLOYMENT OF CHILDREN AND YOUNG PERSONS.

A. B. WRIGHT,] Governor.

[30th September, 1953.

BE it enacted by His Excellency the Governor and Commander-in-Chief of the Colony of Cyprus as follows :—

Short title.

1. This Law may be cited as the Children and Young Persons (Employment) Law, 1953.

PART I.—PRELIMINARY.

2.—(1) In this Law, unless the context otherwise requires— Interpretation.
 “bodily injury” includes injury to health;

“child” means a person under the age of sixteen years;

“Commissioner” means the Commissioner of Labour and includes the Assistant Commissioner of Labour;

“dangerous trade or occupation” means any trade or occupation, involving risk of bodily injury to persons employed in connection therewith, declared as such by the Governor in Council and includes the trades or occupations set out in the Schedule:

Schedule.

Provided that the Governor in Council may vary the Schedule or add to or delete therefrom any trade or occupation;

“industrial undertaking” means—

(a) mines, quarries and other works for obtaining minerals or quarry materials;

(b) industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including shipbuilding, and the generation, transformation and transmission of electricity and motive power of any kind;

(c) construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other civil engineering work, as well as the preparation for or laying the foundations of any such work or structure;

(d) transport of passengers or goods by road, rail, air or between the ports in the Colony, including the handling of goods at docks, quays, wharves, warehouses and airports but excluding transport by hand;

“Inspector” means an officer or person appointed by the Governor to be an inspector for all or any of the purposes of this Law;

“night” means a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning:

Provided that, between the 1st day of June and the 30th day of September, both inclusive, in every year, where a two

shift system operates in any trade or occupation, the interval shall be between eleven o'clock in the evening and five o'clock in the morning ;

“ parent ” means a parent of, or any person having the custody of, a child or young person and includes—

- (a) any person with whom a child or young person has been boarded out in such manner and under such conditions as may be approved by the Senior Welfare Officer ;
- (b) a step-father or step-mother of a child or young person ;
- (c) the mother of an illegitimate child or young person ; and
- (d) in relation to a child or young person adopted in a manner recognized by law, any person who has adopted him ;

“ undertaking ” means any industrial undertaking and any of the following establishments, services or undertakings, whether public, co-operative or private (including establishments, services or undertakings of Her Majesty's Government or any department thereof, or of the Government or any Department or of any municipal corporation or improvement board) :—

- (a) any commercial establishment or office including establishments engaged wholly or mainly in the sale, purchase, distribution, insurance, negotiation, loan or administration of goods or service of any kind ;
- (b) any establishment or administrative service in which the persons employed are mainly engaged in clerical work ;
- (c) any newspaper undertaking ;
- (d) any establishment for the treatment or care of children, or aged, destitute, infirm, mentally unfit or sick persons ;
- (e) any boarding house, café, club, hotel, restaurant, or other establishment for public refreshment or public entertainment ;
- (f) any broadcasting, postal or telecommunication service, or establishment for the production of cinematograph films ;
- (g) any mixed commercial and industrial establishment not falling wholly within any of the foregoing categories,

but does not include—

- (i) any agricultural undertaking ; or

(ii) any undertaking, not being an undertaking in which any dangerous trade or occupation is carried on, in which only members of the family of the proprietor thereof are employed; or

(iii) domestic service in private dwelling houses;

“week” means a continuous period of seven days;

“young person” means a person who has attained the age of sixteen years and who is under the age of eighteen years.

(2) A child or young person who works in an undertaking, whether for wages or not, either in a process or in cleaning any part of the premises of an undertaking, or in cleaning or lubricating any part of any machinery or plant of an undertaking or in carrying, collecting or delivering goods, carrying messages or running errands, or in doing clerical work or any other kind of work whatsoever incidental to or connected with the undertaking shall, save as is otherwise provided by this Law, be deemed to be employed therein for the purposes of this Law or of any proceedings under this Law.

(3) If any person is found in or on the premises of an undertaking at any time at which work is going on or any machinery therein is in motion, except during the intervals for meals or rest, such person shall, until the contrary is proved, be deemed for the purposes of this Law to have been then employed in the undertaking.

(4) A child or young person employed as an apprentice shall for the purposes of this Law be deemed to be a person employed.

PART II.—EMPLOYMENT OF CHILDREN AND YOUNG PERSONS.

3.—(1) No child shall be employed or work on any vessel other than a vessel upon which only members of the same family are employed.

Restrictions on employment and minimum age.

(2) A child under the age of thirteen years shall not be employed in any occupation unless at the date of commencement of this Law such child—

(a) is employed in an undertaking not being an industrial undertaking, and

(b) has attained the age of twelve years:

Provided that a child under the age of thirteen years may be employed in an occupation in which only members of the same family are employed where such occupation involves light work of an agricultural or other character which has been specifically approved by the Commissioner.

(3) A child under the age of fourteen years shall not be employed in any industrial undertaking, unless at the date of the commencement of this Law such child is legally employed in an industrial undertaking :

Provided that, subject to the provisions of this Law, a child may be indentured as an apprentice for the purpose of learning a trade or calling to any person who holds a licence therefor under the hand of the Commissioner.

(4) The provisions of sub-sections (1) to (3), both inclusive, shall not apply to work done in a technical or professional school, or on any school-ship or training-ship if such work is—

- (i) essentially of an educative character ;
- (ii) not intended for commercial profit ;
- (iii) approved by the Commissioner ; and
- (iv) done in accordance with such conditions as the Commissioner may prescribe by notice published in the *Gazette*.

(5) Every licence issued by the Commissioner under the provisions of sub-section (3) shall specify—

- (a) the name of the apprentice ;
- (b) the qualifications to be possessed by the apprentice before he is employed ;
- (c) the course of study or instruction which the apprentice shall pursue or receive and the period of such study or instruction ;
- (d) the hours in each day during which the apprentice shall be employed,

and may contain such other terms and conditions regarding the employment of an apprentice as the Commissioner may think fit to impose for ensuring that the apprentice shall be employed to his best advantage.

4.—(1) A child shall not be employed—

- (a) in any undertaking for more than forty-two hours in any one week or for more than seven and a half hours in any one day ;
- (b) in any industrial undertaking for more than thirty-six hours in any one week or six hours in any one day.

(2) A child shall not be employed in any undertaking for a continuous period of more than four and a half hours without an interval of at least half an hour for a meal or rest.

(3)—(a) A child who has not completed the sixth class of an elementary school and who is a pupil of a school may not be employed in any undertaking for more than two hours daily or before the close of school hours on any day on which he attends school.

(b) A child shall not be employed in any undertaking for more than two hours on any Sunday.