

PARLIAMENT OFFICE,
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The following Bill which will be introduced in the National Assembly is published for general information.

F. A. Narain,
Clerk of the National Assembly.



GUYANA

BILL No. 10 OF 1999

EMPLOYMENT OF YOUNG PERSONS AND CHILDREN (AMENDMENT) BILL 1999

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Amendment of preamble of the Principal Act.
3. Amendment of section 2 of the Principal Act.
4. Amendment of section 3 of the Principal Act.
5. Repeal of section 4 of the Principal Act.
6. Amendment of section 5 of the Principal Act.
7. Amendment of section 6 of the Principal Act.
8. Amendment of section 7 of the Principal Act.
9. Amendment of Schedule to the Principal Act.

A BILL
Intituled

AN ACT to amend the Employment of Young Persons and Children Act.

Enacted by the Parliament of Guyana.

A.D. 1999

1. This Act, which amends the Employment of Young Persons and Children Act, may be cited as the Employment of Young Persons and Children (Amendment) Act 1999.

Short Title
Cap. 99:01

2. The preamble of the Principal Act is hereby amended in the

Amendment
of preamble
of the
Principal
Act.

following respects -

- (a) in the first paragraph, by the substitution for the word "two" of the word "one";
- (b) by the deletion of the words "and Part II";
- (c) by the substitution for the second paragraph of the following paragraph as the second paragraph -

"AND WHEREAS at Geneva on the 26th June, 1973, a general conference of the International Labour Organisation adopted a Convention containing (together with other provisions) the provisions set out in Part II of the Schedule to this Act."

3. Section 2 of Principal Act is hereby amended as follows -
- Amendment
of section 2
of the
Principal Act.
- (a) by the substitution for the word "fourteen" of the word "fifteen" in the definition of "child";
- (b) by the substitution for the definition of the expression "industrial undertaking" of the following definition -
- "industrial undertaking" has, with respect to the employment of children and young persons the meanings respectively assigned thereto in the Convention set out in Part I of the Schedule."

Section 3 of the Principal Act is hereby amended as follows -

- Amendment
of section 3
of the
Principal Act.
- (a) by the substitution for subsection (1) of the following subsection as subsection (1) -
- "(1) No child shall be admitted to employment or work in any occupation.";
- (b) by the substitution in subsection 2 for the words "Part II" of the words "Part I".

4. Section 4 of the Principal Act is hereby repealed.

Repeal of
Section 4
of the
Principal
Act.

Amendment
of section 5
of the
Principal
Act.

6.
following respects -

Section 5 of the Principal Act is hereby amended in the

- (a) in subsection (1), by the insertion of the words "in any occupation or work" after the word "child";
- (b) in subsection (1), by the substitution for the words "thirty" and "seventy-five" of the words "ten thousand" and "fifteen thousand", respectively;
- (c) in subsection (4) by the substitution for the words "an officer or subordinate officer of the police force" and "the officer and sub-officer", wherever they occur of the words "the Chief Labour Officer";
- (d) by the deletion of sub-section (5);
- (e) by the renumbering of subsection (6) as subsection (5);
- (f) in subsection (5) as so renumbered, by the substitution for the words "an officer or subordinate officer of the police force" of the words "an officer of the Department of Labour";
- (g) in subsection (5) as so renumbered, by the substitution for the words "three hundred" of the words "twenty-one thousand";
- (h) by the deletion of subsections (7) and (8);
- (i) by the renumbering of subsections (9) and (10) as subsections (6) and (7), respectively;

- (j) in subsection (6) as so renumbered, by the substitution for the words "thirty" and "seventy-five" of the words "ten thousand" and "fifteen thousand", respectively;
- (k) in subsection (7) as so renumbered, by the deletion of the words "in any industrial undertaking or in any ship";
- (l) in subsection (7) as so renumbered, by the substitution for the words "thirty" of the words "ten thousand".

7. Section 6 (d) of the Principal Act is hereby deleted. Amendment of section 6 of the Principal Act.

8. Section 7 of the Principal Act is hereby amended in subsection (2) by the substitution for the words "an industrial undertaking or ship" of the words "any employment or work". Amendment of section 7 of the Principal Act.

10. The Schedule to the Principal Act is hereby amended in the following respects - Amendment of Schedule to the Principal Act.

- (i) by the deletion of Part I;
- (ii) by the renumbering of Part II as Part I;
- (iii) by the insertion of the following Part as Part II -

*PART II

Convention Concerning Minimum Age
For Admission to Employment.

ARTICLE I

Each Member for which this Convention is in force undertakes to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons.

ARTICLE 2

Each Member which ratifies this Convention shall specify in a declaration appended to its ratification, a minimum age for admission to employment or work within its territory and on means of transport registered in its territory; subject to Articles 4 to 8 of this Convention, no one under that age shall be admitted to employment or work in any occupation.

The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.

ARTICLE 3

The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years.

ARTICLE 4

In so far as necessary, the competent authority, after consultation with the organisations of employers and workers concerned, where such exist, may exclude from the application of this Convention limited categories of employment or work in respect of which special and substantial problems of application arise.

ARTICLE 5

The provisions of the Convention shall be applicable as a minimum to the following: mining and quarrying; manufacturing; construction; electricity; gas and water; sanitary services; transport; storage and communication; and plantations and other agricultural undertakings mainly producing for commercial purposes, but excluding family and small-scale holdings producing for local consumption and not regularly employing hired workers.

ARTICLE 6

This Convention does not apply to work done by children and young persons in schools for general, vocational or technical education or in other training institutions, or to work done by persons at least 14 years of age in undertakings where such work is carried out in accordance with conditions prescribed by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist, and is an integral part of -

- (a) a course of education or training for which a school or training institution is primarily responsible;
- (b) a programme of training mainly or entirely in an undertaking, which programme has been approved by the competent authority; or
- (c) a programme of guidance or orientation designed to facilitate the choice of an occupation or of a line of training.";
- (iv) by the deletion of Part III.

EXPLANATORY MEMORANDUM

The International Labour Organization Convention No. 138 concerning the minimum age for admission to employment provides for the minimum age for employment in any occupation to be fifteen years. The present Act stipulates fourteen years for industrial undertaking and ships. This Bill seeks to amend the Employment of Young Persons and Children Act, C.ap. 99:01, to conform with the requirements of the Convention.

H. B. JEFFREY,
Minister of Health and Labour.