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DUTCH EAST INDIES

2. Decrees: Employment of Women and Children

A) *Besluit van den Gouverneur-Generaal van Nederlandsch-Indië van 17 December 1925 No. 13: [Ordonnantie:] Maatregelen ter beperking van den kinderarbeid en den nachtarbeid van vrouwen. (Staatsblad van Nederlandsch-Indië, 1925, no. 647.)*

Decree of the Governor-General of the Dutch East Indies, no. 13: Ordinance issuing regulations to restrict the employment of children and the employment of women at night. Dated 17th December, 1925.

1. Children under the age of twelve years shall not be employed on any work in or for any undertaking between 8 p.m. and 5 a.m.

2. Children under the age of twelve years shall not be employed on work: —

- (a) in factories, i.e. in enclosed rooms or rooms deemed to be enclosed, in which one or more power machines are used in or for any undertaking;
- (b) in workplaces, i.e. in enclosed rooms in which ten or more persons habitually carry on together any handicraft in or for any undertaking;
- (c) in the construction, maintenance, repair or demolition of any excavation works, waterworks, buildings or roads;
- (d) in railway and tramway undertakings;
- (e) in the loading, unloading and transport of goods at docks, quays, wharves, railway stations, halts, unloading places, depots and warehouses, with the exception of transport by hand.

(2) Without prejudice to the provision laid down in subsection (1), a child under the age of twelve years shall not in general move any weight in or for an undertaking, if this work obviously requires too great a physical effort.

(3) The following kinds of work shall not be deemed to be work within the meaning of this section:—

- (a) work in workplaces in which only members of one and the same family are employed;
- (b) work as specified in subsection (1) (c) in connection with a house and its land, provided that the said work is performed by members of the same family or by way of mutual assistance according to local custom;
- (c) work in technical and trade schools belonging to the State or under the supervision of the authorities;
- (d) work in State educational institutions, rescue homes and prisons, and in institutions, rescue homes and charitable organisations under the supervision of the authorities.

(4) Where work on account of a single undertaking is performed in rooms which are separate but connected with one another, the separate rooms shall together be deemed to form one whole.

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(5) If a child over eight but under twelve years of age is found in an enclosed room or a room deemed to be enclosed in which work is being performed, the said child shall be deemed to be itself performing prohibited work there unless the contrary is obvious.

3. Women shall not be employed between 10 p.m. and 5 a.m. on the work specified in subsection (1) of the preceding section unless permission for this has been granted by or in pursuance of a Decree of the Governor-General for certain industries in general or for specified factories, workplaces or undertakings in particular, in consequence of special industrial requirements.

4. The head or manager of an undertaking shall see that no work is performed therein contrary to the provisions laid down in the three preceding sections. The same duty shall be incumbent upon the supervising staff in so far as the ensuring of the observance of these provisions has been expressly entrusted to it by the head or manager of the undertaking.

5. The duty incumbent upon the head or manager and the supervising staff in pursuance of the preceding section shall be deemed to have been performed if they prove that they have given the necessary orders, taken the necessary measures and exercised such supervision as can reasonably be required in order to ensure the observance of the provisions in question.

6. The head or manager of an undertaking and the persons employed therein shall supply the authorised officials with any information which they may request respecting matters and circumstances relating to the observance of this Ordinance.

7. (1) Contraventions of the provisions laid down in section 4 and 6 shall be punished by detention for not more than one month or a fine not exceeding 100 gulden.

(2) If at the date when the contravention is committed a period of two years has not yet elapsed since a previous sentence on the guilty person in respect of a contravention specified in the preceding subsection became definitive, detention for not more than two months or a fine not exceeding 200 gulden may be imposed.

(3) The actions specified in this section as punishable shall be deemed to be contraventions.

8. In addition to the officials and subordinate officials responsible for ascertaining contraventions in general, the officials of the Labour Office, including the officials of the Labour Inspectorate for the Outer Provinces and of the Safety Inspectorate, shall be responsible for ensuring the observance of the provisions of this Ordinance and for co-operating in the administration thereof and in the investigation of contraventions, subject to the observance of the instructions to be issued by the Chief of the Labour Office.

9. (1) The persons specified in the preceding section shall have access to all places where work is actually or usually carried on, or where it may reasonably be supposed that work is carried on. If access is refused, they shall obtain it if necessary with the help of the police.

(2) They shall be bound to secrecy respecting anything that has become known to them in places which they enter in pursuance of this section concerning the industry there carried on, in so far as this is not contrary to the provisions of this or any other public order.

(3) Any person who wilfully violates the secrecy enjoined by the preceding subsection shall be liable to imprisonment for not more than six months or a fine not exceeding 600 gulden.

(4) Any person who is responsible for a breach of this secrecy shall be liable to detention for not more than three months or a fine not exceeding 300 gulden.

(5) Prosecution shall not take place except at the instance of the head or manager of the undertaking concerned.

(6) The actions specified in this section as punishable shall be deemed to be misdemeanours.

10. During a specified period, but not for more than three years after the coming into operation of section 2 of this Ordinance, the Chief of the Labour Office may temporarily authorise the employment of children under twelve but over ten years of age on light work in a specified factory or workplace, in deviation from the provisions of the said section 2, for urgent reasons and under conditions to be laid down by him.

11. This Ordinance shall come into operation on 1st March, 1926.

B) *Besluit van den Gouverneur-Generaal van Nederlandsch-Indië van 17 December 1925 No. 13: Regelen met betrekking to het bezigen van vrouwennachtarbeid. (Staatsblad van Nederlandsch-Indië, 1925, no. 648.)*

Decree of the Governor-General of the Dutch East Indies no. 13: Regulations respecting the employment of women at night. Dated 17th December, 1925.

The following regulations respecting the employment of women at night are issued in pursuance of section 3 of the Ordinance of to-day's date¹ (Staatsblad no. 647).

1. The employment of women between 10 p.m. and 5 a.m. shall be permitted in the following undertakings, subject to the conditions specified in section 2 below:—

- (a) sugar factories during the sugar season;
- (b) fibre factories;
- (c) cassava meal factories;
- (d) oil and palm oil factories;
- (e) salt works in Krampon and Kalianget (Madura).

2. (1) The managers of the factories specified in section 1 above in which women are employed at night shall, in the case of sugar factories at the close of the season and in the case of other factories at the end of every three months, supply the Chief of the Labour Office with statistical information respecting hours of work and wages in the form to be specified by the said Chief of the Labour Office.

¹ See p. 1 above.

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(2) During the period when advantage is taken of the permit specified in section 1 the premises shall be well lighted.

(3) Women advanced in pregnancy shall not be employed on night work.

(4) Managers of sugar factories in which women are employed at night shall notify the head of the local administrative authority and the Chief of the Labour Office of the date of the beginning and end of the season.

3. Factories, workplaces and undertakings which in the opinion of the Governor General fail to observe the conditions laid down in section 2, or do not observe them adequately, shall not be deemed to be included among the undertakings specified in section 1.

4. The Chief of the Labour Office may grant a permit for the employment of a specified number of women between 10 p.m. and 5 a.m., for periods to be specified by him and under conditions to be prescribed by him, in the following undertakings:—

- (a) tea factories;
- (b) coffee establishments;
- (c) tobacco undertakings;
- (d) rice husking mills;
- (e) kapok cleaning establishments;
- (f) firework factories;
- (g) batik works.

5. The Chief of the Labour Office may grant a permit for the employment of women between 10 p.m. and 5 a.m. in specified factories, workplaces or undertakings not included among the undertakings mentioned in sections 1 and 4, on the ground of the special requirements of the undertakings and subject to conditions to be specified by him.

6. (1) The head or manager of an undertaking may appeal to the Director of Justice, within the time limit specified below, against a decision of the Chief of the Labour Office respecting an application for a permit as provided in sections 4 and 5.

(2) The time limit mentioned in the preceding subsection shall be a fortnight for the provinces of Java and Madura, two months for the provinces of Manado, Amboina and Timor and dependencies thereof, and one month for other provinces outside of Java and Madura, from the date of the decision of the Chief of the Labour Office.

(3) If the decision of the Chief of the Labour Office is altered on appeal, the altered decision shall replace the decision against which the appeal was lodged.

7. This Decree shall come into operation on 1st March, 1926.