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FRANCE

1. Act: Night Work (Women and Children)

Loi du 24 janvier 1925 portant modification des articles 20 a à 28 et 96 du livre II du code du travail et de la prévoyance sociale (travail de nuit des enfants et des femmes). (Journal officiel du 26 et 27 janvier 1925, p. 994.)

Act to amend sections 20 a—28 and 96 of Book II of the Code of Labour and Social Welfare (night work of women and children). Dated 24th January, 1925.

1. Sections 20 a—28 of Book II of the Code of Labour and Social Welfare shall be replaced by the following provisions, which shall constitute sections 21—28:—

“ 21. Children under the age of eighteen years, whether workers or apprentices, and women, shall not be employed on night work of any kind in the establishments specified in section 1.¹

Children under the age of eighteen years shall not be employed on night work of any kind in undertakings for the transportation of passengers or goods by road or rail, or in loading and unloading undertakings.

“ 22. Work performed between 10 p.m. and 5 a.m. shall be deemed to be night work.

“ 23. The nightly rest period of children of both sexes and of women shall be not less than eleven consecutive hours.

“ 24. In certain industries to be specified by public administrative regulations, in which the raw materials handled or the materials being worked up are liable to very rapid deterioration, temporary exceptions to the provisions of sections 21 and 22 shall be permitted in respect of adult women where this is necessary in order to save the materials from certain loss, under the conditions laid down in the above-mentioned administrative regulations, provided merely that notice is given in advance.

Similarly, provided that notice is given in advance, exceptions may be allowed to the provisions of sections 21 and 22 in respect of boys between sixteen and eighteen years of age, for the purpose of preventing impending accidents or for purposes of repair after an accident has occurred.

“ 25. In addition, in case of an interruption of work due to an accidental cause or to *force majeure* which is not of a periodically recurring character, the head of an undertaking in any industry may employ children not under the age of sixteen years and adult women, in deviation from the provisions of sections 21 and 22, under the conditions laid down by public administrative regulations, within the limit of the number of days lost, provided that the inspector is notified in advance. Nevertheless, a head of an undertaking shall not avail himself of this right

¹ Section 1 of Book II of the Code specifies the establishments in which the employment of children before the completion of their thirteenth year is prohibited

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on more than fifteen nights in the year without the permission of the inspector.

“ 26. In establishments with continuous processes, boys over sixteen years of age may be employed at night on necessary work.

The kinds of work permitted and the hours within which such work may be performed shall be specified by public administrative regulations.

“ 27. By way of exception to sections 21 and 22, boys may be employed from 4 a.m. onwards and until 10 p.m. in underground work in mines, pits and quarries if their work is distributed between two shifts of workers.

There shall be a break of not less than half an hour during every shift.

“ 28. In certain mines specified by public administrative regulations, in which, owing to natural conditions, an exception to the provisions laid down in sections 21 and 22 is necessary, the said regulations may authorise the employment of boys from 4 a.m. and until midnight.”

2. Section 96 of Book II of the Code of Labour and Social Welfare shall be amended to read as follows:—

“ 96. In establishments under the technical supervision of the Minister of Public Works, the duties of the labour inspectors shall be entrusted to the officials responsible for this supervision; and for this purpose these officials shall be placed under the control of the Minister of Labour, except with regard to national railway undertakings and local railways.”

3. In the establishments with continuous processes referred to in section 26 of Book II of the Code of Labour and Social Welfare, boys under sixteen years of age may continue to be employed at night, under the conditions laid down in the public administrative regulations at present in force, until the amendments to be made in the said regulations under section 1 of this Act come into operation.

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