

International Labour Office  
Geneva, Switzerland

Legislative Series  
1936 — Alb. 1

## ALBANIA 1

### Act: Hours of Work (Women and Children)

*Ligje mbi rregullimin e orëve të punës në industri për të vegjëlit dhe për femnat. 19 Majë 1936. (Fletorja Zyrtare, 15 Tetuer 1936, Nr. 68, f. 1.)*

**Act to issue regulations governing the hours of work of children and women in industry. Dated 19th May, 1936.**

#### PART I. GENERAL PROVISIONS.

##### *Chapter I. Hours of work of children and women in industry.*

1. Children under the age of fourteen years shall not be employed in any public or private industrial undertaking. This provision shall not apply to industrial undertakings in which only members of the same family are employed.

For the purposes of this provision the expression "to employ" shall mean the utilisation of children in work of any kind which is performed for remuneration or regularly even without remuneration.

The employment of children in light tasks or work of short duration, even if it is regular, shall not be deemed to be employment for the purposes of this Act if the children work with their father or mother or persons related to them within the third degree (inclusive).

2. The provisions of section 1 shall not apply to work done by children in technical schools, provided that such work is approved and supervised by public authority.

3. Every head of an industrial undertaking who employs persons under the age of sixteen years shall be bound to keep a register in which the name, date of birth, date of engagement and wages of each of these persons shall be entered.

An industrial undertaking shall not employ persons under the age of sixteen years until it has procured a permit from the Ministry of Economic Affairs to do so. The application for the permit shall give the name in full and date of birth of the person who is to be engaged and also the names of his father and mother. The application shall be accompanied by a medical certificate attesting the fitness for work of the person to be engaged and stating that the employment is not such as to prejudice his physical development.

4. Young persons under the age of eighteen years and women irrespective of age shall not be employed during the night in any public or private industrial undertaking or handicraft workshop other than an undertaking or workshop in which only members of the same family are employed, or which is not dangerous, unhealthy or offensive, or where the work does not involve the use of steam boilers or mechanical power. In the last-mentioned case the head of the undertaking shall apply to the Ministry of Economic Affairs for a permit. The said Ministry shall not grant the permit for persons other than male young persons aged not less than sixteen years and women aged not less than eighteen years, nor for more than eight hours' work a day, and it shall in every

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case be subject to the condition that the work does not involve danger to their health and that the night work is not such as to hinder their physical development; this latter condition must be attested by a medical certificate.

5. The provisions of section 4 shall not apply to the employment of male young persons over sixteen years of age in industries or handicrafts of any kind in case of interference with the normal working of the industrial or handicraft undertaking due to natural phenomena, accidents or similar emergencies which could not have been foreseen or prevented and are not of a periodical character, if the work by reason of its nature does not permit of delay or if urgent repairs must be carried out.

This exception shall be subject to a permit from the Ministry of Economic Affairs; nevertheless, in urgent cases the permit may be granted by the authorities mentioned in section 11 of this Act. In this latter case a statement in writing addressed to the Ministry of Economic Affairs, to inform it of the exception, shall be deemed to be sufficient. An exception authorised by a local authority shall not cover a period of more than a week; an application shall be made to the Ministry of Economic Affairs by the persons concerned if a prolongation is desired.

A permit to employ male young persons over sixteen years of age during the night in the cases mentioned in this section shall not be granted by the Ministry of Economic Affairs for more than sixty days in the year, and the nightly rest period shall not be reduced below ten hours.

6. The provisions of this Act shall not apply to women holding responsible positions of management who are not ordinarily engaged in manual work.

7. The prohibition of night work may be suspended by a decision of the Ministry of Economic Affairs for male young persons over sixteen years of age in case of serious emergency and when the public interest demands it.

8. For the purposes of this Act the term "night" shall mean a period of at least eleven consecutive hours including the interval between 10 p. m. and 5 a. m. In the baking industry the interval between 9 p. m. and 4 a. m. may be substituted for the above-mentioned interval.

9. In industries which are influenced by the seasons, the night period fixed in section 8 may be reduced to ten hours on sixty days of the year. The persons concerned shall be bound to apply to the Ministry of Economic Affairs for a permit for this purpose.

10. In brickworks where the work is done by hand, the employment of young persons over sixteen years of age may be permitted between 4 a. m. and 8 p. m., provided that they shall be granted an uninterrupted rest period of not less than three hours every day at the hottest part of the day.

PART II.

Chapter II. Special provisions.

11. The administrative authorities (prefectures, municipalities, communes), the chambers of commerce, the Ministry of Economic Affairs

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and the Directorate of Health shall be responsible for the administration of this Act and supervision of the observance of its provisions.

The representatives of the authorities responsible for the administration of this Act shall be provided with special credentials issued by the authorities to which they are attached, which shall entitle them to inspect industrial undertakings, workshops and handicraft establishments at any hour of the day or night when work is being carried on therein.

12. The medical officers of the State, municipalities and communes shall be bound to issue the certificates required by this Act to the persons concerned free of charge. These certificates shall contain all the necessary information and shall state clearly all the particulars required by this Act. Further, the certificate shall give the name in full and the age of the person examined and the names of his father and mother

The above-mentioned medical officers shall inspect all premises where young persons under the age of eighteen years are employed and shall make a report thereon, whenever they are instructed to do so by any of the administrative authorities mentioned in section 11 of this Act.

13. The applications, certificates and permits mentioned in this Act shall be exempt from the monopoly and Red Cross stamp duties.

14. If any person is guilty of a contravention of the provisions of this Act, he shall be liable on the first occasion to a fine of not less than 20 nor more than 50 francs; in the event of a second or further offence the fine shall be doubled and the offender shall be liable in addition to a term of imprisonment of not less than a fortnight nor more than three months.

In the event of persistent repetition of the offence the undertaking shall be closed for not less than one month nor more than three months, without prejudice to the penalties specified above.

15. For the purposes of this Act, the term "industrial undertaking" shall mean a place where raw materials or partly manufactured materials are worked up or transformed and where machinery or apparatus of more than 5 h. p. is used or where not less than ten persons are employed.

The following shall be deemed to be industrial undertakings:—

- (a) mines, quarries and other works for the extraction of minerals from the earth;
- (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 or motive power of any kind;
- (c) construction, reconstruction, maintenance, repair, alteration or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical under-

taking, gas works, waterworks or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

16. This Act shall come into operation a fortnight after its publication in the Official Gazette (Fletorja Zyrtare).

17. The Ministry of Economic Affairs, the Ministry of the Interior, the Ministry of Justice and the General Directorate of Health shall be responsible for the administration of this Act.

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Published in the United Kingdom by  
P. S. KING & SON, LTD., 14 Great Smith Street, Westminster.

Distributed in the United States by  
the Branch Office of the International Labour Office, 734 Jackson Place, WASHINGTON, D.C.

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