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Legislative Series  
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## NORTHERN RHODESIA 1

Ordinance: Employment of Women, Young Persons and Children

An Ordinance to regulate the employment of women, young persons, and children. No. 10 of 1933. Assented to 10th April, 1933.

### PART I.

1. This Ordinance may be cited as the Employment of Women, Young Persons, and Children Ordinance, 1933.
2. In this Ordinance, unless the context otherwise requires:
  - "child" means a person under the age of twelve years;
  - "young person" means a person who has ceased to be a child and who is under the age of eighteen years;
  - "woman" means all persons of the female sex without distinction of age;
  - "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.

### PART II. EMPLOYMENT OF CHILDREN.

3. For the purposes of this Part of the Ordinance "industrial undertaking" includes particularly—

- (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 undertaking, gaswork, waterwork or other work of construction, as well as the preparation for or laying the foundations of any such work or structure;
  - (d) transport of passengers or goods by road or rail or inland waterway, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand;
- but does not include commercial or agricultural undertakings.

4. (1) No child shall be employed in any public or private industrial undertaking or in any branch thereof other than an undertaking in which only members of the same family are employed.

(2) The provisions of this section shall not apply to work done by children in technical schools or similar institutions, provided that such work is approved and supervised by a director of education or some person appointed by him for that purpose.

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5. Every employer in an industrial undertaking shall keep a register of all persons under the age of sixteen years employed by him and shall produce the same for inspection when required so to do by any district officer or European police officer.

6. Every person who contravenes the provisions of this Part of the Ordinance shall be guilty of an offence and shall be liable on conviction thereof to a fine of twenty pounds or to imprisonment for three months or to both of these penalties.

#### PART III. EMPLOYMENT OF YOUNG PERSONS.

7. For the purpose of this Part of the Ordinance—

“industrial undertaking” includes particularly:

- (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 undertaking, gaswork, waterwork or other work of construction, as well as the preparation for or laying the foundation of any such work or structure;
- (d) transport of passengers or goods by road or rail or inland waterway including the handling of goods at docks, quays, wharves, and warehouses but excluding transport by hand;

but does not include commercial undertakings or agricultural undertakings.

8. No young person between the ages of twelve and fourteen years shall be employed in any industrial undertaking other than an undertaking in which only members of the same family are employed unless the employment has been authorised by a licence issued by the Governor. Every such licence shall be issued subject to such conditions as may be prescribed by regulations made hereunder.

9. No young person shall be employed at night in any industrial undertaking or in any branch thereof, other than an undertaking in which only members of the same family are employed.

10. The last preceding section shall not be deemed to prohibit persons over the age of sixteen being employed during the night in the following industrial undertakings or work which by reason of the nature of the process is required to be carried on continuously day and night—

- (a) manufacture of iron and steel; processes in which reverberatory or regenerative furnaces are used, and galvanizing of sheet metal or wire (except the pickling process);
- (b) glass works;
- (c) manufacture of paper;

- (d) manufacture of raw sugar;
- (e) gold mining reduction work.

11. The provisions of section *nine* shall not apply to night work of young persons between the ages of sixteen and eighteen years in cases of emergency which could not have been controlled or foreseen, which are not of a periodical character and which interfere with the normal working of the industrial undertaking.

12. Every person who contravenes the provisions of this Part of the Ordinance shall be guilty of an offence and shall be liable on conviction thereof to a fine of twenty pounds or to imprisonment for three months or to both of these penalties.

#### PART IV. EMPLOYMENT OF WOMEN.

13. For the purpose of this Part of the Ordinance “industrial undertaking” includes particularly:

- (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 undertaking, gaswork, waterwork or other work of construction, as well as the preparation for or laying the foundation of any such work or structure;

but does not include commercial undertakings or agricultural undertakings.

14. No woman shall be employed during the night in any public or private industrial undertaking or in any branch thereof, other than an undertaking in which only members of the same family are employed.

15. In such industrial undertakings as are influenced by the seasons and in all industrial undertakings in the case of exceptional circumstances demanding it, the Governor may by notice declare that the prohibition of night work shall extend to a period of ten hours only instead of eleven hours on sixty days of the year.

16. The provisions of section *fourteen* hereof shall not be deemed to apply to a case where it is shown to the satisfaction of any court trying any proceedings brought under this Part that the night work complained of was due to a cause beyond control bringing about an interruption of work which it was impossible to foresee and which is not of a recurring character, or where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration and when such night work is necessary to preserve the said materials from certain loss.

17. Every person who contravenes the provision of this Part of the Ordinance shall be guilty of an offence and shall be liable on conviction thereof to a fine of twenty pounds or to imprisonment for three months or to both of these penalties.

PART V. MISCELLANEOUS PROVISIONS.

18. Any district officer and any European police officer shall have power

- (a) at all reasonable times to enter upon any land or premises of any industrial undertaking affected by the provisions of this Ordinance;
- (b) to examine, either alone or in the presence of any other person as he thinks fit, with respect to any matter under this Ordinance any person affected by the provisions of this Ordinance;
- (c) to exercise such other powers as may be necessary for carrying this Ordinance into effect.

19. If any person wilfully hinders or molests any police officer in the exercise of the powers given to him by the last preceding section, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

20. The Governor in Council may make regulations for all or any of the purposes following:

- (a) prescribing the conditions under which licences may be issued for the employment of young persons between the ages of twelve and fourteen years;
- (b) prescribing the ages under which young persons shall not be employed in particular trades or occupations;
- (c) generally carrying into effect the purposes and provisions of this Ordinance.

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