



Jersey

LOI (1930) SUR L'EMPLOI DE FEMMES, DE JEUNES PERSONNES ET D'ENFANTS

Official Consolidated Version

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LOI (1930) SUR L'EMPLOI DE FEMMES, DE JEUNES PERSONNES ET D'ENFANTS

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Jersey

LOI (1930) SUR L'EMPLOI DE FEMMES, DE JEUNES PERSONNES ET D'ENFANTS^{1 2}

LOI rendant applicables à Jersey les prescriptions de certaines Conventions relatives à l'emploi de femmes, de jeunes personnes et d'enfants

Commencement [[see endnotes](#)]

D'AUTANT que les Trois Conventions comprenant entre autres, les prescriptions contenues dans les Premières, Deuxièmes et Troisièmes Parties de la Cédule annexée à cette présente Loi furent adoptées à Washington, l'an 1919, le 28^e jour de novembre, par une Conférence Générale du "International Labour Organisation" de la Ligue des Nations;

Et d'autant que certaine autre Convention comprenant entre autres, les prescriptions contenues dans la Quatrième Partie de la Cédule annexée à cette présente Loi fut adoptée à Gênes l'an 1920 le 9^e jour de juillet par une Conférence Générale du "International Labour Organisation" de la Ligue des Nations;

Considérant qu'il est désirable d'appliquer, dans la mesure du possible, lesdites quatre Conventions à Jersey;

LES ETATS ont, moyennant la sanction de Sa Très Excellente Majesté en Conseil, adopté la Loi suivante –

1 Application des conventions

Les prescriptions des quatre Conventions contenues dans les Premières, Deuxièmes, Troisièmes et Quatrièmes Parties de la Cédule annexée à cette présente Loi auront force de loi dans Jersey.

2 Definitions

- (a) Les pouvoirs confiés à l'autorité compétente (The "Competent Authority") par le dernier alinéa de l'Article 1 de la Première Partie de ladite Cédule, par le dernier alinéa de l'Article 1 de la Deuxième Partie de ladite Cédule et par le dernier alinéa de l'Article 1 de la Troisième Partie de ladite Cédule, seront dans Jersey de la compétence du Ministre intitulé Minister for Social Security.

- (b) Les pouvoirs confiés à l'autorité publique ("Public Authority") par l'Article 3 de la Première Partie de ladite Cédule et par l'Article 3 de la Quatrième Partie de ladite Cédule seront dans Jersey de la compétence du Ministre intitulé Minister for Education.
- (c) Les pouvoirs confiés au Gouvernement ("Government") par l'Article 7 de la Deuxième Partie de ladite Cédule seront dans Jersey de la compétence de l'Assemblée des Etats.³

4 Clauses pénales

- (a) L'Employeur qui commettra une infraction à l'Article 2 de la Première Partie de ladite Cédule ou à l'Article 2 de la Deuxième Partie de ladite Cédule, sera passible d'une amende du niveau 3 du tarif uniforme.
- (b) Le parent ou autre personne ayant la garde d'un mineur dont l'emploi est prohibé par les Premières, Deuxièmes ou Quatrièmes Parties de ladite Cédule et qui aura aidé, assisté ou participé à une infraction auxdites Premières, Deuxièmes ou Quatrièmes Parties de ladite Cédule sera également passible d'une amende du niveau 3 du tarif uniforme.
- (c) Les infractions à l'Article 4 de la Première Partie de ladite Cédule seront passibles d'une amende.
- (d) L'Employeur qui commettra une infraction à l'Article 3 de la Troisième Partie de ladite Cédule sera passible d'une amende.
- (e) Le maître d'un navire qui commettra une infraction à l'Article 2 de la Quatrième Partie de ladite Cédule sera passible d'une amende du niveau 3 du tarif uniforme.
- (f) La maître d'un navire qui commettra une infraction à l'Article 4 de la Quatrième Partie de ladite Cédule sera passible d'une amende.⁴

CEDULE

PREMIERE PARTIE

Convention Fixing Minimum Age for Admission of Children to Industrial Employment

ARTICLE I

For the purpose of this Convention, the term “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 and 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.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

ARTICLE II

Children under the age of 14 years shall not be employed or work 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.

ARTICLE III

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

ARTICLE IV

In order to facilitate the enforcement of the provisions of this Convention, every employer in an industrial undertaking shall be required to keep a register of all persons under the age of 16 years employed by the employer, and of the dates of their births.

DEUXIEME PARTIE**Convention concerning the Night Work of Young Persons employed in Industry****ARTICLE I**

For the purpose of this Convention, the term “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, including the handling of goods at docks, quays, wharves and warehouses, but excluding transport by hand.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

ARTICLE II

Young persons under 18 years of age shall not 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, except as hereinafter provided for.

Young persons over the age of 16 may be employed during the night in the following industrial undertakings on 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; process in which reverbatory 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.

ARTICLE III

For the purpose of this Convention, the term “night” signifies a period of at least 11 consecutive hours, including the interval between 10 pm and 5 am.

In coal and lignite mines work may be carried on in the interval between 10 pm and 5 am, if an interval of ordinarily 15 hours, and in no case of less than 13 hours, separates 2 periods of work.

Where night work in the baking industry is prohibited for all workers, the interval between 9 pm and 4 am may be substituted in the baking industry for the interval between 10 pm and 5 am.

ARTICLE IV

The provisions of Articles II and III shall not apply to the night work of young persons between the ages of 16 and 18 years in cases of emergencies 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.

ARTICLE VII

The prohibition of night work may be suspended by the Government, for young persons between the ages of 16 and 18 years, when in case of serious emergency the public interest demands it.

TROISIEME PARTIE**Convention concerning the Night Work of Women employed in Industry****ARTICLE I**

For the purpose of this Convention, the term “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.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

ARTICLE II

For the purpose of this Convention, the term “night” signifies a period of at least 11 consecutive hours, including the interval between 10 pm and 5 am.

ARTICLE III

Women without distinction of age shall not 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.

ARTICLE IV

Article III shall not apply –

- (a) In cases of force majeure, when in any undertaking there occurs an interruption of work which it was impossible to foresee and which is not of a recurring character.
- (b) In cases where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration, when such night work is necessary to preserve the said materials from certain loss.

ARTICLE VI

In industrial undertakings which are influenced by the seasons and in all cases where exceptional circumstances demand it, the night period may be reduced to 10 hours on 60 days of the year.

QUATRIEME PARTIE**Convention Fixing the Minimum Age for Admission of Children to
Employment at Sea****ARTICLE I**

For the purpose of this Convention, the term “vessel” includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned; it excludes ships of war.

ARTICLE II

Children under the age of 14 years shall not be employed or work on vessels other than vessels upon which only members of the same family are employed.

ARTICLE III

The provisions of Article II shall not apply to work done by children on school ships or training ships, provided that such work is approved and supervised by public authority.

ARTICLE IV

In order to facilitate the enforcement of the provisions of this Convention, every shipmaster shall be required to keep a register of all persons under the age of 16 years employed on board the shipmaster's vessel, or a list of them in the articles of agreement and of the dates of their births.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Loi (1930) sur l'emploi de femmes, de jeunes personnes et d'enfants	L.1/1930	18 January 1930
Loi (1938) amendant les Lois sur l'instruction primaire et l'emploi de femmes, de jeunes personnes et d'enfants	1938	19 November 1938
States of Jersey (Amendments and Construction Provisions No. 8) (Jersey) Regulations 2005	R&O.48/2005	9 December 2005
States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 2015	R&O.158/2015	1 January 2016
Criminal Justice (Miscellaneous Provisions) (Jersey) Law 2016	L.1/2016	20 September 2016 (R&O.98/2016)

Table of Renumbered Provisions

Original	Current
Article 3	repealed by the Loi (1938) amendant les Lois sur l'instruction primaire et l'emploi de femmes, de jeunes personnes et d'enfants

Table of Endnote References

- ¹ citation adopted by L.6/1965
- ² This Law has been amended by the States of Jersey (Amendments and Construction Provisions No. 8) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government
- ³ Article 2 amended by R&O.158/2015
- ⁴ Article 4 amended by L.1/2016