

ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER E50

EMPLOYMENT OF CHILDREN (RESTRICTION) ACT

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EMPLOYMENT OF CHILDREN (RESTRICTION) ACT

Interpretation

1. In this Act—

"child" means a person who in the opinion of the court before whom he is brought is under the age of 14 years;

"guardian" includes any person who is liable to maintain or has the actual custody of the child.

Restriction on employment of children

2. (1) Subject to the provisions of this Act and of any regulations made thereunder no child shall be employed—

(a) so long as he is under the age of 12 years, but such child may be employed by his parents or guardian in domestic work at home or in light agricultural or horticultural work on the land or garden of the parent or guardian;

(b) before the close of school hours on any day on which he is required to attend school;

(c) before 6:00 a.m. or after 8:00 p.m. on any day;

(d) for more than 2 hours on any day on which he is required to attend school;

(e) for more than 2 hours on any Sunday;

(f) to lift, carry or move anything so heavy as to be likely to cause injury to him; or

(g) in any occupation likely to be injurious to his life, limb, health or education, regard being had to his physical condition.

(2) The Governor in Council may make regulations with respect to the employment of children, and any such regulations may distinguish between children of different ages and sexes and between different localities, trades, occupations and circumstances, and may contain provisions—

(a) prohibiting absolutely the employment of children in any specified occupation; or

(b) prescribing—

(i) the age below which children are not to be employed,

(ii) the number of hours in each day, or in each week, for which, and the times of day at which, they may be employed,

(iii) the intervals to be allowed to them for meals and rest,

(iv) the holidays or half-holidays to be allowed them, or

(v) any other conditions to be observed in relation to their employment;

so, however, that no such regulations shall modify the restrictions contained in subsection (1), and any restriction contained in any such regulation shall have effect in addition to those restrictions.

(3) Regulations made under this section may prescribe for any contravention thereof or failure to comply therewith a fine not exceeding $1,000 on summary conviction.

(4) Nothing in paragraph (1)(c) or (d), or in any regulations made under this section, shall prevent a child from taking part without fee or reward in an entertainment the net proceeds of which are devoted to any charitable or educational purpose or to any purpose other than the private profit of the promoters.

Children attending technical schools

3. The provisions of this Act shall not apply to work done by children in technical schools.

Enforcement of provisions

4. (1) The Labour Commissioner shall be responsible for the enforcement of the provisions of this Act, and he, or any person duly authorised by him in writing, may prosecute, conduct or defend before the Magistrate's Court any information, complaint or other proceeding arising under this Act.

(2) The Labour Commissioner, or any person duly authorised by him in writing, may at all reasonable times enter upon any premises or place where he has reasonable cause to believe that any child is being employed and may there make enquiries to ascertain whether the provisions of this Act or of any regulations made thereunder are being complied with.

(3) Any person refusing admission to or wilfully obstructing the Labour Commissioner or any person duly authorised by him in writing while in the execution of his duties under subsection (2) is guilty of an offence and is liable to the penalties prescribed by section 5.

Penalty

5. Any person contravening the provisions of this Act is liable on summary conviction to a fine of $1,000, recoverable by warrant of distress as provided by section 119 of the Magistrate's Code of Procedure Act.

Citation

6. This Act may be cited as the Employment of Children (Restriction) Act, Revised Statutes of Anguilla, Chapter E50.

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