

**Jersey Law 1/1930**

**LOI (1930) SUR L'EMPLOI DE FEMMES, DE JEUNES  
PERSONNES ET D'ENFANTS.<sup>1</sup>**

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**LOI** rendant applicables à cette Ile les prescriptions de certaines Conventions relatives à l'emploi de femmes, de jeunes personnes et d'enfants, confirmée par Ordre de Sa Majesté en Conseil en date du

**17 DECEMBRE 1929.**

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*(Entériné le 18 janvier 1930).*

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**AUX ETATS DE L'ILE DE JERSEY.**

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L'An 1929, le 8e jour de novembre.

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**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 28e 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 Gènes l'an 1920 le 9e 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 cette Ile ;

<sup>1</sup> Title substituted by the Statute Law Revision (No. 2) (Jersey) Law, 1965 (Volume 1963–1965, page 416).

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

## ARTICLE 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 cette Ile.

## ARTICLE 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 cette Ile de la compétence du Comité de Législation.

(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 cette Ile de la compétence du Comité d'Instruction Publique.

(c) Les pouvoirs confiés au Gouvernement ("Government") par l'Article 7 de la Deuxième Partie de ladite Cédule seront dans cette Ile de la compétence de l'Assemblée des Etats.

## ARTICLE 3

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<sup>2</sup> Article deleted by the Loi (1938) amendant les Lois sur l'instruction primaire et l'emploi de femmes, de jeunes personnes et d'enfants.

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#### ARTICLE 4

#### CLAUSES PENALES

(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 n'excédant pas deux livres sterling pour une première infraction et, en cas de récidive d'une amende n'excédant pas cinq livres sterling.

(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 n'excédant pas deux livres sterling pour une première infraction et en cas de récidive, d'une amende n'excédant pas cinq livres sterling.

(c) Les infractions à l'Article 4 de la Première Partie de ladite Cédule seront passibles d'une amende n'excédant pas vingt livres sterling.

(d) L'Employeur qui commettra une infraction à l'Article 3 de la Troisième Partie de ladite Cédule sera passible d'une amende n'excédant pas vingt livres sterling.

(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 n'excédant pas deux livres sterling pour une première infraction et, en cas de récidive, d'une amende n'excédant pas cinq livres sterling.

(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 n'excédant pas vingt livres sterling.

#### CEDULE

#### PREMIERE PARTIE

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*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 fourteen years shall not be employed or work in any public or private industrial undertaking, or in any branch

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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 sixteen years employed by him, 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,

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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 eighteen 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 sixteen 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 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.

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(e) Gold mining reduction work.

### ARTICLE III

For the purpose of this Convention, the term "night" signifies 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.

In coal and lignite mines work may be carried on in the interval between ten o'clock in the evening and five o'clock in the morning, if an interval of ordinarily fifteen hours, and in no case of less than thirteen hours, separates two periods of work.

Where night work in the baking industry is prohibited for all workers, the interval between nine o'clock in the evening and four o'clock in the morning may be substituted in the baking industry for the interval between ten o'clock in the evening and five o'clock in the morning.

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### ARTICLE IV

The provisions of Articles II and III shall not apply to the night work of young persons between the ages of sixteen and eighteen 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.

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### ARTICLE VII

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

### TROISIEME PARTIE

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*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 eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning.



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### 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.

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### 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 ten hours on sixty 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.

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ARTICLE II

Children under the age of fourteen 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 sixteen years employed on board his vessel, or a list of them in the articles of agreement and of the dates of their births.