

**PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF**   
**SRI LANKA**

*————————*

**EMPLOYMENT OF WOMEN,**   
**YOUNG PERSONS AND CHILDREN**   
**(AMENDMENT)**

**A**

**BILL**

**to amend the Employment of women, young persons and children Act, No. 47 of 1956**

*————————*

*Presented by the Minister of Labour on 22nd of October, 2020*

(Published in the Gazette on October 07, 2020)

*Ordered by Parliament to be printed*

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**[Bill No. 9]**

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*STATEMENT OF LEGAL EFFECT*

*Clause 2* : This clause amends section 3 of the Employment of Women, Young Persons and Children Act, No. 47 of 1956 (hereinafter referred to as the “principal enactment”) and the legal effect of that section as amended is to make reference to young persons who are between the ages of sixteen and eighteen to be referred to as “young persons” in accordance with the definition for “young persons.”

*Clause 3* : This clause is a consequential amendment to Clause 2.

*Clause 4* : (1) This clause amends subsection (1) and sub section (2) of section 9 of the principal enactment and the legal effect of that section is-

(*a*) to increase the minimum age of employment in a vessel from fifteen years to sixteen years.

(*b*) to increase the minimum age of employment in a school-ships and training-ships from fifteen years to sixteen years; and

(2) Repeal subsection (3) of section 9 of the principal enactment and is consequential to the amendments made to subsection (1) and subsection (2).

*Clause 5* : This clause repeals section10 of the principal enactment and is a consequential amendment to Clause 4.

*Clause 6* : This clause amends section 20 of the principal enactment and the legal effect of that section is-

(*a*) to make reference to child and young person referrd to in subsection (1) in accordance with the definition for “child”; and

(*b*) to make reference to persons who has attained the age of fourteen years but is under the age of eighteen years referred to in subsection (2) in accordance with the definition for “young person.”

(*c*) to make reference to persons who has attained the age of sixteen years but is under the age of eighteen years referred to in subsection (4) in accordance with the definition for “young person.”

*Clause 7* : This clause amends section 34 of the principal enactment and the legal effect of that section as amended is-

(*a*) to amend the definitions of words “child”, “night” and “young person”:

(*b*) to increase age of a person attending elementary school to be sixteen years.

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| *Employment of Women, Young Persons and* | 1 |

*Children (Amendment)*

L.D.—O. 33/2018

AN ACTTOAMENDTHE EMPLOYMENTOF WOMEN, YOUNG PERSONS

AND CHILDREN ACT, NO. 47 OF 1956

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

|  |  |  |
| --- | --- | --- |
| **1.** | This Act may be cited as the Employment of Women, | Short title. |

Young Persons and Children (Amendment) Act, No. of

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | 2020. | | Amendment |
| **2.** | Section 3 of the Employment of Women, Young |
| of section 3 |
| Persons and Children Act, No. 47 of 1956 (hereinafter referred | |
| of Act, No. |
| to as the “principal enactment”) is hereby amended as | |
| 47 of 1956. |

follows:-

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| --- | --- | --- |
| 10 | (1) | in subsection (3) thereof, by the substitution for the |

words “male young persons who have attained the   
age of sixteen years but are under the age of eighteen   
years ” of the words “male young persons”;

|  |  |  |
| --- | --- | --- |
| 15 | (2) | in subsection (4) thereof, by the substitution for the |
| words “persons between the ages of sixteen and |

eighteen years” of the words “young persons”; and

(3) in subsection (5) thereof, by the substitution for the   
 words “persons between the ages of sixteen and   
 eighteen years” of the words “young persons,”.

|  |  |  |  |
| --- | --- | --- | --- |
| 20 | **3.** | Section 4 of the principal enactment is hereby | Amendment |
| of section 4 |
| amended in subsection (1) thereof, by the substitution for the | |
| of the |
| words “ a person who has attained the age of sixteen years | |
| principal |
| but is under the age of eighteen years ” of the words “a young | | enactment. |

person”.

2 *Employment of Women, Young Persons and*   
 *Children (Amendment)*

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| --- | --- | --- | --- |
| 5 | **4.** | Section 9 of the principal enactment is hereby | Amendment |
| amended as follows:-. | | of section 9 |
| of the |
| (1) | in subsection (1) of that section- | principal |
| enactment. |
| (*a*) in paragraph (*a*) thereof, by the substitution | |
| for the words “fifteen years” of the words | |

“sixteen years”; and

(*b*) in paragraph (*b*) thereof, by the substitution   
for the words “fifteen years” of the words  
“sixteen years”;

|  |  |  |
| --- | --- | --- |
| 10 | (2) | in paragraph (*b*) of subsection (2) thereof, by the |
| substitution for the words “fifteen years” of the |

words “sixteen years”; and

|  |  |  |  |
| --- | --- | --- | --- |
| 15 | (3) | by the repeal of subsection (3) of that section. | Repeal of |
| **5.** | Section 10 of the principal enactment is hereby |
| repealed. | | section 10 of |
| the principal |
| 20 | **6.** | Section 20 of the principal enactment is amended as | enactment. |
| Amendment |
| follows:- | | of section 20 |
| of the |
| (1) | in subsection (1) thereof, by the substitution for the | principal |
| enactment. |
| words “No child or young person who has not | |
| attained the age of 16 years” of the words “No | |
| child”; | |
| (2) | in subsection (2) thereof, by the substitution for the |

words “No person who has attained the age of   
fourteen years but is under the age of eighteen years”

|  |  |  |
| --- | --- | --- |
| 25 | (3) | of the words “No young person”; and |
| in subsection (4) thereof, by the substitution for the |

words “a person who has attained the age of sixteen   
years but is under the age of eighteen years” of the   
words “a young person”.

*Employment of Women, Young Persons and*  3   
 *Children (Amendment)*

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| **7.** | Section 34 of the principal enactment is hereby | Amendment of section 34 of the  principal |
| amended as follows:- | |
| (1) | in subsection (1) thereof- |

enactment.

|  |  |  |
| --- | --- | --- |
| 5 | (*a*) | by the substitution for the definition of the |
| expression “child” of the following definition:- |

“child” means a person who is under the age   
 of sixteen years;”;

(*b*) in paragraph (*c*) of the definition of the expression “industrial undertaking” by the 10 substitution for the words “fourteen years” of the words “sixteen years”;

(*c*) by the substitution for the definition of the   
 expression “night” of the following definition:-

“night”—

|  |  |  |
| --- | --- | --- |
| 15 | (*a*) | with reference to the employment of |

women, means atleast eleven   
consecutive hours including the period   
between 10 p.m. and 5 a.m.; and

|  |  |  |
| --- | --- | --- |
| 20 | (*b*) | with reference to the employment of |
| persons under the age of eighteen years, |

means at least twelve consecutive hours   
which shall end not later than 6 a.m.

and which-

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| --- | --- | --- |
| 25 | (i) | in the case of such of those |
| persons as have attained the age |

of sixteen years, shall, subject to the provisions of sub- paragraph (ii), include atleast seven consecutive hours falling 30 between 10 p.m. and 6 a.m.; and

4 *Employment of Women, Young Persons and*   
 *Children (Amendment)*

(ii) in the case of such of those   
 persons as have attained the age   
 of sixteen years and are   
 undergoing vocational training

|  |  |
| --- | --- |
| 5 | in the baking industry or are apprentices in that industry, |

shall, if work during the night   
in that industry prohibited for   
all workers, include the seven

|  |  |
| --- | --- |
| 10 | consecutive hours falling between 9 p.m. and 4 a.m., |

instead of the period of atleast seven consecutive hours referred to in sub-paragraph (i) if the 15 Minister by Order published in the *Gazette* so directs;”;

(*d*) by the substitution for the definition of the   
 expression “young person” of the following   
 definition:-

20 “young person” means a person who has attained the age of sixteen years but is under the age of eighteen years.”; and

|  |  |  |  |
| --- | --- | --- | --- |
| 25 | (2) | in paragraph (*a*) of subsection (2) thereof, by the | Sinhala text |
| substitution for the words “fourteen years” of the | |
| words “sixteen years”. | |
| **8.** | In the event of any inconsistency between the Sinhala |
| and Tamil texts of this Act, the Sinhala text shall prevail. | | to prevail in |
| case of |
| inconsistency. |

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| *Employment of Women, Young Persons and* | 5 |

*Children (Amendment)*

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