



PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

FACTORIES (AMENDMENT) ACT, No. 19 OF 2002

[Certified on 04th October, 2002]

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Factories (Amendment) Act, No. 19 of 2002

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L. D.—O. 46/2000.

AN ACT TO AMEND THE FACTORIES ORDINANCE

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

1. This Act may be cited as the Factories (Amendment) Act, No. 19 of 2002. Short title.

2. Section 68 of the Factories Ordinance is hereby amended as follows :— Amendment of
section 68 of
Chapter 128.

- (1) by the repeal of subsection (1) of that section and the substitution therefor of the following subsection :—

“(1) Notwithstanding the provisions of this Part relating to the hours worked and periods of employment, the pressure of work in any factory may be dealt with by the overtime employment of women and young persons who have attained sixteen years of age but have not attained eighteen years of age :

Provided that the overtime worked by a woman shall not exceed in the aggregate sixty hours in any calendar month and overtime worked by a young person who has attained the age of sixteen years but not attained the age of eighteen years, shall not exceed in the aggregate fifty hours in any calendar month. ” ;

- (2) by the repeal of paragraph (a) of subsection (2) of that section, and the substitution therefor, of the following paragraph :—

“(a) the total number of hours worked, including overtime, by a woman or young person,

exclusive of intervals allowed for meals and rest, shall not exceed sixty hours in any week. ” ;

- (3) by the insertion immediately after subsection (2) of that section of the following new subsection :—

“(2A) An employer shall not engage in overtime—

- (a) a pregnant woman during her pregnancy ; and
- (b) a nursing mother, for a period of one year calculated from the date of the birth of the child; and
- (c) a woman delivered of a stillborn child, for a period of three months calculated from the date of such still birth,

unless she expresses her consent to be engaged in such overtime, in writing.” ; and

- (4) by the repeal of subsection (4) of that section, and the substitution therefor of the following subsection :—

“(4) the Minister may by regulation –

- (a) prohibit or restrict the overtime employment of women or young persons or any class thereof, if it appears that such overtime employment will prejudicially affect the health of such women or young person ;

- (b) prescribe the conditions to be maintained within the factory including the provision of rest room facilities during the times that a woman or young person is engaged in overtime employment therein ;
- (c) prescribe the manner of providing transport facilities to women engaged in overtime employment during the night.”.

3. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency.

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