



# Factories Act (Northern Ireland) 1965

## 1965 CHAPTER 20

### PART VI

#### EMPLOYMENT OF WOMEN, YOUNG PERSONS AND CHILDREN

##### PROHIBITION OF EMPLOYMENT OF CHILDREN AND OF WOMEN AFTER CHILDBIRTH

#### **84 Prohibition of employment of children.**

- (1) A child shall not be employed in any factory.
- (2) In this Act “child” means a person who has not attained the upper limit of compulsory school age within the meaning of [<sup>F1</sup> Article 36 of the Education and Libraries (Northern Ireland) Order 1972].

**F1** SRO (NI) 1973/211

#### **85 Prohibition of employment of women after childbirth.**

An occupier of a factory shall not knowingly allow a woman or girl to be employed therein within four weeks after she has given birth to a child.

*Ss. 86#94 rep. by 1990 NI 2*

*S. 95 rep. by 1988 NI 13*

*Ss. 96#108 rep. by 1990 NI 2*

*S. 109 rep. by 1988 NI 13*

*Ss. 110#114 rep. by 1990 NI 2*

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*Changes to legislation: There are currently no known outstanding effects for the Factories Act (Northern Ireland) 1965, PART VI. (See end of Document for details)*

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EXEMPTIONS IN INTEREST OF EFFICIENCY OF INDUSTRY OR TRANSPORT

**115<sup>F2</sup> Exceptions from provisions regulating hours of employment.**

- (1) Where the Ministry is satisfied, on an application made to the Ministry in that behalf, that it is desirable in the public interest to do so for the purpose of maintaining or increasing the efficiency of industry, the Ministry may, after such consultations as the Ministry may think appropriate or as may be required under subsection (4), exempt the employment of persons<sup>F3</sup> (other than children)] from<sup>F3</sup> . . . ,—

*Paras. (a), (b) rep. by 1990 NI 2*

<sup>F3</sup> . . . the Hours of Employment (Conventions) Act 1936 .

- (2) An exemption under this section extending only to particular persons or a particular employment or to a class of persons or employment defined by reference to particular premises or to work supervised from particular premises, and any exemption under this section for a particular day or particular days only, shall be granted by order, to be known as a special exemption order, and any other exemption under this section shall be granted by special regulations, to be known as general exemption regulations.
- (3) An exemption granted by a special exemption order shall not be for more than one year, without prejudice however to the granting of the like exemption for further periods by further special exemption orders.
- (4) The Ministry shall not make general exemption regulations except—
- (a) on the application of a joint industrial council, conciliation board or other similar body constituted by organisations which appear to the Ministry to be representative respectively of workers and employers concerned; or

*Para. (b) rep. by 1993 NI 11*

- (c) on the joint application of an organisation which appears to the Ministry to be representative of employers concerned and of an organisation which appears to the Ministry to be representative of workers concerned; or
  - (d) on the application of an organisation which appears to the Ministry to be representative of employers concerned and after consulting an organisation which appears to the Ministry to be representative of workers concerned; or
  - (e) on the application of an organisation which appears to the Ministry to be representative of workers concerned and after consulting an organisation which appears to the Ministry to be representative of employers concerned.
- (5) The Ministry shall publish in the Belfast Gazette such particulars of special exemption orders as the Ministry considers appropriate.

**F2** SR 1979/246

**F3** 1990 NI 2

CERTIFICATE OF FITNESS FOR EMPLOYMENT OF YOUNG PERSONS

*S. 116 rep. by 1972 NI 14; 1978 NI 9*

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*Changes to legislation:* There are currently no known outstanding effects for the  
Factories Act (Northern Ireland) 1965, PART VI. (See end of Document for details)

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## **117 Power of inspector to require certificate of fitness for work.**

Where an inspector is of opinion that the employment of a young person in a factory or in a particular process or kind of work in a factory is prejudicial to his health or the health of other persons, the Ministry may serve written notice on the occupier of the factory informing him thereof and requiring that the employment of that young person in the factory or in the process or kind of work, as the case may be, be discontinued after the period named in the notice (which shall not be less than one nor more than seven days after the service of the notice) and the occupier shall not continue after that period to employ the young person ...<sup>F4</sup> unless the appointed factory doctor [<sup>F5</sup> or an employment medical adviser] has, after the service of the notice, personally examined the young person and certified that he is fit for employment in the factory or in the process or kind of work, as the case may be.

**F4** 1978 NI 9

**F5** 1978 NI 9

*S. 117A rep. by 1990 NI 2*

**Changes to legislation:**

There are currently no known outstanding effects for the Factories Act (Northern Ireland) 1965, PART VI.