
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 477

CHILDREN

**The Employment of Children
Regulations (Northern Ireland) 1996**

Made - - - - *8th October 1996*

Coming into operation *4th November 1996*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 136(1)(a), (b) and (c)(ii), (iii), (iv) and (v) of the Children (Northern Ireland) Order 1995⁽¹⁾ and of all other powers enabling it in that behalf, with the approval of the Department of Education, hereby makes the following Regulations:

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the Employment of Children Regulations (Northern Ireland) 1996 and shall come into operation on 4th November 1996.

(2) In these Regulations—

“the Order” means the Children (Northern Ireland) Order 1995;

“appropriate board” means the board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986⁽²⁾ for the area in which the child lives;

“authorised officer” means an officer of the board authorised to act on behalf of the board under Article 64 of the Education and Libraries (Northern Ireland) Order 1986 for the purposes of these Regulations;

“board” means an education and library board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986;

“employment card” means a card issued by the appropriate board under regulation 6;

“parent” includes any person who is not a parent of the child but who has parental responsibility for him;

“permitted occupation” is an occupation listed in the Schedule.

(3) Where a child is employed by more than one employer—

(a) these Regulations shall apply to each such employer; and

(1) S.I.1995/755 (N.I. 2)

(2) S.I. 1986/594 (N.I. 3)

- (b) any restriction imposed by regulation 3, 4 or 5 in relation to the periods during which that child may be employed shall apply to the aggregate of the periods during which he is employed by all such employers.

Permitted employment

2. No child shall be employed in any occupation other than in an occupation specified in the Schedule.

Conditions of employment for all children

3.—(1) No child shall be employed for a period more than one hour before the commencement of school hours on any day on which he is required to attend school, and such period shall end not later than half an hour before the school he is required to attend is due to open on that day.

(2) No child shall be employed for more than two hours on a Sunday.

(3) A child engaged in employment shall be allowed an uninterrupted period of two weeks holiday during the period between 1st July and 31st August (both dates inclusive).

(4) No child shall be employed in any other occupation on the day of, days of, or day following a performance to which Article 137 of the Order applies.

(5) No child shall be employed in any occupation out of doors unless the employer ensures that the child is suitably shod and suitably clad for protection against the weather.

(6) No child shall be employed without the written consent of his parent.

Conditions of employment for children under the age of 15 years

4. A child under the age of 15 years—

- (a) shall not be employed for more than five hours on a Saturday or week-day other than a day on which he is required to attend school;
- (b) shall not be employed for more than twenty-seven hours in any week;
- (c) shall be allowed a continuous interval for rest of not less than three hours between seven o'clock in the morning and seven o'clock in the evening on any day;
- (d) subject to paragraph (e), shall be allowed at least one hour for meals and rest following any continuous employment for a period of three hours;
- (e) shall be allowed at least one hour for meals and rest following any continuous employment for a period of four hours on a Saturday.

Conditions of employment for children over the age of 15 years

5. A child aged 15 or over—

- (a) shall not be employed for more than seven hours on a Saturday or week-day other than a day on which he is required to attend school;
- (b) shall not be employed for more than thirty-seven hours in any week;
- (c) shall be allowed at least one hour for meals and rest following any continuous employment for a period of four hours.

Employment cards

6.—(1) Each employer of any child shall, not less than seven days prior to employing the child, give notice to the appropriate board on the appropriate application form and such notice shall contain the following particulars—

- (a) the age of the child;
- (b) the full name and address of the child and of his employer;
- (c) the proposed occupation in which the child is to be employed;
- (d) the proposed date of commencement of the employment;
- (e) the place of such employment;
- (f) the hours of such employment;
- (g) the days, not exceeding six, on which the child is to be employed each week.

(2) No child shall be employed unless a certificate from a medical practitioner to the effect that the employment of the child in that proposed occupation will not be likely to be injurious to his life, limb, health or education, has been produced to the appropriate board.

(3) A certificate issued under this regulation shall be valid only for employment in the occupation referred to in the certificate.

(4) Subject to a satisfactory medical report and provided no other grounds for objection are evident the appropriate board shall issue to each child in respect of whom notification under paragraph (1) has been received, a card, and thereafter such card shall be held by the employer during the currency of the child's employment and shall be produced for inspection at the request of any authorised officer on production of his credentials.

(5) The board shall cause to be entered on the employment card the name and address and date of birth of the child, the occupation in which and the times specified by the employer between which the employment is permitted; and the times so entered shall be such as are permitted by these Regulations and the Order and may be altered within the scope thereof by the board from time to time on the application of the employer, and the board shall issue a new employment card if the arrangements of employment change.

(6) No child for whom an employment card has been issued in accordance with the provisions of these Regulations shall be employed except in the occupations and within the times entered thereon by the board.

(7) An employer of a child for whom an employment card has been issued shall permit an authorised officer to enter and inspect any premises or other place on which the child is employed and shall permit the officer to interrogate the child if so requested.

Return of employment cards

7. The employment card issued in respect of any child shall be returned to the board—

- (a) on the child ceasing to be employed in the occupation in respect of which it was issued;
- (b) on the child attaining the upper limit of compulsory school age;
- (c) if required by the board by reason of breach of conditions or the employment becoming likely to be injurious to his life, limb, health or education;
- (d) if the child's parent withdraws his consent to his continued employment in that occupation;
- (e) if the child is found guilty of any offence, or for any other reason which, in the opinion of the board, would render him unsuitable for employment.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Employment cards issued under Byelaws

8. An employment card issued in accordance with the byelaws with respect to the employment of children made by the North Eastern Education and Library Board on 6th November 1973, the South Eastern Education and Library Board on 7th February 1974, the Belfast Education and Library Board on 25th February 1974, the Southern Education and Library Board on 19th September 1974 or the Western Education and Library Board on 15th January 1975 shall be deemed to be a card issued under regulation 6(4).

Sealed with the Official Seal of the Department of Health and Social Services on 8th October 1996.

L.S.

P. A. Conliffe
Assistant Secretary

The Department of Education hereby approves the foregoing Regulations.
Sealed with the Official Seal of the Department of Education on 8th October 1996.

L.S.

J. S. Smith
Assistant Secretary

SCHEDULE

Regulation 2

Permitted occupations

1. Delivery of newspapers, milk, groceries, foodstuffs, flowers or drapery goods.
 2. Office work except in premises licensed for the sale of intoxicating liquor, betting or gaming.
 3. Hotel and catering work except in the kitchen or portions of premises licensed for the sale of intoxicating liquor.
 4. Work as shop assistant excluding any premises licensed for the sale of intoxicating liquor, betting or gaming.
 6. Domestic work.
 7. Light agricultural work or horticultural work for the parents of the child concerned.
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EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations make provision with respect to the employment of children. For the purposes of these Regulations a child means a person who is not over school leaving age. The employment of children under age 13 is prohibited.

Regulation 2 prohibits the employment of children in an occupation other than one specified in the Schedule. Regulation 3 makes provision for the conditions of employment for all children. Regulation 4 makes further provision for the conditions of employment for children under age 15 and regulation 5 makes similar provision for children over age 15. Regulation 6 makes provision for the issue of employment cards by application to the education and library board in whose area the child lives, and regulation 7 makes provision for the return of employment cards. Regulation 8 contains a saving in relation to employment cards issued under byelaws made by education and library boards.