

Council Directive 94/33/EC of 22 June 1994  
on the protection of young people at work

SECTION I

*Article 1*

**Purpose**

1 Member States shall take the necessary measures to prohibit work by children.

They shall ensure, under the conditions laid down by this Directive, that the minimum working or employment age is not lower than the minimum age at which compulsory full-time schooling as imposed by national law ends or 15 years in any event.

2 Member States ensure that work by adolescents is strictly regulated and protected under the conditions laid down in this Directive.

3 Member States shall ensure in general that employers guarantee that young people have working conditions which suit their age.

They shall ensure that young people are protected against economic exploitation and against any work likely to harm their safety, health or physical, mental, moral or social development or to jeopardize their education.

*Article 2*

**Scope**

1 This Directive shall apply to any person under 18 years of age having an employment contract or an employment relationship defined by the law in force in a Member State and/or governed by the law in force in a Member State.

2 Member States may make legislative or regulatory provision for this Directive not to apply, within the limits and under the conditions which they set by legislative or regulatory provision, to occasional work or short-term work involving:

- a domestic service in a private household, or
- b work regarded as not being harmful, damaging or dangerous to young people in a family undertaking.

*Article 3*

**Definitions**

For the purposes of this Directive:

- (a) 'young person' shall mean any person under 18 years of age referred to in Article 2 (1);
- (b) 'child' shall mean any young person of less than 15 years of age or who is still subject to compulsory full-time schooling under national law;

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- (c) ‘adolescent’ shall mean any young person of at least 15 years of age but less than 18 years of age who is no longer subject to compulsory full-time schooling under national law;
- (d) ‘light work’ shall mean all work which, on account of the inherent nature of the tasks which it involves and the particular conditions under which they are performed:
  - (i) is not likely to be harmful to the safety, health or development of children, and
  - (ii) is not such as to be harmful to their attendance at school, their participation in vocational guidance or training programmes approved by the competent authority or their capacity to benefit from the instruction received;
- (e) ‘working time’ shall mean any period during which the young person is at work, at the employer's disposal and carrying out his activity or duties in accordance with national legislation and/or practice;
- (f) ‘rest period’ shall mean any period which is not working time.

#### *Article 4*

### **Prohibition of work by children**

- 1 Member States shall adopt the measures necessary to prohibit work by children.
- 2 Taking into account the objectives set out in Article 1, Member States may make legislative or regulatory provision for the prohibition of work by children not to apply to:
  - a children pursuing the activities set out in Article 5;
  - b children of at least 14 years of age working under a combined work/training scheme or an in-plant work-experience scheme, provided that such work is done in accordance with the conditions laid down by the competent authority;
  - c children of at least 14 years of age performing light work other than that covered by Article 5; light work other than that covered by Article 5 may, however, be performed by children of 13 years of age for a limited number of hours per week in the case of categories of work determined by national legislation.
- 3 Member States that make use of the opinion referred to in paragraph 2 (c) shall determine, subject to the provisions of this Directive, the working conditions relating to the light work in question.

#### *Article 5*

### **Cultural or similar activities**

- 1 The employment of children for the purposes of performance in cultural, artistic, sports or advertising activities shall be subject to prior authorization to be given by the competent authority in individual cases.
- 2 Member States shall by legislative or regulatory provision lay down the working conditions for children in the cases referred to in paragraph 1 and the details of the prior authorization procedure, on condition that the activities:
  - (i) are not likely to be harmful to the safety, health or development of children, and

(ii) are not such as to be harmful to their attendance at school, their participation in vocational guidance or training programmes approved by the competent authority or their capacity to benefit from the instruction received.

3 By way of derogation from the procedure laid down in paragraph 1, in the case of children of at least 13 years of age, Member States may authorize, by legislative or regulatory provision, in accordance with conditions which they shall determine, the employment of children for the purposes of performance in cultural, artistic, sports or advertising activities.

4 The Member States which have a specific authorization system for modelling agencies with regard to the activities of children may retain that system.