

2006 No. 140

CHILDREN AND YOUNG PERSONS

The Children (Protection at Work) (Scotland) Regulations 2006

Made - - - - *8th March 2006*

Laid before the Scottish Parliament *10th March 2006*

Coming into force - - *18th April 2006*

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a) in relation to measures relating to the employment of children and young persons and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Children (Protection at Work) (Scotland) Regulations 2006 and shall come into force on 18th April 2006.

(2) These Regulations extend to Scotland only.

Amendments of the Act

2. In section 28(1) (restrictions on employment of children) of the Children and Young Persons (Scotland) Act 1937(b), after paragraph (d) insert:—

“(da) for more than twelve hours in any week in which he is required to attend school; or”.

ROBERT E BROWN

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
8th March 2006

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- (a) 1972 c.68; section 2(2) was amended by the Scotland Act 1998 (c.46), Schedule 8, paragraph 15; functions of the Secretary of State under section 2(2), in so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of that Act.
- (b) 1937 c.37; section 28 was amended by the Children and Young Persons Act 1963 (c.37), sections 34 and 64(1) and Schedule 3, paragraph 29; by the Children Act 1972 (c.44), section 1(2); prospectively by the Employment of Children Act 1973 (c.24), section 1(2) which however has not been brought into force; by the Manual Handling Operations Regulations 1992 (S.I. 1992/2793) regulation 8; and schedule 2; by the Children (Protection at Work) Regulations 1998 (S.I. 1998/276), regulation 8 by the Merchant Shipping and Fishing Vessels (Manual Handling Operations) Regulations 1998 (S.I. 1998/2857), regulation 1; and by the Children (Protection at Work) (Scotland) Regulations 2000 (S.I. 2000/149), regulation 2.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations give further effect in Scotland, to Council Directive 94/33/EC on the protection of young people at work (O.J. No. L 216, 20.8.94, p.12). Article 17(1)(b) provided a derogation to Article 8(1)(b), (maximum number of hours which may be worked by children in term time). This derogation has come to an end and these Regulations give full effect to this Article. Regulation 2 amends section 28 of the Children and Young Persons (Scotland) Act 1937, to place a limit on the number of hours that a child may be employed in any week in which the child is required to attend school.

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