

3

CHAPTER

EMPLOYMENT OF WOMEN, YOUNG PERSONS AND CHILDREN

1. Employment of Females in Mines Ordinance
2. Maternity Benefits Ordinance
3. Employment of Women, Young Persons and Children Act

EMPLOYMENT OF FEMALES IN MINES

Ordinance
No. 13 of 1937.

**AN ORDINANCE TO PROHIBIT THE EMPLOYMENT OF FEMALES
ON UNDERGROUND WORK IN MINES**

[16th April, 1937]

Short title.

1. This Ordinance may be cited as the Mines (Prohibition of Female Labour Underground) Ordinance.

Prohibition of
employment of females
on underground work
in mines.

2. (1) No female, of any age, shall at any time-
- (a) perform or be employed on any underground work in any mine; or
 - (b) enter or remain in the underground parts of any mine for the performance of any work therein.

(2) Nothing in subsection (1) shall apply to any female or any class of females exempted by regulation from the prohibition contained in that subsection.

Power of Minister to
exempt classes of
females from operation
of section 2(1).

3. The Minister may, by regulation, exempt from the prohibition contained in section 2(1) all or any of the following classes of females:-

- (a) females holding positions of management who do not perform manual work;
- (b) females employed in health and welfare services;
- (c) females who in the course of their studies spend a period of training in the underground parts of a mine;
- (d) any other females who may occasionally have to enter the underground parts of a mine for the purpose of a non-manual occupation.

Regulations.

4. (1) The Minister may make regulations for or in respect of all or any of the following matters:-

- (a) the definition or description of any class of females which may be exempted under section 3;
- (b) the issue to females of any class exempted under section 3 of permits to enter, work, or remain in the underground parts of any mine;
- (c) the terms and conditions upon which and the persons by whom such permits shall be issued;
- (d) the inspection of mines for the purpose of giving effect to the provisions of this Ordinance or of any regulation made thereunder; and
- (e) all matters incidental to or connected with the matters or subjects specifically referred to in this subsection.

(2) Every regulation made by the Minister shall be brought before the Parliament by a motion that such regulation shall be approved. No regulation made by the Minister shall have effect until it has been approved by the Parliament. Notification of such approval shall be published in the *Gazette*.

(3) A regulation made by the Minister when approved by the Parliament shall, upon the notification of such approval in the *Gazette*, be as valid and effectual as if it were herein enacted.

Offences.

5. (1) Any person who contravenes any of the provisions of this Ordinance or of any regulation made thereunder shall be guilty of an offence.

(2) In the event of the contravention by any person of any of the provisions of this Ordinance or of any regulation made thereunder, the owner, agent and manager of the mine shall each be guilty of an offence unless he proves that he had taken all reasonable means to prevent such contravention, by publishing and to the best of his power enforcing the provisions of this Ordinance and the regulations made thereunder.

Penalties.

6. Every person who is guilty of an offence under this Ordinance shall be liable to a fine not exceeding fifty rupees, and if any such person is the owner, agent or manager of a mine, such person shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding two hundred rupees.

Interpretation.

7. In this Ordinance, unless the context otherwise requires -

“mine” includes any undertaking, whether public or private, for the extraction of any substance from under the surface of the earth; and

“regulation” means a regulation made under this Ordinance by the Minister.

Application of Ordinance.

8. The provisions of this Ordinance shall be in addition to and not in substitution or derogation of the provisions of any other written law relating to the employment of females in mines in so far as such other written law is not inconsistent with the provisions of this Ordinance.