STATUTORY RULES OF NORTHERN IRELAND

2006 No. 212

CHILDREN

The Employment of Children (Amendment) Regulations (Northern Ireland) 2006

Made - - - -	*3rd May 2006*
Coming into operation -	*8th June 2006*

The Department of Health, Social Services and Public Safety (**a**), makes the following Regulations in exercise of the powers conferred by Article 136(1) of the Children (Northern Ireland) Order 1995 (**b**), with the approval of the Department of Education:

Citation, commencement, and interpretation

1.—(1) These Regulations may be cited as the Employment of Children (Amendment) Regulations (Northern Ireland) 2006 and shall come into operation on 8th June 2006.

(2) In these Regulations, the "principal regulations" means the Employment of Children Regulations (Northern Ireland) 1996 (**c**).

Amendment of regulation 3 of the principal Regulations

2. For regulation 3 of the principal Regulations (Conditions of employment for all children), substitute the following regulation:

"Conditions of employment for all children

3.—(1) No child shall be employed for more than twelve hours in any week in which he is required to attend school.

(2) No child shall be employed for a period more than one hour before the commencement of school hours on any day in 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.

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

(4) 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).

(5) 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.

(6) 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.

(**a**) Formerly the Department of Health and Social Services: *See* S.I. 1999/283 (N.I. 1), Article 3(6)
(**b**) S.I. 1995/755 (N.I. 2)
(**c**) S.R. 1996 No. 477

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

Amendment of regulation 4 of the principal Regulations

3. In regulation 4(b) of the principal Regulations (Conditions of employment for children under the age of 15 years), after "in any week" there shall be inserted "in which he is not required to attend school".

Amendment of regulation 5 of the principal Regulations

4. In regulation 5(b) of the principal Regulations (Conditions of employment for children over the age 15 years), after "in any week" there shall be inserted "in which he is not required to attend school".

Amendment of regulation 6 of the principal Regulations

5. For regulation 6 of the principal Regulations (Employment cards), sustitute the following regulation:

"**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 an 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) Provided no 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.

(3) 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.

(4) 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.

(5) 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."

Amendment of regulation 8 of the principal Regulations

6. In regulation 8 of the principal Regulations (Employment cards issued under Byelaws), for "regulations 6(4)" substitute "regulation 6(2)".

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 3rd May 2006



Paul Martin
A senior officer of
the Department of Health, Social Services and Public Safety

The Department of Education hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Department of Education on 3rd May 2006



Katrina Godfrey
A senior officer of
the Department of Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations give effect to Article 8(1) (b) (maximum number of hours which may be worked by children in term time) of Council Directive 94/33/EC on the protection of young people at work.

Regulation 2 replaces regulation 3 of the Employment of Children Regulations (Northern Ireland) 1996, ("the principal Regulations") placing a limit on the number of hours that a child may be employed in any week in which he is required to attend school.

Regulations 3 and 4 amend regulations 4(b) and 5(b) respectively of the principal Regulations to clarify that the restriction on the number of hours worked by children in these circumstances relates to any week when children are not required to attend school.

Regulation 5 replaces regulation 6 of the principal Regulations, removing the requirement to submit a medical certificate to the appropriate education and library board.

Regulation 6 amends regulation 8 of the principal Regulations making changes consequential upon the substitution of regulation 6 of the principal Regulations.

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