



# Employment of Women, Young Persons, and Children Act 1920

1920 CHAPTER 65 10 and 11 Geo 5

An Act to carry out certain Conventions relating to the employment of Women, Young Persons, and Children, and to amend the law with respect to the employment of Women and Young Persons in Factories and Workshops. [23rd December 1920]

Whereas at Washington, on the twenty-eighth day of November, nineteen hundred and nineteen, a general conference of the International Labour Organisation of the League of Nations adopted three conventions containing (together with other provisions) the provisions set out in Part I., Part II . . . <sup>F1</sup> of the Schedule to this Act:

And whereas at Genoa on the ninth day of July, nineteen hundred and twenty, a general conference of the International Labour Organisation of the League of Nations adopted a convention containing (together with other provisions) the provisions set out in Part IV. of the Schedule to this Act:

And whereas it is expedient that for the purpose of carrying out the said conventions the provisions hereinafter contained should have effect:

And whereas it is expedient to make further provision as to the conditions under which . . . <sup>F1</sup> young persons may be employed in factories and workshops:

## Textual Amendments

**F1** Words repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), [Sch. 1 Pt. VIII](#)

## Modifications etc. (not altering text)

**C1** Act amended by (E.W.) [Education Act 1944 \(c. 31\)](#), [s. 58](#) and (S.) [Education \(Scotland\) Act 1962 \(c. 47\)](#), [s. 139\(1\)](#)

**C2** This Act is not necessarily in the form in which it has effect in Northern Ireland

**C3** Act amended by [S.I. 1988/1222](#), [regs. 3, 4](#)

**C4** Act amended by [S.I. 1990/1380](#), [reg. 3](#)

**C5** Act: saved by virtue of Health and Safety at [Work etc. Act 1974 \(c. 37, SIF 43:3\)](#), [s. 53](#), [Sch. 1](#) and [Tay Road Bridge Order Confirmation Act 1991 \(c. iv\)](#), [Sch. Pt. VII s. 62](#)

*Status: Point in time view as at 09/05/1991.**Changes to legislation: There are currently no known outstanding effects for the Employment of Women, Young Persons, and Children Act 1920. (See end of Document for details)***Commencement Information****II** Act wholly in force at 1.1.1921**1 Restrictions on the employment of women, young persons, and children in industrial undertakings.**

(1) No child shall be employed in any industrial undertaking.

<sup>F2</sup>(2) [ No child shall be employed in any ship except to the extent to which and in the circumstances in which such employment is permitted under the Convention set out in Part IV. of the Schedule to this Act.](3) ..... <sup>F3</sup><sup>F4</sup>(4) Where persons under the age of sixteen years are employed in any industrial undertaking, a register of all persons under that age who are so employed, and of the dates of their birth, shall be kept and shall at all times be open to inspection.]<sup>F2</sup>(5) There shall be included in every agreement with the crew entered into under the <sup>M1</sup>Merchant Shipping Act 1894, a list of the young persons under the age of sixteen years who are members of the crew, together with particulars of the dates of their birth, and, in the case of a ship in which there is no such agreement, the master of the ship shall, if young persons under the age of sixteen years are employed therein, keep a register of those persons with particulars of the dates of their birth and of the dates on which they become or cease to be members of the crew, and the register so kept shall at all times be open to inspection.](6) This section, so far as it relates to employment in [<sup>F5</sup>mines and quarries within the meaning of the <sup>M2</sup>Mines and Quarries Act 1954], and factories and workshops, shall have effect as if it formed part of [<sup>F5</sup>the <sup>M3</sup>Mines and Quarries Act 1954], and [<sup>F6</sup>the <sup>M4</sup>Factories Act 1961], respectively, and the provisions of those Acts relating to registers to be kept thereunder shall apply to the registers required to be kept under this Act.<sup>F7</sup>[This section, so far as it relates to employment in a ship, shall have effect as if it formed part of the Merchant Shipping Acts 1894 to 1920.]In the case of employment in any place other than the places aforesaid [<sup>F7</sup>or in any ship]<sup>F8</sup>(a) The following provisions, namely—

- (i) sections 21(1) and (2) and 28(1) and (3) of the Children and Young Persons Act <sup>M5</sup>1933,
- (ii) sections 31(1) and (2) and 36(1) and (3) of the Children and Young Persons (Scotland) Act <sup>M6</sup>1937, or
- (iii) sections 39(1) and (3) to (5) and 45(1), (3) and (4) of the Children and Young Persons Act (Northern Ireland) <sup>M7</sup>1968,

shall have effect in relation to the employment of a child in an industrial undertaking in contravention of this Act as they have effect in relation to the employment of a child in contravention of Part II of that Act of 1933, of Part III of that Act of 1937 or of Part III of that Act of 1968, as the case may be; and]

(b) If any child is employed in any ship in contravention of this Act, the master of the ship shall be liable for each offence to a fine not exceeding [<sup>F9</sup>£2][<sup>F10</sup>£25], or, in the case of a second or subsequent offence, not exceeding five pounds, and where a child is taken into employment in any ship in contravention of this

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Act on the production, by or with the privy of the parent, on a false or forged certificate or on the false representation of his parent that the child is of an age at which such employment is not in contravention of this Act, that parent shall be liable on summary conviction to a fine not exceeding [<sup>F11</sup>£25]; and]

- (c) If any person being the employer of a [<sup>F12</sup>person under the age of sixteen years] fails to keep such a register so required to be kept by him as aforesaid, or refuses or neglects when required to produce it for inspection by an officer of a local authority under the said Act, he shall be liable on summary conviction to a fine not exceeding twenty pounds [<sup>F13</sup>level 2 on the standard scale]; and
- [(d) <sup>F14</sup>If the master of a ship fails to keep such a register so required to be kept by him as aforesaid, or refuses or neglects when required to produce it for inspection by an officer of the Board of Trade or any other person having power to enforce compliance with the provisions of the Merchant Shipping Acts 1894 to 1920, he shall be liable to a fine not exceeding twenty pounds; and]

- (e) ..... <sup>F15</sup>

#### Textual Amendments

- F2** S. 1(2)(5) repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), s. 101(4), Sch. 5 (with **Sch. 4**)
- F3** S. 1(3) repealed by Employment Act 1989 (c. 38, SIF 43:1), ss. 10(1)(a), 29(4), **Sch. 7 Pt. III**
- F4** S. 1(4) substituted by Employment Act 1989 (c. 38, SIF 43:1), s. 10(2), **Sch. 3 Pt. III para. 1**
- F5** Words substituted by virtue of Mines and Quarries Act 1954 (c. 70), **Sch. 4**
- F6** Words substituted by virtue of Factories Act 1961 (c. 34), **Sch. 6 para. 1**
- F7** Words repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), s. 104(4), Sch. 5 (with **Sch. 4**)
- F8** S. 1(6)(a) substituted by Employment Act 1989 (c. 38, SIF 43:1), s. 29(3), **Sch. 6 para. 1(a)**
- F9** “£2” substituted by virtue of Decimal Currency Act 1969 (c. 19), **s. 10(1)**
- F10** “£25” substituted for £2 (E.W.) by virtue of Criminal Law Act 1977 (c. 45), **s. 31(5)(a)(6)(a)(9)**
- F11** Words substituted by virtue of Mines and Quarries Act 1954 (c. 70), **Sch. 4**
- F12** Words substituted by Employment Act 1989 (c. 38, SIF 43:1), s. 29(3), **Sch. 6 para. 1(b)**
- F13** Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), **s. 46**, and (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **s. 289G** and (N.I.) by S.I. 1984/703 (N.I. 3) arts. 5, 6
- F14** S. 1(6)(b)(d) repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), s. 104(4), Sch. 5 (with **Sch. 4**)
- F15** S.I(6)(e) repealed by Statute Law (Repeals) Act 1978 (c. 45), **Sch. 1 Pt. VIII**

#### Marginal Citations

- M1** 1894 c. 60
- M2** 1954 c. 70.
- M3** 1954 c. 70.
- M4** 1961 c. 34.
- M5** 1933 c.12 (20).
- M6** 1937 c.37 (20).
- M7** 1968 c.34 (N.I.).

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- (1) The provisions of this Act shall be in addition to and not in derogation of any of the provisions of any other Act restricting the employment of . . . <sup>F17</sup>, . . . <sup>F18</sup> children.
- (2) Nothing in this Act shall apply to an industrial undertaking or ship in which only members of the same family are employed.
- (3) . . . . . <sup>F19</sup>

**Textual Amendments****F17** Words repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\), Sch. 1 Pt. VIII](#)**F18** Words repealed by [Employment Act 1989 \(c. 38, SIF 43:1\), s. 29\(4\), Sch. 7 Pt. III](#)**F19** Ss. 3(3), 5(2) repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)**4 Interpretation.**

In this Act—

. . . . . <sup>F20</sup>

The expression “young person” means a person who has ceased to be a child and who is under the age of eighteen years;

. . . . . <sup>F21</sup>The expression “industrial undertaking” has [<sup>F22</sup>the meaning assigned to it by Part II], . . . <sup>F23</sup> of the Schedule to this Act;

The expression “ship” means any sea-going ship or boat of any description which is registered in the United Kingdom as a British ship and includes any British fishing boat entered in the fishing boat register.

**Textual Amendments****F20** Definition repealed by (E.W.) [Education Act 1944 \(c. 31\), Sch. 9 Pt. I](#) and (S.) [Education \(Scotland\) Act 1945 \(c. 37\), Sch. 6](#)**F21** Definition repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\), Sch. 1 Pt. VIII](#)**F22** Words substituted by [Employment Act 1989 \(c. 38, SIF 43:1\), s. 29\(3\), Sch. 6 para. 2](#)**F23** Words repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\), Sch. 1 Pt. VIII](#)**5 †Short title and commencement.**

- (1) This Act may be cited as the Employment of Women, Young Persons, and Children Act 1920.
- (2) . . . . . <sup>F24</sup>

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**Textual Amendments**

**F24** [Ss. 3\(3\), 5\(2\)](#) repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

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**Modifications etc. (not altering text)**

**C6** Unreliable marginal note

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## SCHEDULE

Sections 1 and 4.

### PART I

#### CONVENTION FIXING MINIMUM AGE FOR ADMISSION OF CHILDREN TO INDUSTRIAL EMPLOYMENT

##### ARTICLE 1

For the purpose of this Convention, the term “industrial undertaking” includes particularly:—

- (a) Mines, quarries and other works for the extraction of minerals from the earth.
  - (b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding, and the generation, transformation, and transmission of electricity and motive power of any kind.
  - (c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.
  - (d) Transport of passengers or goods by road or rail or inland waterway, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.
- The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

##### ARTICLE 2

Children under the age of fourteen years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

##### ARTICLE 3

The provisions of Article 2 shall not apply to work done by children in technical schools, provided that such work is approved and supervised by public authority.

##### ARTICLE 4

In order to facilitate the enforcement of the provisions of this Convention, every employer in an industrial undertaking shall be required to keep a register of all persons under the age of sixteen years employed by him, and of the dates of their births.

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## PART II

F25

. . .

### Textual Amendments

**F25** Sch. Pt. II repealed by Employment Act 1989 (c. 38, SIF 43:1), ss. 10(1)(a), 29(4), Sch. 3 Pt. I, Sch. 7 Pt. III

## PART III. . . . . F26

### Textual Amendments

**F26** Sch. Part III repealed by Statute Law (Repeals) Act 1978 (c. 45), Sch. 1 Pt. VIII

## [<sup>F27</sup>PART IV

### CONVENTION FIXING THE MINIMUM AGE FOR ADMISSION OF CHILDREN TO EMPLOYMENT AT SEA

### Textual Amendments

**F27** Part IV repealed (prosp.) by Merchant Shipping act 1970 (c. 36), s. 101(4), Sch. 5

## ARTICLE 1

For the purpose of this Convention, the term “vessel” includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned: it excludes ships of war.

## ARTICLE 2

Children under the age of fourteen years shall not be employed or work on vessels other than vessels upon which only members of the same family are employed.

## ARTICLE 3

The provisions of Article 2 shall not apply to work done by children on school ships or training ships, provided that such work is approved and supervised by public authority.

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#### ARTICLE 4

In order to facilitate the enforcement of the provisions of this Convention, every shipmaster shall be required to keep a register of all persons under the age of sixteen years employed on board his vessel, or a list of them in the articles of agreement, and of the dates of their births.]



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