

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 121 OF 2013

The Employment of Young Persons and Children Act
(Laws, Volume 15, Cap. 274)

**The Prohibition of Employment of Young Persons and
Children (Hazardous Labour) Order, 2013**

IN EXERCISE of the powers contained in section *twenty* of the Employment of Young Persons and Children Act, the following Order is hereby made:

1. This Order may be cited as the Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order, 2013. Title
2. In this Order, unless the context otherwise requires— Interpretation
 - “dust” means any kind of dust present in the air at or above the threshold limit set out in the Schedule;
 - “employer” has the meaning assigned to it in the Employment Act; Cap. 268
 - “exposure to falling objects” means working in an environment where objects which are harmful to the health or safety of a child or young person are likely to fall;
 - “hazardous labour” means work which by its nature or circumstances in which it is carried out is likely to harm the health, safety or morals of a child or a young person;
 - “heavy load” means—
 - (a) in the case of a male child or male young person, lifting or carrying an object of over—
 - (i) fifteen kilograms in weight during intermittent work; or
 - (ii) ten kilograms in weight during continuous work; or

(b) in the case of a female child or female young person, lifting or carrying an object of over—

(i) ten kilograms in weight during intermittent work; or

(ii) five kilograms in weight during continuous work;

“ height ” means a height of above two metres;

“ high levels of noise ” means a noise level which is above eighty-five decibels;

“ insufficient light ” means any lighting with less than three hundred luxes;

“ light work ” means work which is not likely—

(a) to be harmful to the health or development of a child or young person;

(b) to prejudice the attendance at school, participation in vocational orientation, or a training programme approved by the competent authority, of a child or young person;

“ long working hours ” means—

(a) in the case of a child engaged in light work, working for more than three hours per day; or

(b) in the case of a young person, working more than eight hours per day;

“ night work ” means work done in a period of at least eleven consecutive hours, including the interval between 22:00 hours and 05:00 hours; and

“ toxic chemical and gases ” means any biological, chemical, physical and toxic substances which display jeopardy for children and young persons’ health.

Prohibition
of
employment
of child or
young
person in
hazardous
labour

3. (1) A person shall not employ or engage a child or young person in any type of hazardous labour.

(2) Hazardous labour constitutes the following types of work or work which involves the following:

(a) animal herding;

(b) block or brick-making;

(c) charcoal burning;

(d) explosives;

(e) exposure to dust;

- (f) exposure to asbestos and silica dust;
- (g) exposure to high voltage;
- (h) exposure to lead;
- (i) exposure to waterborne diseases and infections ;
- (j) exposure to toxic chemicals and gases;
- (k) exposure to falling objects;
- (l) exposure to physical or sexual abuse;
- (m) exposure to high levels of noise;
- (n) excavation or drilling;
- (o) fishing;
- (p) handling tobacco and cotton at all stages of production;
- (q) human trafficking;
- (r) lifting heavy loads;
- (s) long working hours;
- (t) night work;
- (u) operating power or manual driven machinery;
- (v) selling or serving in bars;
- (w) welding;
- (x) stone crushing;
- (y) spraying of pesticides or herbicides;
- (z) tour guiding;
- (aa) using or handling sharp cutting tools;
- (bb) underground work;
- (cc) working at a height;
- (dd) working under insufficient light; and
- (ee) working under water.

SCHEDULE

(Order 2)

HAZARDOUS DUST LEVELS

<i>Type of Dust</i>	<i>Inhalable*</i>	<i>Respirable*</i>
Iron oxide	N/a*	5 mg per m ³
Carbon black	3.5 mg* per m ³ *	N/a
Mica	N/a	3 mg per m ³
Talc (no asbestos)	N/a	2 mg per m ³
Wood	1 mg per m ³	N/a
Western red cedar	0.5 mg per m ³	N/a
Floor	0.5 mg per m ³	N/a
Coal	N/a	0.4 mg per m ³
anthracite	N/a	0.4 mg per m ³
Silica	N/a	0.025 mg per m ³
chrySTALLINE	N/a	0.025 mg per m ³
Cadmium	0.01 mg per m ³	N/a
Beryllium	0.002 mg per m ³	N/a
Other insoluble particles or poorly soluble particles not specified	10 mg per m ³	3 mg per m ³

*Note**

“ inhalable ” means particles that can be inhaled but cannot reach the aveoli where gaseous exchange takes place;

“ respirable ” means particles that can be inhaled and are small enough to reach the aveoli where gaseous exchange takes place;

“ mg ” means “ miligrams ”;

“ m³ ” means “ metre cubed ”; and

N/a means “ not applicable ”.

LUSAKA

9th December, 2013

[DL.6/6/14]

F. SHAMENDA,

*Minister of Labour and
Social Security*