

CHAPTER 147

EMPLOYMENT OF FEMALES IN MINES

Ordinance.
No. 13 of 1937.

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

[16 th April, 1937.]

Short title.

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

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

Regulations.

Prohibition of employment of females on underground work in mines.

2. (1) No female, of any age, shall at any time—

(a) the definition or description of any class of females which may be exempted under section 3 ;

(a) perform or be employed on any underground work in any mine; or

(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;

(b) enter or remain in the underground parts of any mine for the performance of any work therein.

(c) the terms and conditions upon which and the persons by whom such permits shall be issued ;

(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.

(d) the inspection of mines for the purpose of giving effect to the provisions of this Ordinance or of any regulation made thereunder; and

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 :—

(e) all matters incidental to or connected with the matters or subjects specifically referred to in this subsection.

(a) females holding positions of management who do not perform manual work;

(2) Every regulation made by the Minister shall be brought before 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 Parliament. Notification of such approval shall be published in the Gazette.

(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,

(3) A regulation made by the Minister when approved by 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 provision-; 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.

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;

" regulation " means a regulation made under this Ordinance by the Minister.

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. Application of ordinance.