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## CEYLON 1

### Ordinance: Employment of Women (Mines)

An Ordinance to prohibit the employment of females on underground work in mines. No. 13 of 1937. Assented to 16th April, 1937.

1. This Ordinance may be cited as the Mines (Prohibition of Female Labour Underground) Ordinance, No. 13 of 1937.

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.

3. The Executive Committee 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.

4. (1) The Executive Committee 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 Executive Committee shall be brought before the State Council by a motion that such regulation shall be approved, and if so approved, shall be submitted to the Governor for ratification. No regulation made by the Executive Committee shall have effect until it has been approved by the State Council and ratified by the Governor. Notification of such approval and ratification shall be published in the Gazette.

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(3) A regulation made by the Executive Committee when approved by the State Council and ratified by the Governor shall, upon the notification of such approval and ratification in the Gazette, be as valid and effectual as if it were herein enacted.

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.

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 police magistrate, be liable to a fine not exceeding two hundred rupees.

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

“ Executive Committee ” means the Executive Committee of Labour, Industry and Commerce;

“ 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 Executive Committee.

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.

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