

KINGDOM OF CAMBODIA

NATION RELIGION KING

Ministry of Social Affairs, Labor,
Vocational Training and Youth Rehabilitation
No.106 MOSALVY

Phnom Penh, April 28, 2004

PRAKAS
ON
THE PROHIBITION OF HAZARDOUS CHILD LABOUR

Minister of Social Affairs, Labour, Vocational Training
And Youth Rehabilitation

- Seen the Constitution of the Kingdom of Cambodia,
- Seen the Royal Decree No NS-RDECR-1198-72 dated November 30, 1998 on the Formation of the Royal Government of Cambodia.
- Seen the Royal Kram No 02 NS 94, dated July 20, 1994 promulgated on the organization and function of the council of the Minister.
- Seen the Royal Kram No .../ 0397/01, dated March 13, 1997 promulgated the Labour Law, in particular Article 177 (2)
- Seen the Royal Kram No .../ 0699/01, dated June 17, 1999 promulgated law on the establishment of the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation.
- Seen the Royal Kram No 87 អនក្រឹត្យ.ប័ណ្ណ dated October 04, 1999 on the organization and function of the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation.

DECISION



Para 1:

Neither employer nor establishment referred to in Article 1 of the Labour Law shall employ a child who has not attained 18 years of age in any type of works as stipulated in Para 2 of this Prakas (Declaration).

If a child working is not certified his/her age by an official document, or if a labour inspector has a reason to believe that the official document certifying such age is fraudulent shall be investigated the child's relevant places.

The term of reference is attached in the Appendix of this Prakas.

Para2:

The hazardous works shall assume jeopardy to a child's health, security, or morals as follows:

1. Smelting, blowing, casting, rolling, stamping or welding metal
2. Deep-sea and off-shore fishing
3. Diving for marine products such as sponge, pearls, sand and shells
4. Logging
5. Charcoal burning
6. Operating steam boilers, air receivers, gas cylinders, acetylene generators, conveyors and carrying out quarrying operations such drilling, igniting (with fuse or electricity), blasting, crushing and splitting stones
7. Operating power-driven woodworking machines
8. Operating cranes, hoists, scaffold winches or other lifting machines
9. Lifting, carrying, handling and moving of heavy loads as prescribed by MOSALVY's Ministerial order No.124 dated June 15, 2001
10. Firefighting
11. Operating or assisting to operate (including starting, stopping, adjusting, feeding, or any other activity involving physical contact associated with the operation) transportation equipment such as bulldozers, pile driving equipment, trailers, road rollers, tractor lifting appliances, excavators, loading machines, trucks, buses, and taxis
12. Maintenance of heavy machinery
13. Work which is carried out underground, underwater, in a cavern, in a tunnel, mining and mine excavation, or quarry
14. Handling explosives, corrosives, fireworks or inflammable material, with the exception of work carried out in gas stations servicing
15. Work carries out at construction sites, except in designated and safe areas for a child are specifically permitted by a labor inspector
16. Demolition work
17. Work carries out on a ladder or scaffold at a height of over 2.5 meters (such as for painting, repairing, or building structures, pruning trees, picking fruit).
18. Work involving exposure to pathogenic agents such as work in laboratories or handling sewage
19. Work involving exposure to harmful chemical, physical, electromagnetic or ionizing agents such as
 - Asbestos
 - Benzene
 - Cadmium
 - Mercury

- Lead/zinc metallurgy, white lead, lead in paint
 - Tar, asphalt, bitumen
 - Radioactive substances and self-luminous compounds
 - Infra-red and ultraviolet rays, laser, radio-frequency emissions
20. Work involving exposure to fumes, dust, gas and other ambient substances likely to cause harm to the respiratory system
 21. Handling and spraying pesticides and herbicides
 22. Operating power-driven spinning and winding machines
 23. Bleaching, dyeing and finishing of textiles using chemicals
 24. Applying electrical fittings, including work as linemen and cable jointers
 25. Work nearby furnaces or kilns as part of the manufacturing process of glass, ceramics or bricks
 26. Production of alcoholic beverages such as spirits, beer and wine
 27. Work in entertainment such as bartenders, masseurs, dancers, and as waiters in nightclubs, massage parlours, dance for guest entertainment out of art performance and places where alcoholic beverages are served. For vocational training and employer's training can employ the child.
 28. Work related to gambling such as dealers, croupiers, bookies and bet takers
 29. Work related to the production, processing or transportation of drugs or pharmaceutical products
 30. Tanning (processing)
 31. Lifeguards in swimming pools and resorts
 32. Work in a blacksmith's workshop
 33. Work in abattoirs (slaughterhouses) and meat rendering
 34. Extracting lard and oil
 35. Work as security guards
 36. Work in dangerous sports such as jockeys, horse-trainers, and martial arts instructors or at shooting ranges
 37. Work as embalmers
 38. Work carried out under conditions of excessive heat, cold, vibration, sound and abnormal lighting that could endanger.

Para 3:

According to an employer's request, the Ministry of Social Affairs Labor, Vocational Training and Youth Rehabilitation (hereinafter "MOSALVY") may consider and permit a child, who has attained 16 years of age, to do hazardous work on the following conditions:

- Well-trained children
- Working prohibited between the time 22:00 pm to 5:00 am
- Consulted with the Labor Advisory Committee in advance

For mine excavation, mining, or quarry, MOSALVY shall not allow children, who are under the age of 18, working at these sites.

Before working started, at least those should be provided health check once a year until they reach the age of 18 in context of hazardous work to be certified their health condition. The health check should be examined by Department of Labor Health.

Para 4: MOSALVY shall prepare a letter form of norm specifically on the appointment of coordination committee to hazardous work.

Para 5: Any one infringed any provision of this PRAKAS shall be fined or penalized as prescribed in chapter 16 of Labor Law.

Para 6: This PRAKAS comes into effective as of the date undersigned.

Signature

CC:

- Ministry of Royal Palace
- Secretariat of Senate
H.E Ith Samheng
- Secretariat of National Assembly
- Cabinet of Prime Minister
- Cabinet of Minister
- Relevant Ministries “for information”
- General Directorate of Labor and Vocational Training
- General Directorate of Administration and Finance
- All Provincial/Municipal Departments of Labor and Vocational Training
“For dissemination and implementation”
- Employer Associations
- Federations of Trade Unions
“For information”
- Media “For airing and printing”
- Royal Gazette
- Chronicle and Archive