

Updated till 21.02.2023

THE CHILDREN (PLEDGING OF LABOUR) ACT, 1933

ee ml

ae

on

CONTENTS

SECTIONS:

1. Short title, extent and commencement.
2. Definitions.
3. Agreements contrary to the Act to be void.
4. Penalty for parent or guardian making agreement to pledge the labour of a child.
5. Penalty for making with the parent or guardian an agreement to pledge the labour of a child.
6. Penalty for employing a child whose labour has been pledged.

THE CHILDREN (PLEDGING OF LABOUR) ACT, 1933

'ACT NO. II OF 1933

[24" February, 1933]

An Act to prohibit the pledging of the labour of children

WHEREAS it is expedient to prohibit the making of agreements to pledge the labour of children, and the employment of children whose labour has been pledged; It is hereby enacted as follows:—

1. Short title, extent and commencement.— (1) This Act may be called the Children (Pledging of Labour) Act, 1933.

?(2) It extends to the whole of Pakistan.]

(3) This section and sections 2 and 3 shall come into force at once, and the remaining sections of this Act shall come into force on the first day of July, 1933.

2. Definitions. In this Act, unless there is anything repugnant in the subject or context, —

“an agreement to pledge the labour of a child” means an agreement, written or oral, express or implied, whereby the parent or guardian of a child, in return for any payment or benefit received or to be received by him, undertakes to cause or allow the services of the child to be utilised in any employment:

Provided that an agreement made without detriment to a child, and not made in consideration of any benefit other than reasonable wages to be paid for the child's services, and terminable at not more than a week's notice, is not an agreement within the meaning of this definition;

“child” means a person who is under the age of fifteen years; and

“guardian” includes any person having legal custody of or control over a child.

3. Agreements contrary to the Act to be void. An agreement to pledge the labour of a child shall be void.

3[4. Penalty for parent or guardian making agreement to pledge the labour of a child.

Whoever, being the parent or guardian of a child, makes an agreement to pledge the labour of that child, shall be punishable with fine which shall not be less than five thousand rupees and may extend to twenty thousand rupees.]

'For Statement of Objects and Reasons, see Gazette of India, 1932, Pt. V, page 195.

This Act has been extended to the—

(i) Leased Areas of Baluchistan, see the Leased Areas (Laws) Order, 1950 (G.G.O. 3 of 1950) and also a Baluchistan, see Gazette of India, 1937, Pt.Lp.1499;

(ii) Baluchistan States Union, see the Baluchistan States Union (Federal Laws) (Extension) Order, 1953 (

(iii) Khairpur State, see the khairpur (Federal Laws) (Extension) Order, 1953 (G.G.O. 5 of 1953), as amer

(iv) State of Bahawalpur by the Bahawalpur (Extension of Federal Laws) Order, 1953 (G.G.O. 11 of 1953

The Act have been and shall be deemed to have been brought into force in Gwadar with effect from the 8th September, 1958, (Application of Central Laws) Ordinance, 1960 (37 of 1960), s.2.

This Act has been applied to the Provincially Administered Tribal Areas of Baluchistan Government Notifin. No.S.O. (T.A.)3/21 1979, see Baluchistan Gazette 1979, Ext. (Issue No.69).

Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s.3 and 2nd Sch., (with effect from the 15" October original sub-section (2), as amended by A.O., 1949, and the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), +Subs. by the children (pledging of labour) (Amdt.) (Act No. XXXII of 2022) Act, 2022, s.2 (Applicable to the extent of Islamabad

115. Penalty for making with the parent or guardian an agreement to pledge the labour of a child. Whoever makes with the parent or guardian of a child an agreement whereby such parent or guardian pledges the labour of the child shall be punishable with imprisonment which may extend to six months or fine which shall not be less than twenty thousand rupees and may extend to fifty thousand rupees or both, and on every subsequent conviction, the imprisonment shall not be less than six months or fine which shall not be less than fifty thousand rupees or both.]

116. Penalty for employing a child whose labour has been pledged. Whoever, knowing or having reasons to believe that an agreement has been made to pledge the labour of a child, in furtherance of such agreement employs such child, or permits such child to be employed in any premises or place under his control, shall be punishable with imprisonment which may extend to six months or fine which shall not be less than twenty thousand rupees and may extend to fifty thousand rupees or both, and on every subsequent conviction, the imprisonment shall not be less than six months or fine which shall not be less than fifty thousand rupees or both.]

'Subs. by the children (Pledging of Labour) (Amdt.) (Act No. XXXII of 2022) Act, 2022, ss. 3 & 4 (Applicable in Capital Territory).