

## **PART ONE: PRELIMINARY**

### **Interpretation**

1. (a) In this Law -

“child” means a person who has not yet attained the age of 16 years;

“adolescent” means a person who has attained the age of 16 years, but has not yet attained the age of 18 years;

“juvenile” means a child or an adolescent;

“parent”, in relation to a juvenile, includes a guardian and any person having control, supervision or charge of the juvenile;

“Inspector of Labour” means an Inspector within the meaning of the Labour Inspection (Organisation) Law, 5713-1953;

“Regional Inspector of Labour” means an Inspector of Labour appointed by the Minister of Labour and Social Affairs to be Regional Inspector of labour;

“work booklet” means a booklet issued under section 28;

“itinerant trading” means the sale or offer for sale of goods, and a service or offer of service, in a public place or a place open to the public or from house to house.

(b) For the purposes of this Law, a juvenile is regarded as employed, and the person with whom he works is regarded as his employer, if the juvenile works -

(1) with his parents for the purposes of their business or occupation, except in casual nonindustrial work on his parents' farm'

(2) for another person, at any work, whether or not an employer/employee relationship exists; for such purpose “work” includes itinerant trading;

(3) in any undertaking the work of which is not aimed solely at supplying the undertaking's own requirements, even though it may not be work for the purposes of business or profit, including a place declared by the Minister of Labour and Social Affairs to be a centre of vocational training for juveniles intended to impart a trade by practical work.

(c) For the purpose of this Law the employment of a child in a public or artistic appearance, or for the purposes of advertising, or in photographs for the purposes of advertising, as provided in section 4, shall be deemed to be employment, even if no employer/employee relationship was created by virtue of such employment, and even where it was one time engagement, and this applies whether or not such employment was for consideration or reward; for this purpose, “employment of a child” – includes his participation.

## **PART TWO: WORKING AGE AND PROHIBITED WORK**

### **Working age of a child.**

2. (a) A child who has not yet attained the age of fifteen years shall not be employed.

(b) A child who has attained the age of fifteen years and who is liable to compulsory education under the Compulsory Education Law, 5709-1949, shall not be employed unless -

(1) he works as an apprentice under the Apprenticeship Law, 5709-1953; or

(2) Repealed.

(3) a direction under Section 5(b)(1)(ii) of the Compulsory Education Law, 5709-1949, has been issued in this respect of that child; or

(4) an inspector of the Ministry of Education and Culture has certified that the child has completed his compulsory education within a period shorter than the period of study corresponding to his age.

(c) The Minister of Labour and Social Affairs may permit the employment of a child who has completed his fourteenth year and in respect of whom exemption has been granted under section 5 of the Compulsory Education Law, 5709-1949. A permit under this Law may be general or specific.

(d) Repealed.

### **Employment during school holidays.**

2A. (a) A child who has not yet attained the age of 15 years shall not engage in itinerant trading, save under a permit.

(b) The provisions of the Apprenticeship Law, 5713-1953, shall not apply to employment under subsection (a).

### **Age at which a child may engage in itinerant trading.**

3. Repealed.

### **Appearances and photography.**

4. (a) Without derogating from the provisions of section 2(a), a child that has not yet reached the age of 15 shall not be employed in public or artistic appearances or for the purpose of advertising, or in photographs for the purpose of advertising.

(b) Notwithstanding the provisions of subsection (a) and section 2, the Minister of Labour and Social Affairs may grant a permit for a limited period for the employment of a particular child or for the brokering of that child's employment in an appearance or in photographs as provided in subsection (a).

(c) In this section, "appearance" – includes recorded appearances and includes rehearsals, study or practice for the purposes of such appearance.

### **Prohibition of work in certain places.**

5. Even where a child has reached the age of 15, he shall not be employed in a place prescribed by the Minister of Labour and Social Affairs, in general or in particular, if in the opinion of the Minister, the employment of a child in such a place is liable to endanger his physical, psychological or educational development because of the nature of the work, its location or for any other reason.

### **Prohibited work.**

6. The Minister of Labour and Social Affairs may prohibit or restrict, by regulations the employment of a child or adolescent in work, production processes or work-places which in his opinion are likely to prejudice the health, well-being or physical development of the child or adolescent, even if such employment is not prohibited under the preceding sections.

### **Special age for certain work.**

7. The Minister of Labour and Social Affairs may by regulations prescribe that a juvenile who has not yet attained a certain age shall not be employed in certain work, if in the opinion of the Minister such work is likely to prejudice the health, well-being or physical, educational, spiritual or moral development of the juvenile, even if his employment there is not prohibited under the preceding sections.

## **PART THREE: MEDICAL EXAMINATIONS**

### **Competent Medical institution and authorised physicians.**

8. (a) In this Chapter -

"a competent medical institution" – is a sick fund, as defined in the National Insurance Law 5754-1994;

"family physician" – is a physician, a physician with the title of specialist in pediatrics or a physician with the title of specialist in family medicine, within the meaning of the Physicians Ordinance (New Version) 5737-1976 (hereinafter referred to as – the Physicians Ordinance), who is employed by a competent medical institution;

"authorised physician" – is a physician with the title of specialist in vocational medicine under the Physicians Ordinance or a physician purpose of the provisions of this Chapter by the Minister of Labour and Social Affairs with the consent of the Minister of Health.

(b) A medical examination for the purposes of work requiring suitability examinations under sections 11(b) and 12, shall be conducted by an authorized physician.

### **Examination and confirmation to be free of charge.**

9. No payment shall be due from a juvenile or the parent of a juvenile for a medical examination or medical confirmation under this Chapter.

### **Rules for medical examination.**

10. The Minister of Labour and Social Affairs may, after consultation with the Minister of Health, enact by regulations provisions as to the carrying out and scope of medical examinations under this part.

### **Medical certificate for employment.**

11. (a) A juvenile shall not be employed unless he has undergone a medical examination and the family physician that examined him has issued a medical certificate for his employment.

(b) (1) In this Chapter "work requiring suitability examinations" – means work for which the Minister of Labour and Social Affairs has prescribed that an advance medical examination of the juvenile's suitability for such work is required, as well as the conducting of medical reexaminations as to his medical suitability for such work.

(2) A juvenile shall only be employed in work that requires suitability examinations if he has

been examined by an authorised physician who has determined that he is suited to such work and who has issued him with a medical certificate to that effect.

(3) A certificate under paragraph (2) shall be for specific work that requires a suitability examination or for categories of work that are similar in terms to the danger to health and the physical effort required from the juvenile, and it may be subject to conditions and limited to a trial period; the certificate shall be entered in the juvenile's work booklet

**Temporary employment.**

11A. The Minister of Labour and Social Affairs may, subject to the provisions of section 2, permit a juvenile to be employed for a period exceeding three months in work declared in the permit not to be dangerous to health and not to involve a strenuous physical effort if the attendant physician has issued a medical certificate approving the juvenile's employment in that work: A permit under this section may be general or specific.

**Medical re-examination.**

12. (a) Where a juvenile is employed in work that requires suitability examinations, he shall be examined by an authorized physician at times and under conditions prescribed by the Minister of Labour and Social Affairs in respect of such work and at least once annually (hereinafter referred to as - a re-examination).

(b) On the strength of a report of the authorised physician who carried out a medical reexamination under this section, the competent medical institution shall record, in the juvenile's work booklet, any work handicap and any deterioration in the juvenile's state of health, and shall bring these to the knowledge of the parents, the employer, a representative of the working youth organisation of which the juvenile is a member, the Youth Labour Exchange, within the meaning of the Employment Service Law, 5719-1959, and the Labour Inspector and Regional Apprenticeship Inspector within the meaning of the Apprenticeship Law, 5713-1953.

**Notice of results of medical examination.**

13. (a) If a medical examination under sections 11(b) and (12) reveals -

(1) repealed.

(2) That the juvenile is not medically fit for the work in which he is engaged;

(3) That the works in which the juvenile is employed adversely affects his state of health.

The competent medical institution shall give written notice to such effect to a Regional Inspector of Labour.

(b) The Regional Inspector of Labour shall send a copy of the notice to one of the parents of the juvenile, and if the notice says that the juvenile is not fit for the work in which he is employed, a copy shall be sent also to his employer and to the General Labour Exchange in whose area he is employed.

**Prohibition of employment after receipt of notice.**

14. Where an employer has received a copy of a notice under section 13, he shall, within ten days from the day of receipt of the notice or within such shorter time as the Regional Inspector of Labour may prescribe, cease to employ the juvenile in the work to which the notice relates or in any work similar to it as regards the danger to health or physical effort required of the juvenile.

**Prohibition of itinerant trading after medical re-examination.**

15. Repealed.

**Medical examination up to the age of twenty-one.**

16. (a) Where a person who has not yet attained the age of 21 years is employed in work involving particular danger to health, the provisions of this part and of part six shall apply to him as if he were a juvenile.

(b) The Minister of Labour and Social Affairs after consultation with the Minister of Health, shall determine by regulations the kinds of work involving particular danger to health for the purposes of this matter.

**PART FOUR: VOCATIONAL GUIDANCE**

17. In this part, "vocational guidance" means guidance given to a juvenile in the choice of a trade or towards progress in a trade, having regard to his personal qualities and to employment prospects.

**Provision of vocational guidance.**

18. (a) The Minister of Labour and Social Affairs shall take steps which in his opinion are necessary

to make vocational guidance possible.

(b) The Minister of Labour and Social Affairs may by regulations determine kinds of work for which a juvenile shall not be accepted unless the person accepting him is satisfied that he has been given prior vocational guidance by an institution empowered under section 19.

#### **Organs of vocational guidance.**

19. (a) The Minister of Labour and Social Affairs may appoint a person to be Commissioner of Vocational Guidance. Notice of appointment shall be published in *Reshumot*.

(b) The Minister of Labour and Social Affairs shall empower institutions to provide vocational guidance, and an institution so empowered shall employ in the provision of vocational guidance only persons possessing the qualifications prescribed by the Minister of Labour and Social Affairs by regulations.

### **PART FIVE: HOURS OF WORK AND REST AND ANNUAL LEAVE**

#### **Working day and working week.**

20. (a) A juvenile shall not be employed for more than eight working hours a day and forty working hours a week.

(a1) Notwithstanding the provisions of subsection (a), where under section 5(a) of the Hours of Work and Rest Law, 5711-1951 it is permissible to work at a workplace for more than 8 hours of work daily, then a juvenile may be employed there for up to 9 working hours per day, provided that the working week does not exceed 40 working hours.

(b) On the day preceding the weekly day of rest and on the day preceding a festival on which he does not work, whether by virtue of law or by agreement or custom, a juvenile shall not be employed for more than seven working hours.

(c) "Working hours" means hours during which the juvenile is available for work, including short agreed breaks given to the juvenile for recreation and fresh air, but not including breaks under section 22.

#### **Hours of weekly rest.**

21. (a) A juvenile shall not be employed during the weekly rest.

(b) The weekly rest of a juvenile shall be at least thirty-six consecutive hours and shall include -

(1) in the case of a Jewish juvenile - the Sabbath day;

(2) in the case of non-Jewish juvenile - the Sabbath day or Sunday or Friday, whichever is customarily observed by him as his day of weekly rest.

#### **Breaks.**

22. (a) Where a juvenile is employed for six or more working hours a day, his work shall be interrupted for rest and meals for at least three-quarters of an hour, including one continuous break of at least half an hour. On the day preceding the weekly rest or a festival, the break shall be of at least half an hour.

(b) The interruption shall not exceed three hours.

(c) During the break which lasts half an hour or more, the juvenile may leave the place at which he works unless his presence there is necessary for the work process or for the operation or use of the equipment, and his employer has required him to remain there. In that case, the time of the break is reckoned as part of the working hours.

#### **Studies and working hours.**

23. (a) If written notice has been given to an employer by an approved continuation school to the effect that a particular juvenile attends on certain days evening classes at that school, that juvenile shall not be employed on those days after 4:00 p.m.

(b) No deduction shall be made from the wages of a juvenile in respect of absence from work to enable him to attend evening classes as aforesaid, except if the approved continuation school has notified the employer in writing that the juvenile has not attended the classes and in respect of the hours during which he was absent from work supposedly to attend evening classes, but did not attend them.

(c) For the purposes of this section, "authorized further educational institution" means an educational institution for working youth approved for that purpose by the Minister of Education and Culture, or an educational institution under the Apprenticeship Law, 5719-1953, approved as such by the Minister of Labour and Social Affairs and notice of whose approval as aforesaid has been published in *Reshumot*.

(d) The provision of this section shall add to and not derogate from the provisions of section 4(c) of Compulsory Education Law, 5709-1949, and section 14 of the Apprenticeship Law, 5713-1953.

**Prohibition of night work.**

24. (a) A juvenile shall not be employed, or engaged in itinerant trading, at night.

(b) In this section, "night", in relation to a child and a youth to whom the Compulsory Education Law 5709-1949 applies - means a twelve hour period between 8 p.m. to 8.a.m., and in relation to a youth to whom the Compulsory Education Law 5709-1949 does not apply - means a period of ten hours between 10 p.m. and 6 a.m.

(c) For the purposes of this section, notwithstanding section 1(b), a juvenile who works in a trade school is regarded as employed.

**Permission for night work.**

25. (a) The Minister of Labour and Social Affairs may permit an adolescent to be employed until 11:00 p.m. in agriculture or in a place where the work is done in shifts.

(b) During a period in which a state of emergency exists in the State by virtue of a declaration under section 9(a) of the Law and Administration Ordinance, 5708-1948, the Minister of Labour and Social Affairs may permit an adolescent to be employed even after 11:00 p.m. in a place where the work is done in shifts.

(c) Where the Minister of Labour and Social Affairs is of the opinion that such is necessary for the completion of the vocational training of an adolescent, he may temporarily permit him to be employed at night, or in an industrial undertaking where the work proceeds continuously.

(d) Where the Minister of Labour and Social Affairs is of the opinion that it is desirable so to do in the interests of art, he may temporarily permit a juvenile who has attained the age of 10 years to be employed until 12:00 p.m. if it appears to him that the conditions for safeguarding the juvenile's health, education and moral development are assured.

(e) The Minister of Labour and Social Affairs may permit an adolescent to be employed until 24:00 hours in agriculture or in a place where work is done in shifts and special conditions justify such employment. The Minister of Labour and Social Affairs may also permit an adolescent to be employed from 05:00 hours in seasonal agricultural operations in which work is commenced early.

**Permits, general provisions.**

26. (a) In a permit under section 25 there shall be a condition ensuring to the juvenile a rest of at least 14 hours between one working day and the next, and the Minister of Labour and Social Affairs may prescribe other conditions and restrictions.

(b) A permit under section 25(c) or (d) shall be special; a permit under section 25(a) or (b) may be general or special or for a class of adolescents or undertakings. A permit under section 25(a) or (e) shall be general to the place or work specified therein and shall be issued after consultation with the national employees' organisation representing the greatest number of employees, the largest organisation of working youth and employers' organisations which in the opinion of the Minister of Labour and Social Affairs are concerned.

(c) Every permit, other than a special permit, and the conditions and restrictions prescribed therein, as well as the cancellation of such a permit and any alteration of the conditions prescribed therein, shall be published in *Reshumot*.

(d) A person to whom a special permit has been issued shall display it conspicuously in the place where employment is given thereunder; provided that if he keeps a register under section 31, he may attach the permit to the register.

(e) In respect of non-industrial occupations, which in the meaning of the Convention Concerning the Restriction of Night Work of Children and Young Persons in Non-Industrial Occupations, 1946, a permit under section 25(a) shall not be issued unless the requirements of article 3(2) of that Convention are fulfilled.

**Annual leave.**

27. (a) In the case of juvenile, "14 days" in section 3(a) of the Annual Leave Law, 5711-1951 shall be read as "18 days".

(b) The provisions of this section shall apply to the working year, within the meaning of the said Law, which began on the 16<sup>th</sup> Nisan, 5713, (1<sup>st</sup> April, 1953) and to every succeeding working

year.

## **PART SIX: COMPULSORY DAY OF STUDY**

### **Compulsory day of study.**

27A. (a) The Minister of Labour and Social Affairs shall, by order, impose on every working adolescent who has attained the age of 15 but has not yet attained the age of 18 years the duty of study for the purpose of vocational training, such study to be carried on in a place prescribed by the Minister.

(b) The Minister of Labour and Social Affairs may introduce the duty of study gradually, provided that within five years from the date of the coming into force of this section he imposes it on every working adolescent to whom the Apprenticeship Law, 5713-1953 does not apply.

(c) The Minister of Labour and Social Affairs may, after consultation with the Minister of Education and Culture, prescribe a minimum uniform curriculum. The prescribing of such a curriculum shall not prevent the addition of lessons to those included therein. The duration of studies, according to categories of adolescents, shall be prescribed by regulations with the approval of the Knesset Labour and Social Affairs Committee.

(d) An order under subsection (a) may be general or specific to a particular undertaking or to categories of undertakings, branches of employment or geographical areas or to adolescents of a particular age or level of education.

(e) The order may prescribe a duty of continuous study on one day of the week or of study spread over several days of the week, provided that the duration of study shall not in the aggregate exceed nine hours in any one week.

(f) The Minister may in respect of particular categories of adolescents prescribe periods of concentrated study during the year, and the number of hours per week to be devoted to such study.

(g) An adolescent under duty of study in pursuance of this section is entitled to receive instruction free of charge and shall not be required to make any payment therefor; this provision does not apply to equipment and study material.

### **Exemption from duty.**

27B. The duty of study under this chapter shall not apply to an adolescent -

(1) who studies at a school to which the Inspection of Schools Law, 5729-1969, applies;

(2) who studies at an approved continuation school within the meaning of section 23;

(3) who studies at a school or teaching establishment at which most of the educational staff are State employees acting in their official capacities;

(4) who studies at a school or teaching establishment in respect of which the Minister of Labour and Social Affairs has prescribed it as an institution at which study exempts a juvenile from the duty imposed by this chapter;

(5) of an age to which the duty of study under the Compulsory Education Law, 5709-1949, applies, unless he has been released from this duty on behalf of the Minister of Education and Culture.

### **Power of inspection.**

27C. (a) An Inspector of Apprenticeship, under the Apprenticeship Law shall supervise also the fulfillment of duties under this chapter and for this purpose shall have the powers conferred on him by that Law.

(b) The Apprenticeship Council established under the Apprenticeship Law shall be an advisory council for the purposes of the provisions of this Chapter.

### **Certification of completion of studies.**

27D. The Minister of Labour and Social Affairs may enact by regulations provisions as to the certification of the fulfillment of the study imposed by this chapter.

### **Release for study.**

27E. (a) The employer of an adolescent to whom the duty of study under this chapter applies shall release him from work for the hours of such study and shall not employ him during those hours.

(b) Save as may be otherwise provided in a collective agreement applying to him and his employer, no deduction shall be made from the wages of an adolescent by reason that he was absent from work because of study as aforesaid, unless it is proved that he took no part in such study.

(c) The institution at which an adolescent studies during his absence from work shall notify his employer, in the manner to be prescribed, of the hours of study to which the adolescent is liable and whether he in fact attended.

(d) The Minister of Labour and Social Affairs may prescribe by general or specific direction that the provisions of subsections (a) to (c) shall also apply to an adolescent who studies at a school or establishment referred to in section 27B.

## **CHAPTER SIX "A": PROVISIONS AS TO PERMITS**

### **Permit for employment of juvenile.**

27F. (a) A permit for the employment of a juvenile under this law (in this Chapter referred to as - juvenile employment permit) shall not be issued if it is liable to be to the juvenile's disadvantage.

(b) The Minister of Labour and Social Affairs may and for the purposes of section 4 he shall, with the approval of the Knesset Labour and Social Affairs Committee, prescribe rules, conditions and reservations for the issue of a juvenile employment permit or of juvenile employment brokerage permits; the said rules conditions and reservations may be prescribed in general or for particular categories of permits.

(c) A juvenile employment permit shall include the following:

(1) conditions to ascertain that the juvenile will not be exploited, that his health, safety, education and proper development is not impaired, and that he will have proper hours of rest and free time;

(2) conditions in respect of hours of work, breaks and intervals between one work day and the next;

(d) In the case of any particular juvenile employment permit the Minister of Labour and Social Affairs may prescribe conditions in addition to those prescribed under subsection (b) and those specified in subsection (c).

### **Hearing the juvenile**

27G. (a) When a juvenile employment permit is being issued and the juvenile is capable of expressing an opinion, then he shall have the right to make a statement as to the issue of the employment permit for him, and his opinion shall be given due weight commensurate to his age and to the degree of his maturity.

(b) The Minister of Labour and Social Affairs shall, with the approval of the Knesset Labour and Social Affairs Committee, make regulations on the manner in which the right of the juvenile is to be exercised under this section.

## **PART SEVEN: IMPLEMENTATION AND PENALTIES**

### **Work Booklet.**

28. (a) A juvenile shall not be employed, or engaged in itinerant trading, unless there exists a work booklet issued in his name by the Minister of Labour and Social Affairs, and the onus of proving the existence of a booklet as aforesaid shall be on the employer. A work booklet shall be issued free of charge on application accompanied by documents proving the juvenile's age.

(b) The Minister of Labour and Social Affairs shall prescribe by regulations the procedure for the submission of an application for a work booklet and the manner in which a work booklet shall be delivered, held and produced.

### **Power of Inspector of Labour.**

29. (a) The powers of an Inspector of Labour in relation to any place in which he has reason to believe that a juvenile is employed, shall be the same as the powers of an Inspector of Labour under section 2 of the Labour Organisation and Inspection Law 5714-1954.

(b) If a person is in a place visited by an Inspector of Labour in virtue of his powers under subsection (a), or if an Inspector of Labour has reason to believe that a juvenile works, or engages in itinerant trading, the Inspector of Labour may examine such person, or such juvenile and his parents, as to any matter relating to his Law; provided that no person shall be required to give an answer or evidence tending to incriminate him. An Inspector of Labour may prepare a record of the answers and statements of the person examined.

(c) A record prepared under subsection (b) shall be deemed to be a statement prepared under section 2 of the Criminal Procedure (Evidence) Ordinance, and section 3 and 4 of that Ordinance shall apply thereto.

### **Council for Working Youth Affairs.**

30. (a) There shall be set up a Council for Working Youth Affairs (hereinafter: "The Council") to advise the Minister of Labour and Social Affairs as to any matter relating to this Law.

(b) The Council shall consist of representatives of the Government appointed by the Minister of Labour and Social Affairs, representatives of the Center of General Labour Exchanges, and members of the public appointed by the Minister of Labour and Social Affairs as representatives of employees, working youth and employers and of public institutions which in the opinion of the Minister of Labour and Social Affairs are interested. The representatives of employees shall be appointed after consultation with the national employees' organisation representing the largest number of employees; the representatives of working youth shall be appointed after consultation with the national organisation representing the largest number of working youth and with other organisations of working youth decided upon by the Minister of Labour and Social Affairs and the representatives of employers' shall be appointed after consultation with representative national employers' organisations which in the opinion of the Minister of Labour and Social Affairs are interested.

(c) The number of different kinds of members of the Council shall be determined by the Minister of Labour and Social Affairs by notice published in *Reshumot*, provided that the number of the representatives of employees and working youth together shall be equal to the number of the representatives of employers.

(d) The Minister of Labour and Social Affairs or, in his absence, a person appointed by him in that behalf shall be chairman of the Council.

(e) The Council shall itself prescribe the procedure for these deliberations and work in so far as it has not been prescribed by regulations.

#### **Council Committees**

30A. The council may, from among its members, or from persons who are not members, appoint committees, and it may delegate some of its powers to them, other than the power to advise the Minister of any matter relating to the making of regulations as provided in section 42.

#### **Registration of working juveniles.**

31. (a) An employer shall keep a register in which details prescribed by regulations shall be entered in respect of every juvenile employed by him.

(b) The Minister of Labour and Social Affairs shall, by notice published in *Reshumot*, prescribe the classes of employers to which this section shall apply, and he may prescribe as aforesaid that the register shall be a part of another register which an employer is bound to keep under another law with the implementation of which the Minister of Labour and Social Affairs is charged.

#### **Obligation to inform.**

32. (a) An employer must bring the provisions of this law to the knowledge of a juvenile employed by him.

(b) The Minister of Labour and Social Affairs may prescribe the manner in which juveniles are to be informed under the provisions of this section.

#### **Dangerous employment.**

33. If a person employs a juvenile in one of the following -

(1) in contravention of the provisions of sections 2, 2A or 4, or in contravention of the provisions of a permit issued thereunder;

(2) at a place in respect of which the Minister of Labour and Social Affairs has determined, in accordance with the provisions of section 5, that the work of a juvenile there is liable to endanger him;

(3) at work, in production processes or at workplaces at which the Minister of Labour and Social Affairs has prohibited or restricted the employment of juveniles in accordance with the provisions of section 6;

(4) at work, at which he must not be employed at his age, in accordance with the provisions of section;

(5) in contravention of the provisions of section 14;

he shall be liable to one years imprisonment or to a fine of one and a half times the fine specified in section 61(a)(2) of the Penal Law 5737-1977 (hereinafter referred to as - The Penal Law).

#### **Other prohibited employment.**

33A. If a person employs a juvenile in one of the following -



(1) In contravention of the provisions of sections 11 or 12, or in contravention of the provisions of permit issued under section 11A, concerning medical examinations;

(2) In contravention of the provisions of sections 20, 21, 22 and 24, or in contravention of the provisions of a permit issued under section 25, concerning hours of work and rest;

(3) In contravention of the provisions of a permit issued pursuant to this law otherwise than under sections 2, 2A and 4, including provisions relating to the determination of the maximum number of hours of work, weekly rest, breaks at work and work at night;

he shall be liable to six months imprisonment or to a fine as provided in section 61(a)(2) of the Penal Law.

#### **Employment of an adult.**

33B. If a person employs a person who has attained the age of 18 but has not yet attained the age of 21, at work which the Minister of Labour and Social Affairs has determined pursuant to section 16 that it constitutes a danger to health in contravention of Chapter 3:

Medical Examinations, or in contravention of the provisions of Chapter 6: Obligatory day at School, he shall be liable to the penalties imposed on a person employing a juvenile as provided in sections 33 or 33A as the case may be.

#### **Additional offences**

33C. (a) If a person employs a juvenile in one of the following -

- (1) at work that has been determined under section 18, without having previously ascertained whether the juvenile was given guidance in the choice of an occupation, as provided in that section;
- (2) in contravention of the provisions of section 23, except for subsection (b) thereof, concerning the matter of a juvenile who attends evening classes;
- (3) without his having produced a special permit for night work in accordance with the provisions of section 26(d);
- (4) in contravention of the provisions of section 27E(a), concerning the matter of a juvenile to whom the obligation to study applies;
- (5) without a work booklet having been issued to him in accordance with the provisions of section 28;
- (6) without having kept a register in accordance with the provisions of section 31;
- (7) without having informed the juvenile of the provisions of this Law in accordance with the provisions of section 32;

he shall be liable to a fine as provided in section 61(a)(1) of the Penal Law.

(b) where an employer has made a deduction from the pay of a juvenile because of his absence for study, in contravention of the provisions of sections 23(b) or 27E(b), then he shall be liable to a fine as provided in subsection (a).

#### **Prohibited acts in respect of appearances and photographs.**

33D. (a) A person who, without a permit, brokers the employment of a child a performance or in photographs as provided in section 4, or where a person brokers the employment of a child in contravention of the provisions of a permit issued to him under section 4, then he shall be liable as shall be a person who employs a child in contravention of the provisions of the said section.

(b) Where a person orders an appearance or photographs as provided in section 4, in which a child is to be employed, he must make the child's employment in such appearance or photographs conditional on the receipt of a permit under the provisions of that section; where such obligation has been contravened by the person who placed the order and where a child is employed without a permit in the appearance or in the photographs ordered by him, he shall be liable to half the penalty prescribed for a person who employs a child in contravention of the provisions of section 4.

(c) In this section, "child" means a person who has not yet attained the age of 15.

#### **Responsibility of a body corporate.**

33E. Where an offence under sections 33, 33A, 33C, or 33D has been committed by a body corporate, it shall be liable to double the amount of the fine prescribed for that offence.

#### **Strict liability.**

33F. An offence under sections 33, 33A, 33B, 33C, 33D and 33E shall be of the class of offences for which liability is absolute.

### **Continuing offence**

33G. In addition to the penalty prescribed for an offence under this Law, where such offence is a continuing offence, the court may impose on a person convicted of such an offence, a fine as prescribed in section 61(c) of the Penal Law for each day in respect of which the offence continues.

### **Interference with a labour inspector.**

33H. Where a person obstructs a labour inspector in the exercise of his authority under this Law, he shall be liable to one years imprisonment or to a fine of one and a half times the fine prescribed in section 61(a)(2) of the Penal Law.

### **Juvenile employed by several employers.**

34. Where a juvenile is employed by an employer when according to the entries in the work booklet he is employed also by another employer, the employer who employs him on any day or in any week for working hours in excess of eight or forty, respectively, is deemed to have employed him on that day or in that week for all working hours unless he did not know and could not have known the number of the hours that the juvenile had already been employed by another employer.

Section 35. Repealed.

Section 36. Repealed.

### **Duty of parents.**

37. (a) A parent of a juvenile must supervise and do everything possible to prevent the employment of the juvenile in contravention of the provisions of section 33; where a parent is in breach of such obligation he shall be liable to the fine prescribed for a person who employs a juvenile in contravention of those provisions.

(b) Where a juvenile has been employed in contravention of one of the provisions of section 33, the presumption shall be that the parent of such juvenile has acted in breach of his obligation as provided in subsection (a) unless he proves that he acted without criminal intent and not negligently, and that he did everything possible to perform such obligation.

### **Duty of supervision.**

38. (a) Officers of bodies corporate must do everything possible to prevent offences being committed under sections 33, 33A, 33B, 33C and 33D by a body corporate or by any of its employees; if such a person is in breach of such obligation he shall be liable to a fine of one and a half times the fine prescribed in section 61(a)(2) of the Penal Law; for the purposes of this section, "officer" means an active director of a body corporate, a partner other than a limited partner, and a clerk responsible on behalf of the body corporate for the sphere in which the offence was committed.

(b) where an offence under section 33, 33A, 33B, 33C and 33D has been committed by a body corporate, it shall be a presumption that the officer has acted in contravention of his obligation under this section, unless he proves that he acted without criminal intent and negligence and that he did everything possible in order to fulfill his obligation.

### **Evidence.**

39. (a) An extract from the Register of Inhabitants under the Registration of Inhabitants Ordinance, 5709-1949, concerning the age of a person, or a confirmation by the Registration Office that such Office has been notified under the said Ordinance that a person was born on a certain date, shall in any action under this Law, be evidence of the age of that person unless it is proved by means of a birth certificate that he was born on a different date.

### **Fees.**

40. The Minister of Labour and Social Affairs may, with the approval of the Knesset Labour and Social Affairs committee, prescribe the fees that are to be paid for applications for permits under this Law and for the issue of permits.

### **Payment of wages.**

40A. The employment of a juvenile by an employee does not exempt the employer from paying the wage and any other payment to which the juvenile is entitled for his work, as a result of his work and under any law.

### **The State as employer.**

41. For the purposes of this Law, a juvenile employed by the State is treated in like manner as a juvenile employed by any other employer.

### **Implementation and regulations.**

42. (a) The Minister of Labour and Social Affairs is charged with the implementation of this Law and

may make regulations as to any matter relating such implementation.

(b) The Minister of Labour and Social Affairs shall make regulations, except regulations under sections 10, 31 and 32, only after consultation with the Council for Working Youth Affairs set up under section 30.

**Delegation of powers.**

43. (a) The Minister of Labour and Social Affairs may delegate to another person his powers under section 3, 4, 25 and 28(a), except the power to issue a general permit under section 25(a) or (b).

(b) Notice of a delegation of powers shall be published in *Reshumot*.

**Inapplicability of Law.**

44. The Hours of Work and Rest Law, 5711-1951, shall not apply to the employment of a juvenile.

**Repeal.**

45. The Employment of Children and Young Persons Ordinance, 1945, and the regulations made thereunder are hereby repealed.

**Commencement.**

46. This Law shall come into force six months after it has been passed in the Knesset.