



Queensland

*Child Employment Act 2006*

# Child Employment Regulation 2006

Reprinted as in force on 1 July 2006

Reprint No. 1

This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy

# Information about this reprint

This regulation is reprinted as at 1 July 2006.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have been made to omit provisions that are no longer required (s 40).

This page is specific to this reprint. A table of reprints is included in the endnotes.

**Also see endnotes for information about when provisions commenced.**

## Dates shown on reprints

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

**Replacement reprint date** If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



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# Child Employment Regulation 2006

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# Child Employment Regulation 2006

[reprinted as in force on 1 July 2006]

## 1 Short title

This regulation may be cited as the *Child Employment Regulation 2006*.

## 2 Commencement

This regulation commences on 1 July 2006.

## 3 Definitions

The dictionary in the schedule defines particular terms used in this regulation.

## 4 Prohibited work for school-aged or young children

- (1) This section does not apply to work done by a school-aged or young child in a business, or for a corporation, that is totally owned by a close adult relative of the child.
- (2) For section 9(1)<sup>1</sup> of the Act, an employer must not require or permit a school-aged or young child to do work unless—
  - (a) the work is delivery work and the child is at least 11 years; or
  - (b) the work is voluntary work; or
  - (c) the work is work in the entertainment industry; or
  - (d) for any other work—the child is at least 13 years.

*Note—*

Special circumstances certificates may provide an exception to requirements under this section or section 5. See section 9(5) of the Act.

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<sup>1</sup> Section 9 (Restrictions on work performed by children) of the Act

**5 Prohibited working hours for school-aged or young children**

- (1) For section 9(3) of the Act, this section provides for when a school-aged or young child may not work.
- (2) However, it does not apply to work a school-aged or young child does—
  - (a) in the entertainment industry; or
  - (b) in a business, or for a corporation, that is totally owned by a close adult relative of the school-aged or young child.
- (3) A school-aged child may not work if—
  - (a) it is a school week and the child has already worked 12 hours during the week; or
  - (b) it is a week that is not a school week and the child has already worked 38 hours during the week; or
  - (c) it is a school day and the child has already worked 4 hours on the day; or
  - (d) it is a day that is not a school day and the child has already worked 8 hours on the day; or
  - (e) the child has already worked 4 consecutive hours and has not been given at least 1 hour's break at the end of the fourth hour; or
  - (f) the child has already worked for the same employer within the last 12 hours; or
  - (g) the child has already done a shift on the day.
- (4) Subsection 3(e) and (g) do not apply if a relevant industrial instrument provides to the contrary.
- (5) A young child may not work if the child—
  - (a) has already worked for 12 hours during the week; or
  - (b) has already worked for 4 hours during the day; or
  - (c) has already worked for the same employer within the last 12 hours; or
  - (d) has already done a shift on the day.

- (6) Subsection (5)(d) does not apply if a relevant industrial instrument provides to the contrary.
- (7) A school-aged or young child may not work between 10pm and 6am.
- (8) A school-aged child who is at least 11 years but under 13 years may not perform delivery work between 6pm and 6am.
- (9) In this section—

*industrial instrument* means a federal award, federal agreement or industrial instrument, as defined under the *Industrial Relations Act 1999*.

*school day* means a day on which the school-aged child is required to attend school.

*school week* means a week, starting on a Sunday, during which the school-aged child is required to attend school.

## **6 Prescribed supervision of school-aged or young children**

- (1) Subsection (2) prescribes, for section 9(6) of the Act, the way for an employer to supervise a school-aged or young child who does work involving the exchange of money or delivery work.
- (2) The way is—
  - (a) to have an adult in the near vicinity of, and in regular contact with, the child; and
  - (b) for the child to be otherwise appropriately supervised by an adult.

## **7 Employer's duty about ability to contact a parent**

- (1) This section does not apply to a child's employer who is the child's parent.
- (2) A child's employer must—
  - (a) take reasonable steps to ensure that the child is able to contact—
    - (i) a parent of the child while the child is at work; or

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- (ii) if it is impractical for the child to contact a parent of the child while the child is at work—a nominated person; and
- (b) allow the child, while the child is at work, to contact the following person in reasonable circumstances—
  - (i) a parent of the child;
  - (ii) if a parent of the child can not be contacted while the child is at work, a nominated person.

Maximum penalty—40 penalty units.

- (3) If, while at work, a child becomes ill, or is injured, to an extent that the child can no longer work, the child's employer must take reasonable steps to immediately contact—
  - (a) a parent of the child; or
  - (b) if it is impractical for the employer to contact a parent of the child, a nominated person.

Maximum penalty—40 penalty units.

## **8 Employer's duty to safeguard children while they are at work**

- (1) While a child is at work, the child's employer must take reasonable steps to ensure that the child is not subjected to deliberate or unnecessary social isolation or to any other behaviour that is likely to intimidate, threaten, frighten or humiliate the child.

Maximum penalty—40 penalty units.

- (2) A child's employer must give the child induction training, including workplace health and safety training, appropriate to the child's age.

Maximum penalty—40 penalty units.

- (3) A child's employer must display a copy of the child employment guide in a conspicuous position at the place where the child works where it is easily read by children employed at the place.

Maximum penalty—20 penalty units.

- (4) In this section—

*child employment guide*<sup>2</sup> means a guide about children at work published by the chief executive.

## **9 Records for children who are working**

- (1) A child's employer must keep a record containing the following details and documents for the child—
  - (a) the full name of the employer;
  - (b) the address where the child works;
  - (c) the full name, address and any home phone number of the child;
  - (d) the name, address and any home or business phone number of a parent of the child;
  - (e) the name, address and any home or business phone number of a nominated person;
  - (f) the child's date of birth;
  - (g) the nature of the work that the child is required to perform for the employer;
  - (h) a copy of any special circumstances certificate relevant to the child's employment with the employer;
  - (i) a copy of any work limitation notice relevant to the child's employment with the employer;
  - (j) for a school-aged or young child—
    - (i) the number of hours worked by the child during each day and week; and
    - (ii) the times when the child started and stopped work; and
    - (iii) details of work breaks including meal breaks; and
    - (iv) the parent's consent form for the child;
  - (k) for a child who is not a school-aged or young child—a copy of a form of identification, stating the child's date of birth, issued under an Act or by the child's school.

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<sup>2</sup> A copy of the child employment guide is available on the department's website at <[www.dir.qld.gov.au](http://www.dir.qld.gov.au)> and at any office of the department.

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*Example—*

a passport, birth certificate, school ID card

Maximum penalty—40 penalty units.

- (2) The employer must keep the record for 2 years at a place from which the employer conducts operations as an employer.

Maximum penalty—40 penalty units.

- (3) Subsection (1) applies in addition to the record keeping requirements under the *Industrial Relations Act 1999*.

## Schedule                      Dictionary

### section 3

***close adult relative***, of a child, means an adult who is a parent, grandparent, aunt, uncle, sibling or step sibling of the child.

***delivery work*** means delivering newspapers, advertising material or other similar things.

***nominated person*** means a person whom a parent of the child has nominated as being responsible for the child if a parent of the child can not be contacted by the employer.

***work in the entertainment industry***—

- (a) means work that is performing, including work that is as follows, for advertising or entertainment (***work as a performer***)—
  - (i) acting, dancing, miming, playing, singing, speaking or modelling;
  - (ii) standing-in for someone else;
  - (iii) rehearsing, preparing or taking part in publicity for a performance; but
- (b) does not include work by a worker whose duties are not predominantly work as a performer but who is sometimes required to do work as a performer, for example, work as an announcer or in advertising.

## Endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Child Employment Regulation 2006 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	1 July 2006	

## 5 List of legislation

### **Child Employment Regulation 2006 SL No. 143**

made by the Governor in Council on 22 June 2006

notfd gaz 23 June 2006 pp 898–902

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2006 (see s 2)

exp 1 September 2016 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

## 6 List of annotations

### **Amendment of State Penalties Enforcement Regulation 2000**

s 10 om R1 (see RA s 40)