

CAYMAN ISLANDS



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**THE LABOUR (AMENDMENT) LAW, 2010**

**(LAW 24 OF 2010)**

**THE LABOUR (AMENDMENT) LAW, 2010**

**ARRANGEMENT OF SECTIONS**

1. Short title
2. Amendment of section 2 of the Labour Law (2007 Revision) – definitions
3. Amendment of section 71 – appointment of Director, Deputy Director and inspectors
4. Insertion of section 80A - worst forms of child labour

*The Labour (Amendment) Law, 2010*

CAYMAN ISLANDS

Law 24 of 2010.

I Assent

Duncan Taylor

Governor.

12<sup>th</sup> July, 2010

**A LAW TO AMEND THE LABOUR LAW (2007 REVISION) TO MAKE  
PROVISION FOR THE PROHIBITION AND ELIMINATION OF THE  
WORST FORMS OF CHILD LABOUR; AND FOR INCIDENTAL AND  
CONNECTED PURPOSES**

ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Labour (Amendment) Law, 2010. Short title
2. The Labour Law (2007 Revision), in this Law referred to as the “principal Law”, is amended in section 2 by inserting, in the appropriate alphabetical sequence, the following definition - Amendment of section 2 of the Labour Law (2007 Revision) - definitions

“ “Chief Officer” means the chief officer in the Ministry responsible for labour or his designate;”.
3. The principal Law is amended in section 71(4) as follows - Amendment of section 71 – appointment of Director, Deputy Director and inspectors
  - (a) by deleting the words “Director of Labour” and substituting the words “Chief Officer”; and
  - (b) by deleting the words “Director shall” and substituting the words “Chief Officer shall”.
4. The principal Law is amended by inserting after section 80 the following section - Insertion of section 80A - worst forms of child labour

*The Labour (Amendment) Law, 2010*

“Worst forms of  
child labour

80A. (1) A person shall not -

- (a) hold a child in slavery, servitude or debt bondage;
- (b) require a child to perform forced or compulsory labour;
- (c) subject a child to forced or compulsory recruitment for use in armed conflict;
- (d) use, procure or offer a child for prostitution, for the production of pornography or for pornographic performances;
- (e) use, procure or offer a child for production or trafficking of drugs or for activities which involve the unlawful carrying of, or use of, firearms or other weapons; or
- (f) subject to subsection (2), require a child to perform any other work prescribed which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of the child.

(2) In determining the types of work under subsection (1)(f) for the purposes of making Regulations in accordance with section 85(1), the Governor shall consult with organisations representing employers and organisations representing workers and shall have regard to -

- (a) work which exposes children to physical or psychological or sexual abuse;
- (b) work underground, underwater, at dangerous heights or in confined spaces;
- (c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads; and
- (d) work under particular difficult conditions such as work for long hours during the night or work where the child is confined to the premises of the employer.

(3) Notwithstanding subsections (1)(f) and (2) and section 85, the Governor may make Regulations to authorize the employment of, or work by, a child of age sixteen years or over where the health and morals of the child are fully protected and the child has received adequate specific

instruction or vocational training relevant to the employment or work.

(4) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of twenty thousand dollars or to imprisonment for a term of five years, or to both.

(5) In this section -

“child” means a person under the age of eighteen years;

“debt bondage” means an arrangement whereby a person is forced to pay off a loan with direct labor in place of currency, over an agreed or indefinite period;

“firearms” means firearms as defined in the Firearms Law (2008 Revision); and

“servitude” means the state of being a slave or completely subject to a person more powerful.”.

Passed by the Legislative Assembly the 28<sup>th</sup> day of June, 2010.

Mary J. Lawrence, JP

Speaker.

Zena Merren-Chin

Clerk of the Legislative Assembly.