



## Provisions on Prohibition of Child Labor

(Adopted at the 63rd executive meeting of the State Council on September 18, 2002, promulgated by Decree No. 364 of the State Council of the People's Republic of China on October 1, 2002, and becoming effective on December 1, 2002)

**Article 1** In order to protect the physical and mental health of minors, promote the implementation of the compulsory education system, and safeguard the legitimate rights and interests of minors, these regulations are formulated in accordance with the Constitution, the Labor Law, and the Law on the Protection of Minors.

**Article 2** State organs, social organizations, enterprises, public institutions, private non-enterprise units, or individual industrial and commercial households (hereinafter collectively referred to as employers) shall not recruit minors under the age of 16 (to recruit minors under the age of 16, the following collectively is referred to as child labor). It is forbidden for any unit or individual to introduce employment to minors under the age of 16.

**Article 3** In addition to regulations specified in the Constitution, the Labor Law, and the Law on the Protection of Minors, **Modern Group specifically restricts the age of employment to 18 years of age.**

**Article 4** Minors under the age of 16 are prohibited from starting a business and engaging in self-employment activities.

**Article 5** Parents or other guardians of minors under the age of 16 shall protect their physical and mental health, guarantee their right to receive compulsory education, and shall not allow them to be illegally recruited by employers. Where the parents or other guardians of minors under the age of 16 allow them to be illegally recruited by the employer, the local township (town) people's government, urban sub-district office, villagers' committee, and residents' committee shall give criticism and education.

**Article 6** When an employer recruits personnel, it must check the identity card of the recruited personnel; minors under the age of 16 shall not be hired. The recruitment registration and verification materials of personnel recruited by the employing unit shall be properly kept.

**Article 7** The labor security administrative departments of the people's governments at or above the county level are responsible for the supervision and inspection of the implementation of these Provisions. The administrative departments of public security, industry and commerce administration, education, and health of the people's governments at or above the county level shall supervise and inspect the implementation of these Provisions within the scope of their respective duties and shall cooperate with the labor and social security administrative departments in their supervision and inspection.

**Article 8** Trade unions, the Communist Youth League, women's federations, and other mass organizations shall protect the lawful rights and interests of minors in accordance with the law. Any unit or individual that discovers the use of child labor has the right to report to the labor security administrative department of the people's government at or above the county level.

**Article 9** Employers who use child labor shall be punished by the labor security administrative department at a rate of 5,000 yuan per month for each child worker employed; The range of fines stipulated in the Protection Regulations, or the standard of 5,000 yuan per month for each child laborer, will be severely punished. The labor security administrative department shall also order the employer to send the child laborer back to his original place of residence to his parents or other guardians within a time limit, and the transportation, board and lodging expenses required shall be borne by the employer.



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**Article 10** If the employer is ordered to make corrections within a time limit by the labor security administrative department in accordance with the provisions of the preceding paragraph, and still fails to hand over the child laborer to his parents or other guardians within the time limit, the labor security administrative department shall, from the date of the order to make corrections within a time limit, pay a monthly fee for each child laborer employed. A standard penalty of 10,000 yuan will be imposed, and the business license shall be revoked by the administrative department for industry and commerce, or the registration of private non-enterprise units shall be revoked by the civil affairs department; if the employer is a state organ or public institution, the relevant unit shall punish the directly responsible person in charge according to law. and other directly responsible personnel shall be given administrative or disciplinary sanctions of demotion or dismissal.

**Article 11** Where a unit or individual introduces employment to minors under the age of 16, the administrative department of labor and social security shall impose a penalty of 5,000 yuan for each person introduced; , and the employment agency license will be revoked by the labor security administrative department.

**Article 12** Where the employing unit fails to keep the employment registration materials in accordance with the provisions of Article 4 of these Regulations, or forges the employment registration materials, the labor security administrative department shall impose a fine of 10,000 yuan.

**Article 13** Units that do not have a business license, whose business license has been revoked according to law, or units that have not registered or put on record in accordance with the law, use child labor or introduce child labor for employment, and the standards stipulated in Articles 6, 7, and 8 of these regulations shall be doubled. fine, the illegal unit shall be banned by the relevant administrative department.

**Article 14** Where a child worker is sick or injured, the employer shall be responsible for sending it to a medical institution for treatment, and shall bear all medical and living expenses during the treatment period. If a child laborer is disabled or dies, the business license of the employer shall be revoked by the administrative department for industry and commerce or the registration of a private non-enterprise unit shall be revoked by the civil affairs department; Those who are directly responsible shall be given administrative or disciplinary sanctions of demotion or dismissal; the employer shall also pay compensation to the disabled child laborer or the immediate family members of the dead child laborer at one time, and the amount of compensation shall be calculated in accordance with the relevant provisions of the national work-related injury insurance.

**Article 15** Abducting child labor, forcing child labor, using child labor to engage in high-altitude, underground, radioactive, highly toxic, inflammable and explosive labor, and labor with the fourth level of physical labor intensity stipulated by the state, using child labor under the age of 14, or causing child labor In the event of death or serious disability, criminal responsibility shall be investigated in accordance with the provisions of the Criminal Law on the crime of child abduction, forced labor or other crimes.

**Article 16** Staff members of state administrative organs who commit any of the following acts shall be given administrative sanctions of serious demerit or demotion according to law; if the circumstances are serious, administrative sanctions of dismissal or dismissal shall be given according to law; , dereliction of duty or other crimes shall be investigated for criminal responsibility according to law:

(1) The personnel of relevant departments such as labor and social security discover the use of child labor during the supervision and inspection work that prohibits the use of child labor, and fail to stop, correct, investigate and deal with it.

(2) The people's police of the public security organ violate the regulations by issuing identity cards or registering a false date of birth on the identity card.





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(3) The staff of the administrative department for industry and commerce discovers that the applicant is a minor under the age of 16 and still issues a business license for self-employment.

**Article 17** With the consent of the minor's parents or other guardians, literary, artistic and sports units may recruit professional literary and artistic workers and athletes under the age of 16. Employers shall protect the physical and mental health of recruited minors under the age of 16 and guarantee their right to receive compulsory education. Measures for the recruitment of professional literary and artistic workers and athletes under the age of 16 by literary, art and sports units shall be formulated by the labor and social security administrative department of the State Council in conjunction with the cultural and sports administrative department of the State Council.

**Article 18** Schools, other educational institutions, and vocational training institutions, in accordance with relevant state regulations, organize minors under the age of 16 to carry out educational practice labor and vocational skill training labor that do not affect their personal safety and physical and mental health, which does not belong to the use of child labor.

**Article 19** These regulations shall come into force on December 1, 2002. On April 15, 1991, the "Regulations on the Prohibition of Child Labor" promulgated by the State Council were abolished at the same time.

