

APPENDICE A

Children and Young Persons (Employment) Act 1966

**CHILDREN AND
YOUNG PERSONS
(EMPLOYMENT)
ACT 1966 (ACT 350)**

(AS AT 25TH SEPTEMBER 1994)

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CHILDREN AND YOUNG PERSONS (EMPLOYMENT) ACT 1966

(Act 350)

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**CHILDREN AND YOUNG PERSONS
(EMPLOYMENT) ACT, 1966***

(Act 350)

An Act to regulate the employment of children and young persons.

[1st October 1966.]

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

1. Short title and application.

(1) This Act may be cited as the Children and Young Persons (Employment) Act 1966.

(2) This Act shall apply only to the States of West Malaysia.

1A. Interpretation.

(1) In this Act, unless the context otherwise requires—

“agricultural undertaking” means any work in which any person is employed under a contract of service for the purposes of agriculture or horticulture, the tending of domestic animals and poultry or the collection of the produce of any plants or trees, but does not include any work performed in a forest;

“child” means any person who has not completed his fourteenth year of age or of such age as the Yang di-Pertuan Agong may by notification in the *Gazette* prescribe;

*Enacted in 1966 as Act No. 40 of 1966. Revised in 1988 and published as Laws of Malaysia Act 350. The revised Act came into force on 3.11.1988.

"contract of service" means any agreement, whether oral or in writing and whether express or implied, whereby a person agrees in accordance with the provisions of this Act to employ a child or young person and that child or young person agrees to serve him and includes an apprenticeship contract;

"employment" and "employment" mean employment in purposes of gain, whether the gain be to a child, young person or to any other person;

"employer" means any person who has entered into a contract of service to employ any child or young person and includes the agent, manager or factor of such first mentioned person;

"entertainment" includes any exhibition or performance; and a person is deemed to take part in an entertainment when such person is employed in or connected with such entertainment whether as a performer, stage-hand or musician;

"guardian" in relation to child or young person, includes any person who, in the opinion of the court having cognizance of any case in relation to the child or young person or in which the child or young person is concerned, has for the time being the charge of or control over the child or young person;

"Minister" means the minister for the time being charged with responsibility for labour;

"public entertainment" means entertainment to which the public or any section of the public is admitted or in connection with which any charge, whether for admission or not, is made or at which any collection or subscription is received and includes performances for the making of films for public exhibition other than news films but does not include any entertainment given by the pupils of any school registered under the Education Act 1961 at or under the auspices of such school, or any entertainment promoted by a voluntary, social or welfare body which has been approved by the Director General;

“vessel” includes any ship or boat or any other description of vessel used in navigation;

“young person” means any person who, not being a child, has not completed his sixteenth year of age.

(2) Other expressions have the same meanings as in the Employment Act 1955 and the Weekly Holidays Act 1950.

EMPLOYMENT

2. Employment in which children and young persons may be engaged.

(1) No child or young person shall be, or be required or permitted to be, engaged in any employment other than those specified in this section.

(2) A child may be engaged in any of the following employments:

- (a) employment involving light work suitable to his capacity in any undertaking carried on by his family;
- (b) employment in any public entertainment, in accordance with the terms and conditions of a licence granted in that behalf under this Act;
- (c) employment requiring him to perform work approved or sponsored by the Federal Government or the Government of any State and carried on in any school, training institution or training vessel; and
- (d) employment as an apprentice under a written apprenticeship contract approved by the Director General with whom a copy of such contract has been filed.

(3) A young person may be engaged in any of the following employments:

- (a) any employment mentioned in subsection (2); and in relation to paragraph (a) of that subsection any employment suitable to his

(5) No child or young person shall be, or be required to be, engaged in any employment contrary to the provisions of the Factories and Machinery Act 1967 or the Electricity Act 1949 or in any employment requiring him to work underground.

(4) The Minister may, if he is satisfied that any employment (not mentioned in subsection (2) or subsection (3)) is not dangerous to life, limb, health or morals, by order declare such employment to be an employment in which a child or young person may be, or permitted to be, engaged; and the Minister may in such order impose such conditions as he deems fit and he may at any time revoke or vary the order or may withdraw or alter such conditions.

Provided further that a female young person may be engaged in any employment in a club not managed by her parent or guardian with the approval of the Director General.

Provided that no female young person may be engaged in any employment in hotels, bars, restaurants, boarding houses or clubs unless such establishments are under the management or control of her parent or guardian:

(e) employment on any vessel under the personal charge of his parent or guardian:

(d) employment in an industrial undertaking suitable to his capacity; and

(c) employment in any office, shop (including hotels, bars, restaurants and stalls), godown, factory, workshop, store, boarding house, theatre, cinema, club or association;

(b) employment as a domestic servant;

capacity (whether or not the undertaking is carried on by his family);

3. The Minister may prohibit any child or young person from engaging or being engaged in any employment.

Notwithstanding the foregoing provisions, the Minister may, in any particular case, by order prohibit any child or young person from engaging or from being engaged in any of the employments mentioned in section 2 if he is satisfied that having regard to the circumstances such employment would be detrimental to the interests of the child or young person, as the case may be.

4. Number of days of work.

No child or young person engaged in any employment shall in any period of seven consecutive days be required or permitted to work for more than six days.

5. Hours of work of children.

(1) No child engaged in any employment shall be required or permitted—

- (a) to work between the hours of 8 o'clock in the evening and 7 o'clock in the morning;
- (b) to work for more than three consecutive hours without a period of rest of at least thirty minutes;
- (c) to work for more than six hours in a day or, if the child is attending school, for a period which together with the time he spends attending school, exceeds seven hours; or
- (d) to commence work on any day without having had a period of not less than fourteen consecutive hours free from work.

(2) Subsection (1) (a) shall not apply to any child engaged in employment in any public entertainment.

7. **Employment connected with public entertainment.** (1) No child or young person shall take part or be required or permitted to take part in any public entertainment unless there has been issued by the Director General of Labour or by such other Director General as may be authorized in writing in that behalf by the Director General of Labour to the person employing such child or young person a licence in that behalf; and the Director General may, in addition to such conditions or restrictions as may be prescribed

PUBLIC ENTERTAINMENT

(2) Paragraph (a) of subsection (1) shall not apply to any young person engaged in employment in an agricultural undertaking or any employment in a public entertainment or on any vessel under section 2 (3) (e).

(d) to commence work on any day without having had a period of not less than twelve consecutive hours free from work.

Provided that if the young person is an apprentice under section 2 (2) (d), the period of work in any one day shall not exceed eight hours; or

(c) to work for more than seven hours in any one day or, if the young person is attending school, for a period which together with the time he spends attending school, exceeds eight hours:

(b) to work for more than four consecutive hours without a period of rest of at least thirty minutes;

(a) to work between the hours of 8 o'clock in the evening and 6 o'clock in the morning;

(1) No young person engaged in any employment shall be required or permitted—

6. Hours of work of young persons.

from time to time under section 15, impose in respect of such licence (whether at the time the licence is issued or thereafter from time to time) such conditions as he deems fit.

(2) No licence under subsection (1) shall be granted by the Director General to any person where he is of the opinion that the employment is dangerous to the life, limb, health or morals of the child or young person aforesaid.

(3) The Director General may cancel any licence issued under this section on any ground for which he could refuse to issue a licence or on breach of any condition thereof, and such cancellation shall take effect forthwith until and unless set aside on appeal.

(4) Any child or young person or the parent or guardian of such child or young person or any other person aggrieved by the decision of the Director General aforesaid may within fourteen days of the making of that decision appeal to the Minister, and the decision of the Minister shall be final.

(5) In the event of an appeal, the child or young person or the parent or guardian of such child or young person shall be entitled to be supplied by the Director General the reasons in writing for the cancellation of or refusal to issue a licence or for the imposition of conditions on a licence.

INQUIRY INTO WAGES

8. Power to prescribe minimum wages after inquiry.

(1) If representation is made to the Minister that the wages of children or young persons in any class of work in any area are not reasonable having regard to the nature of the work and conditions of employment obtaining in such class of work, the Minister may, if he considers it expedient, direct an inquiry.

(2) For the purpose of such inquiry, the Minister shall appoint a Board consisting of an independent member who shall be chairman and an equal number of representatives of employers and workers.

(2) The Director General shall have the right to appear and be heard in any proceedings under this Act, and such right shall include the right to appear and represent a child or young person in any such proceedings.

(1) Proceedings for offences against this Act or against any order or regulation made thereunder shall not be instituted or conducted except by or on behalf of the Public Prosecutor or by the Director General.

11. Prosecutions and right of audience.

Without prejudice to the jurisdiction of the High Court or the Sessions Court, the Court of a First Class Magistrate shall have jurisdiction to try any offence against this Act and to award the full punishment prescribed.

10. Jurisdiction.

The Director General of Labour and such other officers appointed under section 3 of the Employment Act 1955 to carry out the provisions of that Act, shall be charged with the responsibility for the carrying out of the provisions of this Act; and references in this Act to the Director General shall unless the context otherwise requires be construed as references to any one of these officers.

9. Administration and enforcement.

(4) Upon publication of such order, it shall not be lawful for any employer to pay any child or young person to whom the order applies, wages below the minimum rates specified in the order.

(3) The Board shall, after holding the inquiry, report to the Minister its findings and recommendations; and the Minister may, after considering the report of the Board, make an order prescribing the minimum rates of wages to be paid to children or young persons or to both, employed in the class of work in the area aforesaid.

12. Certificate of medical officer as to age.

Where, in any proceeding under this Act, a person is alleged to be a child or young person, the Court may accept a certificate of a Government Medical Officer to the effect that, in his opinion, such person is or is not a child or young person.

13. Contractual capacity.

Notwithstanding anything to the contrary contained in the Contracts Act 1950 or the provisions of any other written law, any child or young person shall be competent to enter into a contract of service under this Act otherwise than as an employer, and may sue as plaintiff without his next friend or defend any action without a guardian *ad litem*:

Provided that no damages and no indemnity under section 13 of the Employment Act 1955, shall be recoverable from a child or young person for a breach of any contract of service.

14. Penalty.

(1) Any person contravening any of the provisions of this Act or of any regulations or order made thereunder or who being the parent or guardian of a child or young person knowingly acquiesces in any such contravention in respect of such child or young person shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding two thousand ringgit or to both and, in the case of a second or subsequent offence, shall be liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding three thousand ringgit or to both.

(2) On the conviction of any person for an offence under subsection (1) the Director General shall, if the person convicted is the holder of a licence under the Theatres and Places of Public Amusement Enactment 1936 of the Federated Malay States or under any other corresponding written law in force, inform the licensing authority concerned of the particulars of such

18. Saving. Nothing in this Act shall be construed as relieving any person who has entered into a contract of service, either as an employer or employee, of any rights, duties

17. (Omitted).

16. Application of certain provisions of the Employment Act, 1955 and regulations made thereunder. The provisions of the Employment Act 1955 set out in the First Schedule and of any regulations made thereunder, shall apply to the employment of any child or young person under this Act, as if those provisions were enacted in and form part of this Act; and references in those provisions to "contract of service" and "employer" shall be construed accordingly.

(3) The regulations contained in the Third Schedule shall have effect unless and until replaced or amended by regulations made under this section, and shall be deemed to be regulations made under this section.

(c) the procedure to be followed by any Board appointed under section 8 (2) of this Act.

(b) the times which children and young persons employed shall be entitled to take off from work for meals or as rest periods; and

(a) the form of licence to be issued under section 7 and the conditions and restrictions to be attached to such licence;

(2) In particular and without prejudice to the generality of the foregoing, the Minister may make regulations to prescribe—

(1) The Minister may make regulations for carrying out any of the purposes of this Act.

15. Regulations.

conviction and the licensing authority may take such action as it considers appropriate.

or liabilities conferred or imposed upon him by the provisions of any other written law for the time being in force in the States of West Malaysia or to limit any power which may be exercised by any public officer pursuant to any such provisions.

FIRST SCHEDULE

(Section 16)

PROVISIONS OF EMPLOYMENT ACT 1955

Sections 8, 10, 11 to 29, 31, 32, 37 to 44, 57, 61 to 92, 94, 97 to 99, 101 and 102 (other than paragraph (b) of subsection (2)).

SECOND SCHEDULE

(Section 17)

(Omitted)

THIRD SCHEDULE

CHILDREN AND YOUNG PERSONS (EMPLOYMENT)
REGULATIONS 1966

1. Short title.

These Regulations may be cited as the Children and Young Persons (Employment) Regulations 1966.

2. Interpretation.

Unless there is something repugnant in the subject or context, words and expressions used in these Regulations have the meaning respectively assigned to them by the Children and Young Persons (Employment) Act 1966 (hereinafter in these Regulations referred to as the "Act").

CONDITIONS OF LABOUR

3. Production of children for inspection.

Any child employed in any form of labour shall be produced, or caused to be produced, by his employer for inspection at any time during working hours or at any other reasonable time upon the demand of—

(a) a Director General;

6. **Penalty.** Any person who shall employ any child or young person in

- (i) any other conditions or remarks.
- (h) that a child or young person shall report arrival in any District to the nearest Labour Office in writing or in person; and
- (g) that a child or young person shall report to an Assistant State Director of Labour or a State Director of Labour in writing or in person when leaving the District or State and give the destination;
- (f) that a child or young person shall report in person or in writing to an Assistant State Director of Labour or a State Director of Labour when leaving the service of the present employer;
- (e) that a child or young person shall not take part in any performance which is dangerous to life, limb, health or morals;
- (d) that no performance shall exceed four hours in duration;
- (c) the hours of the day between which a child or young person shall not take part in a public performance;
- (b) the maximum number of performances to be given consecutively;
- (a) the maximum number of performances to be given in any one day or week;

5. **Form of licence.** A licence to take part in a public entertainment issued under section 7 of the Act shall be in the form as set out in the Schedule to these Regulations, with such modifications as the circumstances may require. Such licence shall provide:

4. **Medical examinations.** Every child and young person taking part in any public entertainment shall be produced by the employer of such child or young person or by his agent for examination and shall be examined by a Government Medical Officer in the first instance and thereafter not less than once in every three months, and such Medical Officer shall report the result of his examination to the Director General.

PUBLIC ENTERTAINMENTS

- (c) any person authorized in that behalf by the Director General of Health, the Director General of Labour or the Director General of Social Welfare.
- (b) a Magistrate; or

breach of any of the provisions of these Regulations or who shall fail to produce a child or young person when required under the provisions of regulation 3 or shall otherwise contravene the provisions of these Regulations, shall be guilty of an offence and shall, where no other penalty is provided by the Act, be liable to a fine not exceeding two hundred and fifty ringgit or to imprisonment for a term which may extend to six months or to both such fine and imprisonment.

7. Revocation.

The Children and Young Persons Rules 1947 (except rule 17 in so far as it relates to Forms I, II and IV to X of the Schedule thereto) are hereby revoked.

No.....

**CHILDREN AND YOUNG PERSONS (EMPLOYMENT)
ACT 1966**

(Section 7—Regulation 5)

LICENCE TO TAKE PART IN A PUBLIC ENTERTAINMENT



Permission is hereby granted to
whose photograph is attached hereto and who is
holder of Identity Card No.
to take part in public entertainment in West
Malaysia, subject to the provisions of the Children
and Young Persons (Employment) Act 1966 and
the Regulations made thereunder and to the
conditions mentioned in this licence. This
licence may be cancelled at any time and,
unless cancelled, shall be valid until
..... 19.....so long as the holder is employed by
..... holder of Identity Card No
.....and under the protection of
holder of Identity Card No

This licence is hereby renewed until:

..... 19... ..
(Signature) (Designation and Office)

..... 19... ..
(Signature) (Designation and Office)

..... 19... ..
(Signature) (Designation and Office)

1. Not more than performances to be given in any one week.
2. Not more than performances to be given in any one day with a minimum interval of hours between successive performances.
3. No performance to exceed four hours in duration.
4. Not to take part in any performance which is dangerous to life, limb, health or morals.
5. To report in person or in writing to an Assistant State Director of Labour or a State Director of Labour when leaving the service of the present employer.
6. To report to an Assistant State Director of Labour or a State Director of Labour in writing or in person when leaving the District or State and to give the destination.
7. To report arrival in any District to the nearest Labour Office in writing or in person.
8. To appear before a Government Medical Officer for examination not less than once in every three months.
9. Other conditions or remarks:

CONDITIONS

僱用童工 超時工作 芙電子廠罰逾 萬元

Source:

Sin Chew Jit Poh, 15th Dec 1994

15 DEC 1994

(芙蓉十四日訊)僱用童工的僱主，这回可要當心隨時受到取締。

芙蓉一間僱用了六十五名童工的跨國電子廠，由於其中一名童工僅有十三歲，同時允許其他童工超時工作，結果惹上官非，被森州勞工法庭罰款高達一萬三千五百元。

森州人力資源局長哈里斯李今日披露，該局是援引一九六六年兒童和少年(僱用)法令，于昨日把該電子廠主控上勞工法庭，而這項罰款也是森州勞工法庭有史以來最高的一次罰款。

僱六十五名童工

他說，該電子廠坐落在芙蓉端姑查花工業區，該局是在接獲公眾的投報後，到該廠進行調查，結果發現廠內的二千三百名員工里，竟有六十五名男女童工，其中一名只有十三歲。

該廠僱主共面對八項控狀如下：

●一項控狀是非法僱用一名未足十四歲的兒童，被判罰款二千元。

●三項控狀允許童工每天工作超過七小時，各被罰款二千元。

●三項控狀允許童工持續工作超過四小時，而沒有給予卅分鐘的休息時間，各被罰款一千元及二千元。

●一項控狀允許童工在晚上八時工作，罰款一千五百元。

他說，這批童工是今年二月開始在該電子廠服務，至八月被公眾投訴後，才停止繼續僱用童

工。

他指出，該局官員經過調查後，發現這批童工已經辮學，大部份居住在附近的園坵，每天早上該工廠都會派出一輛工廠巴士負責載送這批童工上下班。

他說，這群童工屬於生產部操作員，每天必須工作九小時，持續工作四小時，間中沒有卅分鐘的休息時間，但是，他們的薪金卻比普通員工還要低微。

父母監護人有罪

他指出，很多僱主不清楚兒童和少年(僱用)法令，結果許多僱用童工因而觸犯條例。

他解釋說，根據法令規定，十四歲以下者被視為兒童，十四歲至十六歲者則屬於少年。

『抵觸上述法令而被控上法庭者，首次被控者，將被判不超過六個月的監禁，罰款不超過二千元，或兩者兼施。』

『第二次犯錯者，將會被判監禁不超過二年，罰款不超過三千元，或兩者兼施。』

他說，如果父母或監護人同意不足年齡的孩子到外工作，也同樣會在法令下受到對付。

他指出，法令雖然允許青少

年工作，但必須受到限制，在這項法令下，一名青少年只可在以下的情況受僱：

(一) 由父母經營，輕鬆並且在能力範圍內的工作。

(二) 參與公眾演出，但必須依據演出准證上的條件。

(三) 合約下的學徒，但必須獲得人力資源局長的批准。

青少年工作範圍

他說，青少年可以成為受僱僱員的工作範圍包括：

(一) 家庭工人。

(二) 公司、商店、工廠、貨倉、戲院、酒店、酒廊、快餐店、熟食檔。

(三) 在能力範圍內受聘為工業領域的員工。

他強調，少女不能受聘于酒店、酒廊、熟食中心和俱樂部服務，除非上述場所是由父母或監護人所經營。

此外，受僱用的青少年不被允許：

(一) 工作由晚上八時至次日早上六時。

(二) 持續工作超過四個小時，而沒有給予休息時間。

(三) 每天工作超過七小時。

(四) 一星期持續工作超過六天。

他透露，今年十二月為止，共有廿七個僱主在這項法令下被提控，其中廿四名僱主被定罪，并被罰款總共一萬八千六百八十

THE CASE

ELECTRONICS COMPANY CHARGED UNDER CHILDREN AND YOUNG PERSONS ACT

SEREMBAN: Yano Electronics (M) Sdn. Bhd., a Japanese company producing video components in Tuanku Ja'afar industrial estate here, was fined a total of RM13,500 by a magistrate's court yesterday for breaching the Children and Young Persons Act (Employment) 1966, including employing a 13-year-old child.

This is the first time a big company in the country has been hauled up under the Act.

Yano Electronics was set up in Malaysia in 1990 and employs 2,300 workers. It also has a factory in Singapore.

State Labour Department director Harris Lee said the Company pleaded guilty to all the eight charges brought against it.

The charges were employing a 13-year-old child, employing young persons to work more than seven hours per day (three), did not give them rest breaks for 30 minutes for every consecutive four hours of work (three) and making one of them work after 8.00 p.m., all offences under the Act. The company paid the fine.

The company was fined RM2,000 for the first offence and RM2,000 for each of the next three offences. As for its failure to give rest breaks, the company was fined RM1,000 for the first two and RM2,000 for the other one. It was fined RM1,500 for the last offence.

The Act defines children as any person who has not reached the age of 14 and young persons as those who are 14 and more but have not reached the age of 16.

Under the Act, employers are prohibited from recruiting children as workers but they can engage the services of young persons, on condition that they are not allowed to work between 8.00 p.m. and 6.00 a.m., work more than seven hours per day and work for more than six consecutive days for every seven-day-period. In addition, they must be given 30-minutes rest breaks for every four consecutive hours of work.

Speaking at a news conference, Lee, who has been with the Labour Department for 20 years, said the total fine was the highest ever imposed by any court in the country for such an offence.

He said acting on a tip-off, two officers were sent to the factory to investigate.

"While there, the officers found a 13-year-old child and 64 young persons among its workers," he said. "They found that the young person

employees had to work for nine hours per day and they were not given the required rest breaks."

He said the tight labour market situation in the State could have resulted in some factory operators to recruit children and young persons as workers. Lee warned them to strictly observe the Act and refrain from recruiting children as workers as this could land them in trouble. "Besides the fine, there is a provision in the Act for a jail sentence to be imposed on offenders upon conviction," he said.

First offenders, upon conviction, can be sentenced to six months' jail or fine not exceeding RM2,000, or both while repeated offenders can be sentenced to two years' jail or a fine not exceeding RM3,000 or both.

Parents or guardians who allow their children to work in situations which are against the Act can also be prosecuted and faced similar penalties.

"The Department believes that there are many employers in the State who are flouting the Act but enforcement has been hampered by manpower shortage," he said, adding that the Department only had 10 enforcement officers against an estimated 12,000 employment premises in the State.

The Department has so far this year prosecuted 25 employers in the State for violating various labour laws. Twenty-four had been convicted and fined RM18,680.

In Kuala Lumpur, Labour Department Deputy Director-General Ismail Rahim said previous offenders of the Act had always been the smaller companies. "This is the first case involving a big establishment. Past cases involved smaller places like foundries," Ismail said when contacted at his office.

(Press Report)

Source:

M. N. D' Cruz, A Practical Guide To Malaysian Labour Law. Kuala Lumpur: Berita Publishing SDN BHD, 1998: 66-67.

Topic of study: Child labor

Name of Researcher: _____

Date of Survey: _____

Name of Respondent: _____

APPENDICE C

Interview Questions for A.1.1

1. Age: _____

2. Sex: _____

3. Number of brothers and sisters: _____

4. What is your position? _____

5. Job sector:

(1) _____

(2) _____

(3) _____

(4) _____

(5) _____

(6) _____

6. Type of job: _____

7. Are you still going to school?

(1) _____ Yes

(2) _____ No

If yes, go to 5A. If no, go to 8.

8. What level are you attending?

9. Up to what level are you attending?

10. What type of school are you attending?

(1) _____

(2) _____

(3) _____

11. Are you worried about your future?

(1) _____ Yes

(2) _____ No

Questionnaires

Topic of study: Child Labour in West Malaysia: A Study of Law and Culture

Name of Researcher: See Hoon Peow

Date of Survey: _____

Name of Respondent: _____

Interview Questions for Children

1. Age: _____

2. Sex: _____

3. Number of brothers and sisters (including the child interviewed): _____

3A. What is your position among your brothers and sisters: _____

4. Job sector.

(1) _____ Industrial undertaking (Formal sector)

(2) _____ Industrial undertaking (Informal sector)

(3) _____ Agriculture undertaking

(4) _____ Commercial sector(Supermarket, Services, shops, etc.)

(5) _____ Petty businesses

(6) _____ Domestic work

4A. Type of job: _____

5. Are you still going to school ?

(1) _____ Yes

(2) _____ No

if yes, go to 5A, then 5C, if no go to 5B, then 5C.

5A. What level are you in your school: _____

5B. Up to what level did you go to school: _____

5C. What type of school are/were you attending ?

(1) _____ School with Chinese medium

(2) _____ School with Bahasa Malaysia medium

(3) _____ Others: _____

6. Are you working full-time or part-time ?

(7) _____ Full-time

(8) _____ Part-time

13. About how many
9. At what age did you start working: _____

8. Are you paid ?

- (1) _____ Yes
- (2) _____ No
- (3) _____ Irregular

If yes, how much are you paid per month ? _____

9. Do you give money to your parents ?

- (1) _____ Every month
- (2) _____ Very often
- (3) _____ Some time
- (4) _____ Seldom
- (5) _____ Never

If the child never give money to parent, skip 9A.

9A. How much do you normally give to your parents ? _____

9B. Do you still ask for money from your parents ?

- (1) _____ Often
- (2) _____ Some time
- (4) _____ Seldom
- (5) _____ Never

If the child never ask money from parents, skip 9C and 9D.

9C. Normally how much do you ask for ? _____

9D. Why do you still ask for money ?

10. Can you tell me how you spend money from you wages ?

11. How many days do you work in a week ? _____

12. What time do you start working everyday ? _____

12A. What time do you stop working everyday ? _____

If the working hour is regular, skip 12, if it is not go to 12.

13. About how many hours do you work everyday ? _____

14. Are you given a break in between ?

- (1) _____ Yes
- (2) _____ No
- (3) _____ Some time

If yes or some time, how long is the break ? _____

For what purpose is the break ? _____

15. How many days off do you get every week ?

- (1) _____ Less than 1 day
- (2) _____ 1 day
- (3) _____ 1 1/2 days
- (4) _____ 2 days or more
- (5) _____ Irregular

16. Did you work elsewhere before taking this job ?

- (1) _____ Yes
- (2) _____ No

20. If yes, go to 16A and 16B.

16A. What type of job were you doing ? _____

16B. Where were you previous work place ? _____

17. Have you ever being injured during work ?

- (1) _____ Yes
- (2) _____ No
- (3) _____ Don't remember

If yes, how many time by now ? _____

17A. What type of injury ? _____

17B. How severe was the injury ?

- (1) _____ Resulting hospitalisation
- (2) _____ Resulting professional medical treatment
- (3) _____ No need for professional medical treatment

18. What do you like more, working or schooling ?

- (1) Working
- (2) Schooling
- (3) Not sure

Why ?

18A. Do you want to go back to/stay in school to continue schooling ?

- (1) Yes
- (2) No
- (3) Not sure

19. Do you like to working here ?

- (1) Yes
- (2) No
- (3) Not sure

Why ?

20. Do you like your boss ?

- (1) Yes
- (2) No
- (3) Not sure

Why ?

20A. Is you boss related to you ?

- (1) Yes
- (2) No

21. How do you get this job ?

22. What do you do for recreation ?

- (1) Reading books
- (2) Sports
- (3) Video/computer games
- (4) wander around
- (5) Others: _____

Topic of study: Child Labour in West Malaysia: A Study of Law and Culture

Name of Researcher: See Hoon Peow

Date of Survey: _____

Name of Respondent: _____

Interview questions For Parents

1. Father's age: _____

2. Mother's age: _____

3. Father's education level.

- (1) _____ Never receive any formal education
- (2) _____ Primary school
- (3) _____ Secondary school
- (4) _____ Professional/Technical training
- (5) _____ University

3A. What kind of primary school was father attending ?

- (1) _____ Chinese medium
- (2) _____ Bahasa Malaysia medium
- (3) _____ English medium
- (4) _____ Others: _____

4. Mother's education level.

- (1) _____ Never receive any formal education
- (2) _____ Primary school
- (3) _____ Secondary school
- (4) _____ Professional/Technical training
- (5) _____ University

4A. What kind of primary school was mother attending ?

- (1) _____ Chinese medium
- (2) _____ Bahasa Malaysia medium
- (3) _____ English medium
- (4) _____ Others: _____

5. Father's present occupation: _____

Coding:

- (1) _____ Professional & Technical
- (2) _____ Administration and Management
- (3) _____ Clerical
- (4) _____ Petty trading (including running a shop)

- (5) _____ Manual work (including Services)
- (6) _____ Agriculture, Poultry & Forestry

6. Mother's present occupation: _____

Coding:

- (1) _____ Professional & Technical
- (2) _____ Administration and Management
- (3) _____ Clerical
- (4) _____ Petty trading
- (5) _____ Manual work (including Services)
- (6) _____ Agriculture, Poultry & Forestry

7. Household income.

- (1) _____ Bellow RM 500
- (2) _____ RM 500-999
- (3) _____ RM 1000-1499
- (4) _____ RM 1500-1999
- (5) _____ RM 2000 and above

8. Father's Working hours.

- (1) _____ Less than 8 hours
- (2) _____ 8 hours
- (3) _____ 8-10 hours
- (4) _____ More than 10 hours

8A. Mother's Working hours.

- (1) _____ Less than 8 hours
- (2) _____ 8 hours
- (3) _____ 8-10 hours
- (4) _____ More than 10 hours

9. Number of children bellow 16: _____

10. Number of children bellow 16 working full-time: _____

10A. Number of children bellow 16 working part-time: _____

10B. Number of children bellow 16 that already drop out of school:

10C. Number of children bellow 18 working full-time: _____

10D. Number of children bellow 18 working part-time: _____

10E. Number of children bellow 18 that already drop out of school: _____

11. The working children's age respectively: _____

12. Birth order of working children: _____

13. I believe there must be some reasons why you let your children work. Can you tell me the reasons?

Coding:

(1) _____ Poverty

(2) _____ Culture

(3) _____ Others

14. Normally, how is your children's income spent ?

15. Can you mention three virtues, which you think are important for children to acquire ?

16. Up to what level of formal education do you wish your children to achieve ?

(1) _____ Tertiary level

(2) _____ Secondary

(3) _____ Primary

(4) _____ As far as possible

(5) _____ No expectation

17. We all wish our children to be successful. However, what must a person achieve if s/he is to be considered successful ?

Topic of study: Child Labour in West Bengal

Name of Researcher: See Hoon Paul

Date of Survey: _____

Name of Respondent: _____

18. There are people who believe that children below 16 have a right not to work, what do you think ?

(1) _____ Yes

(2) _____ No

(3) _____ Not sure

If yes, can you mention _____

2. D. Coding: (1) _____ Strongly agree

(2) _____ Agree

(3) _____ Neutral

(4) _____ Disagree

(5) _____ Strongly disagree

If yes, go to 1A and then

18A. If there is a law that prohibits child labour, would you obey the law ?

(1) _____ Yes

2A. (2) _____ No

(3) _____ Not sure

2B. Why ? _____

2C. Why are you not _____

19. Do you know that there is a law that regulates child work ?

3. If a) Yes _____

b) No _____

4. If yes, can you mention one of these rules ?

5. In what job category

(1) _____

(2) _____

(3) _____

(4) _____

(5) _____

(6) _____

Topic of study: Child Labour in West Malaysia: A Study of Law and Culture

Name of Researcher: See Hoon Peow

Date of Survey: _____

Name of Respondent: _____

Interview questions for general public

1. Do you know that there is a law that regulates child labour ?

- (1) Yes
- (2) No
- (3) Not sure

If yes, can you mention one of the rules ?

2. Do you think children should work ?

- (1) Yes
- (2) No
- (3) Not sure

If yes, go to 2A and then 2B. If no, go directly to 2B. If not sure, go directly to 2C.

2A. What sort of work do you think is suitable for children ?

2B. Why do you think children should/should not work ?

2C. Why are you not sure of whether children should work ?

3. If you came to know of a child working illegally, what would you do ?

4. What is your occupation ? _____

5. In what job category are you ?

- (1) Professional & Technical
- (2) Administrative and Management
- (3) Clerical
- (4) Petty trading
- (5) Manual work (including services)
- (6) Agriculture, poultry & Forestry

6. What is your education level ?
- (1) _____ Never receive any formal education
 - (2) _____ Primary school
 - (3) _____ Secondary school
 - (4) _____ Professional/Technical training
 - (5) _____ University
7. What kind of primary school were you attending ?
- (1) _____ Chinese medium
 - (2) _____ Bahasa Malaysia medium
 - (3) _____ English medium
 - (4) _____ Others: _____
8. What is your age: _____
9. Which income category are you in ?
- (1) _____ Below RM 1000
 - (2) _____ RM 1000-1999
 - (3) _____ RM 2000-2999
 - (4) _____ RM 3000 and above