



# UNDANG-UNDANG MALAYSIA

**Akta A1586**

**AKTA KANAK-KANAK DAN ORANG MUDA  
(PEKERJAAN) (PINDAAN) 2019**

Tarikh Perkenan Diraja ... .. 14 Januari 2019

Tarikh penyiaran dalam *Warta* ... .. 18 Januari 2019

Hakcipta Pencetak (H)

**PERCETAKAN NASIONAL MALAYSIA BERHAD**

Semua Hak Terpelihara. Tiada mana-mana bahagian jua daripada penerbitan ini boleh diterbitkan semula atau disimpan di dalam bentuk yang boleh diperolehi semula atau disiarkan dalam sebarang bentuk dengan apa jua cara elektronik, mekanikal, fotokopi, rakaman dan/atau sebaliknya tanpa mendapat izin daripada **Percetakan Nasional Malaysia Berhad (Pencetak kepada Kerajaan Malaysia yang dilantik)**.

# UNDANG-UNDANG MALAYSIA

## Akta A1586

### AKTA KANAK-KANAK DAN ORANG MUDA (PEKERJAAN) (PINDAAN) 2019

Suatu Akta untuk meminda Akta Kanak-Kanak dan Orang Muda (Pekerjaan) 1966.

[ ]

**DIPERBUAT** oleh Parlimen Malaysia seperti yang berikut:

#### **Tajuk ringkas dan permulaan kuat kuasa**

1. (1) Akta ini bolehlah dinamakan Akta Kanak-Kanak dan Orang Muda (Pekerjaan) (Pindaan) 2019.

(2) Akta ini mula berkuat kuasa pada tarikh yang ditetapkan oleh Menteri melalui pemberitahuan dalam *Warta* dan Menteri boleh menetapkan tarikh yang berlainan bagi permulaan kuat kuasa peruntukan yang berlainan Akta ini.

#### **Pindaan seksyen 1A**

2. Akta Kanak-Kanak dan Orang Muda (Pekerjaan) 1966 [*Akta 350*], yang disebut “Akta ibu” dalam Akta ini, dipinda dalam subseksyen 1A(1)—

(a) dengan menggantikan takrif “child” dengan takrif yang berikut:

‘ “child” means a person under the age of fifteen years;’;

(b) dengan memasukkan selepas takrif “entertainment” takrif yang berikut:

‘ “family” means a parent, sibling or guardian who has custody, of a child or young person;’;

(c) dengan menggantikan takrif “light work” dengan takrif yang berikut:

‘ “light work” means any work performed by a child or young person which is not likely—

(a) to be harmful to his health, mental, or physical capacity; or

(b) to prejudice his attendance at school that includes any place which teaches any religion, his participation in vocational orientation or training programmes approved by the competent authority or his capacity to benefit from the instruction received;’;

(d) dalam takrif “Minister”, dengan menggantikan perkataan “labour” dengan perkataan “human resources”; dan

(e) dengan menggantikan takrif “young person” dengan takrif yang berikut:

‘ “young person” means a person who has attained the age of fifteen years and under the age of eighteen years.’.

## **Pindaan seksyen 2**

### **3. Seksyen 2 Akta ibu dipinda—**

(a) dengan menggantikan subseksyen (1) dengan subseksyen yang berikut:

“(1) For the purpose of this section, “hazardous work” means work specified in the Fourth Schedule.”;

(b) dengan memasukkan selepas subseksyen (1) subseksyen yang berikut:

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

(1B) Notwithstanding subsection (1A), a young person may be engaged in any hazardous work with personal supervision if he is—

(a) under an apprenticeship contract; or

(b) undergoing a vocational training.”;

(c) dengan memasukkan selepas subseksyen (2) subseksyen yang berikut:

“(2A) The age of admission to light work as specified in paragraph (2)(a) shall not be less than thirteen years.

(2B) Notwithstanding subsections (2) and (3), no child or young person shall be, or be required or permitted to be, engaged in any employment specified in the Fifth Schedule.”;

(d) dalam subseksyen (3)—

(i) dengan memotong perenggan (b);

(ii) dalam perenggan (c), dengan memotong perkataan “bars,” dan “, club”;

(iii) dalam perenggan (e), dengan menggantikan noktah bertindih di akhir perenggan itu dengan noktah; dan

(iv) dengan memotong proviso;

(e) dalam subseksyen (5), dengan memotong perkataan “or in any employment requiring him to work underground”; dan

(f) dengan memotong subseksyen (6).

**Pindaan seksyen 8****4.** Akta ibu dipinda—

- (a) dengan memotong tajuk kepada seksyen 8; dan
- (b) dengan memotong seksyen 8.

**Pindaan seksyen 11**

**5.** Subseksyen 11(1) Akta ibu dipinda dengan memotong perkataan “or by the Director General”.

**Pindaan seksyen 14****6.** Subseksyen 14(1) Akta ibu dipinda—

- (a) dengan menggantikan perkataan “one year” dengan perkataan “two years”;
- (b) dengan menggantikan perkataan “five thousand” dengan perkataan “fifty thousand”;
- (c) dengan menggantikan perkataan “three years” dengan perkataan “five years”; dan
- (d) dengan menggantikan perkataan “ten thousand” dengan perkataan “one hundred thousand”.

**Pindaan seksyen 15****7.** Seksyen 15 Akta ibu dipinda—

- (a) dengan memasukkan perkataan “and” di akhir perenggan 2(a);
- (b) dalam perenggan 2(b), dengan menggantikan perkataan “; and” dengan noktah; dan
- (c) dengan memotong perenggan 2(c).

## **Seksyen baharu 15A**

8. Akta ibu dipinda dengan memasukkan selepas seksyen 15 seksyen yang berikut:

### **“Power to amend Schedules**

**15A.** The Minister may, by order published in the *Gazette*, amend the Schedules to this Act.”.

## **Jadual baharu**

9. Akta ibu dipinda dengan memasukkan selepas Jadual Ketiga Jadual yang berikut:

### “FOURTH SCHEDULE

#### [Subsection 2(1)]

#### List of hazardous work

#### A. WORK RELATED TO MACHINES, INSTALLATIONS AND OTHER EQUIPMENT

##### 1. Machinery

- (a) Any machine tools or production machine which can pose high risk such as drilling machines, grinding machines, cutting machines, lathes machines, scraping machines, power press machine, knitting machines, weaving machines, packaging machines and bottling machines;
- (b) Steam boiler or internal combustion engine such as diesel engines, turbines and engines for generating electricity;
- (c) Hoisting and loading machine such as lift, hoist, crane, escalators, conveyor belts, gondolas and forklift; or
- (d) High pressure vessels.

2. Heavy-duty machine such as tractors, rock breakers, graders, asphalt mixers, piling machine and agriculture machinery.

3. Installations such as pressure pipe, electricity, firefighting system and electricity transmission lines.

**B. WORK CONDUCTED IN HAZARDOUS ENVIRONMENT****1. Work that is exposed to physical hazards**

- (a) Underground work, underwater or in a confined space such as a well or a tunnel;
- (b) Working at height which can lead to serious bodily injury;
- (c) Working environment which involves electricity at high voltage power line;
- (d) Working in a caisson with limited ventilation;
- (e) Work that uses electric welding machines or gas welding machines;
- (f) Work in an environment with extreme temperature and moisture or high-speed wind;
- (g) Work in an environment with noise or vibration where intensity exceeds the permissible exposure limits;
- (h) Work to handle, store, use and transport radioactive substances;
- (i) Work that produces ionizing radiation or work in an environment with ionizing radiation;
- (j) Work in a dusty environment that is detrimental to health;
- (k) Work which may lead to electrocution, fire or explosion; or
- (l) Manual handling works which may pose high risk such as lifting, lowering, pushing, pulling, carrying or moving a load.

**2. Work that is exposed to chemical hazards**

- (a) Work in relation to production, processing, handling, storage, transport, removal, disposal or treatment of hazardous chemical as defined in the Occupational Safety and Health (Classification, Labelling and Safety Data Sheet of Hazardous Chemicals) Regulations 2013 [P.U. (A) 310/2013]; or
- (b) Work in relation to production, processing, handling, storage, transport, removal, disposal or treatment of pesticides and schedule waste as defined in the Pesticides Act 1974 [Act 149] and the Environmental Quality (Scheduled Wastes) Regulations 2005 [P.U. (A) 294/2005].

**3. Work that is exposed to biological hazards**

Work in an environment that relates to germs, bacteria, viruses, fungi, parasites and other biological agents such as works in clinical laboratories, slaughter house, meat processing place and silo or storage for storing crops.

C. WORK CONTAIN CERTAIN HAZARDOUS NATURE AND CONDITION

1. Construction work including construction of building, bridges, roads, or irrigation project.
2. Work in timber industry such as cutting, transporting and unloading trees.
3. Work offshore such as working in a petroleum platform.
4. Work above or near water where the risk of drowning exist such as lifeguard, fishing activities and work in water treatment plant.

FIFTH SCHEDULE

[Subsection 2(2B)]

Employment in which children or young persons shall not be required, permitted to be or engaged in—

1. All kind of employment that make use of, procure, or offer children or young persons for prostitution.
2. All kind of employment as social escorts, hostesses and any other related activities.
3. All kind of employment that require children or young persons to involve in the production or trade of alcoholic beverages.
4. All kind of employment related to gambling and lotteries activities.
5. All kind of employment that require children or young persons to work in any activities related to massage services or reflexology services.
6. All kind of employment that make use of, procure, or offer children or young persons for any kind of job related to pornography.
7. All kind of employment that make use of, procure, or involve children or young persons for the production and trade of drugs, narcotics, psychotropic substances and other addictive substances which are prohibited under any written law in operation.”.