

# NATIONAL LEGISLATION ON HAZARDOUS CHILD LABOUR

Minimum Age Convention, 1973 (No. 138)  
and  
Worst Forms of Child Labour Convention, 1999 (No.182)

## GHANA

### RATIFICATIONS

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Convention No. 138                      06 June 2011

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Convention No. 182                      13 June 2000

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1) *Country Overview*

2) *Act of the Parliament of the Republic of Ghana entitled the Children's Act, 1998*

*Original Language:* English – [Full Official Text \(📄 on line\)](#) – ILO Summary.

Section 91(2) and (3) identifying **hazardous work for persons under the age of 18 years.**

3) *Education Act*

*Original language:* English – [Full Official Text \(📄 on line\)](#) – ILO Summary.

Article 2(2) providing for free and compulsory basic level education.

4) *Labour Act 2003*

*Original language:* English – ILO Summary.

Prohibiting of employment of young persons in hazardous work. However in accordance to section 175: “young person” means a person of or above 18 years of age but below 21 years. Therefore this general prohibition is NOT relevant to child labour with the definition of the term “child” covering persons less than 18 years old.

5) ***Labour Regulation 2007***

*Original Language:* English – [Full Official Text \(🔗 on line\)](#) – ILO Summary.

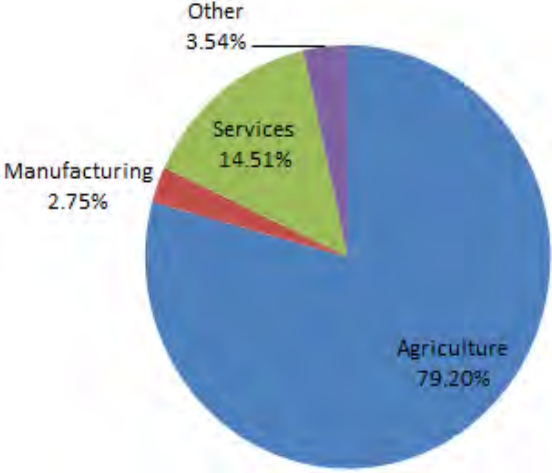
Prohibiting the employment of young persons (18-21 years). NOT relevant to child labour with the definition of the term “child” covering persons less than 18 years old.

6) ***CEACR, 2013 Direct Request, Convention No. 182***

7) ***CRC, Concluding Observations of the Committee on the Rights of the Child, March 2006***

# GHANA

## Country Overview

International Conventions and selected Laws on child labour and education		Working children by sector, aged 5-14 years										
C138, Minimum Age	✓	 <table border="1"> <caption>Working children by sector, aged 5-14 years</caption> <thead> <tr> <th>Sector</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Agriculture</td> <td>79.20%</td> </tr> <tr> <td>Services</td> <td>14.51%</td> </tr> <tr> <td>Manufacturing</td> <td>2.75%</td> </tr> <tr> <td>Other</td> <td>3.54%</td> </tr> </tbody> </table>	Sector	Percentage	Agriculture	79.20%	Services	14.51%	Manufacturing	2.75%	Other	3.54%
Sector	Percentage											
Agriculture	79.20%											
Services	14.51%											
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Other	3.54%											
C182, Worst Forms of Child Labour	✓											
CRC	✓											
General Minimum age for admission to employment	15											
Minimum Age for Hazardous Work	18											
Compulsory Education Age	junior high school education											
List of hazardous work (*)	Yes											
Free Public Education	Yes											
<p>(*) The list of hazardous work includes: Porterage of heavy loads; Manufacturing industries where chemicals are produced or used; Work in places where machines are used;</p>		<p><b>Source:</b> Ghana, Core Welfare Indicators Questionnaire 2003</p>										

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## Act of the Parliament of the Republic of Ghana entitled the Children's Act, 1998

### Original language

English

### Abstract

**Section 91(2) and (3) identifying hazardous work for persons under the age of 18 years.**

### Text of legal provisions

➤ **Section 89:**

“The minimum age for admission of a child to employment shall be fifteen years.”

➤ **Section 91(2) and (3):**

“(2) Work is hazardous when it poses a danger to the health, safety or morals of a person.

(3) Hazardous work includes:

- a) Going to sea;
- b) Mining and quarrying;
- c) Porterage of heavy loads;
- d) Manufacturing industries where chemicals are produced or used;
- e) Work in places where machines are used;
- f) Work in places such as bars, hotels, and places of entertainment where a person may be exposed to immoral behaviour.”



International  
Labour  
Organization

International Programme on the Elimination of Child Labour (IPEC)  
Fundamental Principles and Rights at Work (FPRW) Branch

October 2014

# GHANA

## Education Act, 2008

### Original language

English

### Abstract

**Article 2(2):** Providing for free and compulsory basic level education.

### Text of legal provisions

➤ **Section 2(2):**

“Education at the basic level is free and compulsory.”

➤ **Section 1(2)**

“The basic level of education shall consist of

(a) two years of kindergarten education

(b) six years of primary education, and

(c) three years of junior high school education.”

# GHANA

## Labour Act, 2003

### Original language

English

### Abstract

**Section 58:** prohibition of employment of young persons in hazardous work. However in accordance to Section 175: “young person” means a person of or above 18 years of age but below 21 years. Therefore this general prohibition is NOT relevant to child labour with the definition of the term “child” covering persons less than 18 years old.

### Text of legal provisions

➤ **Part VII. Section 58**

“Prohibition of employment of young persons in hazardous work.

(1) A young person shall not be engaged in any type of employment or work likely to expose the person to physical or moral hazard.

(2) The Minister may, by legislative instrument, determine the type of employment that is likely to expose a young person to physical or moral hazard.

(3) An employer shall not employ a young person in an underground mine work.

(4) A person who contravenes subsection (1) or (3) commits an offence and is liable on summary conviction to a fine not exceeding 100 penalty units.”

# GHANA

## Labour Regulations, 2007

### Original language

English

### Abstract

**Section 7** prohibiting the employment of young persons (18-21 years old) in hazardous work. N.B: The definition of young person should be the same as under the Labour Act, from 18 to 21 years. Therefore, the Labour Act is NOT relevant to child labour with the definition of the term “child” covering persons less than 18 years old.

### Text of legal provisions

➤ **Section 7:**

“Employment of young persons in hazardous work.

(1) An employer shall not engage a young person in work which involves:

- a. manual lifting of loads the weight of which exceeds twenty-five kilograms;
- b. work on scaffold and other structures at a height exceeding two and a half metres;
- c. the use of substances and materials that emit:
  - i) radiation, or
  - ii) in poisonous gases or fumes
- d. the use of dangerous chemicals;
- e. excessive noise
- f. the felling of timber,
- g. night work exceeding eight continuous hours, or
- h. other situations considered by the Chief Labour Officers as hazardous.

(2) An employment shall not engage a young person

- a. for the production and screening of pornographic materials, or;

- b. work on scaffold and other structures at a height exceeding two and a half metres;
- c. to work at areas in a hotel which are likely to corrupt the moral development of that young person.”



# GHANA

## COMMITTEE OF EXPERTS ON THE APPLICATION OF CONVENTIONS AND RECOMMENDATIONS (CEACR) - Worst Forms of Child Labour Convention, 1999 (No.182)

### ➤ 2013 Direct Request, Convention No. 182

#### ○ **Article 4(3) - Revision of the list of hazardous work.**

The Committee previously noted that section 91(1) of the Children's Act prohibits the engagement of children under 18 years in hazardous work and subsection (3) provides for a list of hazardous work prohibited to children. It also noted the Government's indication that it had envisaged reviewing and updating as necessary section 91 of the Children's Act, including the list of types of hazardous work so as to be in compliance with the Convention.

The Committee requests the Government to provide information on the revision of section 91 of the Children's Act undertaken in order to update the list of hazardous types of work prohibited to children.

#### ○ **Article 6 - Programmes of action to eliminate the worst forms of child labour. National Programme for the Elimination of Worst Forms of Child Labour in the Cocoa Industry (NPECLC).**

The Committee noted that, according to the Government's report, the NPECLC, which started in 2006 and which was being implemented as a component of the bigger framework of the National Plan of Action for the Elimination of the Worst Forms of Child Labour in Ghana by 2015, achieved the following results:

- Survey on Labour Practices in Cocoa Production in Ghana conducted in 2007–08 resulted in the Ghana Certification Reports which were independently verified and accepted by the International Cocoa Verification Board.
- Support to local government structures (such as metropolitan, municipal, districts, assemblies) and civil society organizations to undertake remedial activities were provided. These activities were started in 2008 in 122 communities in 11 out of 68 cocoa-producing districts. This was scaled up

to 36 more districts and 403 communities in 2009. About 1,300 children were supported in 2008 and 6,300 children in 2009 to attend basic school and skill training activities.

- Extensive sensitization at all levels about child labour in the cocoa sector and its effects on the children were undertaken. The survey indicates an awareness rating of 76 per cent in this regard.
- Establishment of a National Partners Forum to coordinate and harmonize efforts and interventions against child labour in the cocoa sector.
- A pilot livelihood support scheme has been initiated to enhance the income of cocoa farmers.

The Committee requests the Government to continue providing information on the implementation of the NPECLC and the results achieved in terms of combating child labour in the cocoa industry.

# GHANA

## COMMITTEE ON THE RIGHTS OF THE CHILD Concluding observations 17 March 2006

➤ Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)

59. The Committee acknowledges the remarkable improvement made in the field of education in attempting to pursue the policy of the free compulsory and universal education system by introducing, inter alia the Capitation Grant. The Committee also notes the introduction of school feeding programmes in three regions of northern Ghana. However, the Committee is concerned about the persisting gender and geographical disparities with regard to access to and quality of education.

➤ Economic exploitation, including child labour

65. The Committee is deeply concerned about the high number of children engaged in economic activities and that a high percentage of this group are involved in work that is hazardous, dangerous and jeopardizes their health, education and development.