

**A
BILL**

*to amend the Khyber Pakhtunkhwa
Factories Act, 2013*

WHEREAS it is expedient to amend the Khyber Pakhtunkhwa Factories Act, 2013 (Khyber Pakhtunkhwa Act No. XVI of 2013), for the purposes hereinafter appearing;

It is hereby enacted by the Provincial Assembly of Khyber Pakhtunkhwa as follows:

1. Short title and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Factories (Amendment) Act, 2021.

(2) It shall come into force at once.

2. General amendment in the Khyber Pakhtunkhwa Act No. XVI of 2013.--- In the Khyber Pakhtunkhwa Factories Act, 2013 (Khyber Pakhtunkhwa Act No. XVI of 2013), hereinafter referred to as the said Act, for the words, comma and figures, "the Employment of Children Act, 1991", wherever occurring, the words, comma and figures, "the Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015" shall be substituted.

3. Amendment of section 2 of the Khyber Pakhtunkhwa Act No. XVI of 2013.---In the said Act, in section 2, in sub-section (1), after clause (e), the following new clause shall be inserted, namely:

"(e-i) "Department" means the Labour Department of Government;"

4. Amendment of section 11 of the Khyber Pakhtunkhwa Act No. XVI of 2013.---In the said Act, in section 11, for the word "Government", wherever occurring, the word "Department" shall be substituted.

5. Amendment of section 30 of the Khyber Pakhtunkhwa Act No. XVI of 2013.---In the said Act, in section 30, in sub-section (2), the words "woman or" shall be deleted.

6. Amendment of section 35 of the Khyber Pakhtunkhwa Act No. XVI of 2013.---In the said Act, in section 35, in the marginal heading and existing provision, the words "women and" and "woman or" shall respectively be deleted.

7. Amendment of section 52 of the Khyber Pakhtunkhwa Act No. XVI of 2013.---In the said Act, in section 52, in sub-section (2), in clause (b), for the words and comma, "women, adolescents or children", the words and comma, "pregnant, breastfeeding women and adolescents" shall be substituted.

8. Amendment of section 65 of the Khyber Pakhtunkhwa Act No. XVI of 2013.---In the said Act, in section 65,-

(a) in sub-section (1), for clause (b), the following shall be substituted, namely:

(b) a woman worker, with her prior consent, is allowed to work in a factory beyond 7:00 p.m, subject to mandatory arrangement of transportation facility of pick and drop by the employer at the doorstep or nearest possible place to her residence, except where a separate hostel facility is provided by the employer at such factory;” and

(b) sub-sections (2) and (3) shall be deleted.

STATEMENT OF OBJECTS AND REASONS

It is desirable to amend the Khyber Pakhtunkhwa Factories Act, 2013 (Khyber Pakhtunkhwa Act No. XVI of 2013) to ensure participation of women in economic life as Pakistan has one of the lowest female labour force participation rates in the world. Moreover, it is also desirable to provide for better working condition for women by allowing them access to safe transport, equal working hours and removing other work related restrictions in the factories. Hence, this Bill.

Peshawar,
dated the
, 2021.


MINISTER-IN-CHARGE

3/6/21
(Shaukat Ali Yousafzai)
Minister for Labour & Culture
Khyber Pakhtunkhwa


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