

A

Bill

***further to amend the Pakistan Penal Code, 1860
and the Code of Criminal Procedure, 1898
to criminalise child domestic labour***

Preamble

WHEREAS the Constitution of the Islamic Republic of Pakistan recognises the inviolability of life, liberty and dignity of all citizens as fundamental rights;

AND WHEREAS it is obligatory for the Government of Pakistan to make provisions for ensuring the right to life and protection from violence, abuse, neglect, abduction, slavery, internal trafficking or exploitation of children under the age of eighteen years, as envisaged under various national and international laws, conventions, covenants and instruments, relating to the rights of the child;

AND WHEREAS it is expedient to amend the relevant laws, and abide by the best interest of the child, for the purposes herein before appearing.

It is hereby enacted as follows: -

1. Short title and commencement. (1) This Act may be called the **Criminal Laws (Amendment) Act, 2023**.

(2) It extends to the whole of Pakistan and shall come into force at once.

2. **Insertion of new section 374, Act No. XLV of 1860.** In the Pakistan Penal Code, 1860, after section 374, the following new sections shall be added.

"374 A: Whoever employs a child below the age of eighteen years as a live-in domestic worker in the absence of such worker's parents residing in the same household shall be punished with imprisonment, which may extend to seven years but not less than three years or with a fine which may extend to one hundred thousand rupees but not less than ten thousand rupees or with both.

374 B. Any parent or a guardian who has the legal custody of a child below the age of eighteen years, consents or agrees to the engagement of such child as a live-in domestic worker in the absence of such worker's parents or guardian residing in the same household, shall be punished with imprisonment which may extend to seven years but not less than

three years or with a fine which may extend to one hundred thousand rupees but not less than ten thousand rupees or with both.

3. **Amendment of Schedule-II, Act No. V of 1898.** In Schedule II of the Code of Criminal Procedure, 1898 (V of 1898), against sections 374 A & B of the Pakistan Penal Code (XLV of 1860), the following new entries shall be added.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
374 A & B	Child Domestic Labour	May arrest without warrant	Warrant	Non-Bailable	Non-Compoundable	imprisonment, which may extend to seven years but not less than three years or with a fine which may extend to one hundred thousand but not less than ten thousand or with both.	Juvenile Court as Special Court for Children



STATEMENT OF OBJECTS AND REASONS

It is the function of the state to protect the inviolable dignity of children. Child domestic labour as cheap labour in slavery-like conditions has become common and rampant in our society. For these children, life is never easy or fair in situations where they have to live without parental care, with the risks of survival, development and protection; therefore, child domestic labour must be curbed. These are the reasons for which this Bill seeks to criminalise the exploitation of children below the age of 18 years in domestic settings to protect them from harmful and inhumane practices.

