

**The Decision of The Minister of Manpower and Transmigration of The Republic of  
Indonesia Number: KEP. 235/ MEN/ 2003 concerning Jobs that Jeopardize  
the Health, Safety or Morals of Children**

Minister of Manpower and Transmigration of the Republic of Indonesia,

Considering:

- a. That, in order to implement subsection (3) of Article 74 of Labor Act Number 13 of the Year 2003, it is necessary to determine jobs that jeopardize the health, safety or morals of children;
- b. That a Ministerial Decision is required to determine such jobs.

In view of:

1. Act Number 3 of the Year 1951 concerning The Statement That The Labor Inspection Act of the Year 1948 Number 23 of the Republic of Indonesia Shall Apply To All Indonesia (as placed under the State Gazette of the Republic of Indonesia of the Year 1951 Number 4);
2. Act Number 1 of the Year 1970 concerning Occupational Safety (State Gazette of the Republic of Indonesia of the Year 1970 Number 1, Supplement to the State Gazette of the Republic of Indonesia Number 1918);
3. Act Number 20 of the Year 1999 concerning the Ratification of ILO Convention No. 138 on Minimum Age for Admission to Employment (State Gazette of the Republic of Indonesia of the Year 1999 Number 56, Supplement to State Gazette of the Republic of Indonesia Number 3835);
4. Act Number 1 of the Year 2000 concerning the Ratification of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor (State Gazette of the Republic of Indonesia of the Year 2000 Number 30, Supplement to State Gazette of the Republic of Indonesia Number 3941);
5. Act Number 23 of the Year 2002 concerning Child Protection (State Gazette of the Republic of Indonesia of the Year 2002 Number 109, Supplement to State Gazette of the Republic of Indonesia Number 4235);
6. Act Number 13 of the Year 2003 concerning Labor (State Gazette of the Republic of Indonesia of the Year 2003 Number 39, Supplement to State Gazette of the Republic of Indonesia Number 4279);
7. Presidential Decision Number 228/ M of the Year 2001 concerning the Formation of the Gotong Royong Cabinet;
8. Presidential Decision Number 59 of the Year 2002 concerning National Action Plan for the Elimination of the Worst Forms of Child Labor.

Taking note of:

1. The Gist of Thoughts of the Secretariat of the National Tripartite Cooperation Institution on August 31, 2003;
2. Agreement of the Plenary Meeting of the National Tripartite Cooperation Institution on September 25, 2003.

Decides to establish:

**The Decision of The Minister of Manpower and Transmigration of The Republic of Indonesia concerning Jobs that Jeopardize the Health, Safety or Morals of the Child**

Article 1

Under this Ministerial Decision, the following definitions shall apply:

1. The term 'child' shall refer to every person who is younger than 18 (eighteen) years old.
2. The term 'Minister' shall refer to Minister of Manpower and Transmigration.

Article 2

- (1) Children under 18 (eighteen) years of age shall be prohibited from taking up a job and or being employed in a job that jeopardize the children's health, safety or morals.
- (2) Types of jobs that jeopardize the health, safety or morals of children are listed under the Attachment to this Ministerial Decision.
- (3) Literal translation: The types of jobs as referred to under subsection (2) may be reviewed with a Ministerial Decision in accordance with scientific and technological developments.

Article 3

Children of 15 (fifteen) years of age or older may take up a job other than that which is referred to under subsection (2) of Article 2.

Article 4

Employers shall be prohibited from employing children to work overtime.

Article 5

This Ministerial Decision shall come into force upon the date of its establishment.

Established in Jakarta on October 31, 2003  
Minister of Manpower and Transmigration  
Stamped and signed  
Jacob Nuwa Wea

**Attachment to the Decision of the Minister of Manpower and Transmigration of the Republic of Indonesia Number: KEP. 235/ MEN/ 2003 dated October 31, 2003**

- I. Jobs that endanger the health and safety of children are
  - A. Jobs that require the child to work with machines, engines, installations and other equipment including manufacturing, assembling, installing, operating, maintaining, and repairing jobs which expose the child to:
    1. Machines, including
      - a. Machine tools such as drilling machines, grinding machines, cutting machines, lathes, scraping machines.
      - b. Production machines such as knitting machines, sewing machines, weaving machines, packaging machines, bottling machines (machines for putting liquid into bottles)
    2. Engines, including
      - a. Steam engines such as boilers, steam vessels;
      - b. Hot fluid engines such as water heaters, oil heaters;
      - c. Cooling engines, engines for generating carbide gas (carbide gas generators);
      - d. Hoisting and transporting engines such as hoist cranes, conveyor belts, escalators, gondolas, forklifts, loaders
      - e. Power engines such as diesel engines, turbines, gas combustion engines, engines for generating electricity (electricity generators)
    3. Heavy-duty machines and vehicles such as tractors, rock breakers, graders, asphalt mixers, and machines for hammering stakes into the ground;
    4. Installations such as pressure pipe installations, electricity installations, fire-extinguisher installations, electricity conductors;
    5. Other equipment such as furnaces, blast furnaces, lifts and scaffoldings;
    6. Pressure vessels, steel bottles, piling (stacking) vessels, transporting vessels and the like.
  - B. Jobs that require the child to work in a hazardous working environment.
    1. Jobs in which physical hazards are present/ inherent:
      - a. Jobs which require the child to work underground, underwater or in narrow, closed and confined space with limited ventilation such as a well/ a tank;
      - b. Jobs which require the child to work at a height of more than two meters above the ground;

- c. Jobs which require the child to use/ handle, or which puts the child in a working environment in which electricity at voltages of more than 50 volts is present;
  - d. Jobs which require the child to use/ handle electric welding machines and or gas [argon] welding machines;
  - e. Jobs in a working environment which exposes the child to extreme temperature and moisture or high-speed wind;
  - f. Jobs in a working environment which exposes the child to noise or vibration whose intensity exceeds the acceptable exposure limits;
  - g. Jobs which require the child to handle, store, transport and use radioactive substances/ materials;
  - h. Jobs which produce ionizing radiation or jobs in a working environment which expose the child to ionizing radiation;
  - i. Jobs which require the child to work in a dusty working environment;
  - j. Jobs which may lead to electrocution, fire and or explosion
2. Jobs in which chemical hazards are present/ inherent:
- a. Jobs which expose the child to harmful chemical substances;
  - b. Jobs which require the child to handle, store, transport and use chemical substances that are toxic, explosive, combustible, flammable, oxidizing (oxidizer), corrosive, irritating, carcinogenic, mutagenic (tending to increase the frequency or extent of mutation), and/ or teratogenic (causing developmental malformations);
  - c. Jobs which require the child to use asbestos;
  - d. Jobs which require the child to handle, store, use and/ or transport pesticides
3. Jobs in which biological hazards are present/ inherent, including
- a. Jobs which expose the child to germs, bacteria, viruses, fungi, parasites and the like such as jobs in clinical laboratories, leather tanning establishments (tanneries), and the job of washing rubber sap/ rubber;
  - b. Jobs in places where animals are slaughtered and their meat is processed and packaged;
  - c. Jobs associated with animal husbandry such as milking cows, feeding cattle and cleaning stables/ stalls/ pens;
  - d. Jobs in a silo or storage for storing crops;
  - e. The job of breeding beasts
- C. Jobs of hazardous nature/ character and jobs with certain hazards inherent in them, including
- 1. The job of constructing buildings, bridges, roads or construction work in irrigation projects
  - 2. Jobs in timber processing companies such as the ones which engage the child in felling (cutting down) trees and in loading, transporting and unloading job;

3. Jobs which require the child to manually lift up and carry loads that are heavier than 12 kilograms (if the child is a boy) or 10 kilograms (if the child is a girl)
4. Jobs which require the child to work inside a locked workplace/ building;
5. Jobs which engage the child in offshore fishing activities or in fishing in deep/ pelagic waters;
6. Jobs in isolated and remote areas;
7. Jobs in ships;
8. Jobs in sites where garbage/ waste is dumped, processed or recycled;
9. Jobs which require the child to work between 6pm to 6am

## II. Jobs that harm the moral of the child

1. Jobs in bars, discotheques, karaoke establishments, billiards/ pool establishments, cinemas, massage parlors or places that may be used for prostitution; [translator's note: in big cities in Indonesia, establishments where men play games of snooker are usually associated with prostitution];
2. Jobs which use the child as a model for promoting alcoholic drinks, drugs to arouse sexual desire and/ or cigarettes

Established in Jakarta on October 2003

Minister of Manpower and Transmigration of the Republic of Indonesia,

Stamped and signed

Jacob Nuwa Wea