

Although research found that no child labor exists on Norfolk Island, in 2022, the government made moderate advancement in efforts to prevent the worst forms of child labor. During the reporting period, the Government of Australia ratified the International Labor Organization Protocol of 2014 to the Forced Labor Convention of 1930. In June 2023, the government ratified the ILO's Minimum Age Convention, 1973 (No. 138), which will enter into force on June 13, 2024. Additionally, the Government of Norfolk Island began transitioning its states' services from New South Wales to Queensland, which is expected to be fully complete by December 31, 2026. However, the government has not established laws that sufficiently protect children from commercial sexual exploitation because the use of a child for prostitution is not prohibited.




### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists on Norfolk Island. (1)

### II. LEGAL FRAMEWORK FOR CHILD LABOR

Norfolk Island is non-self-governing and is included as part of the territory of the Australian Commonwealth. (2,3) Under the Acts Interpretation Act 1901 (Cth), all laws of the Commonwealth are applicable to Norfolk Island as if it were a part of mainland Australia. (4) The following Conventions have been extended to Norfolk Island (Table 1).

**Table 1. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In April 2022, Australia ratified the ILO Protocol of 2014 to the Forced Labor Convention 1930 (No. 29). (5) Australia also ratified the ILO's Minimum Age Convention, 1973 (No. 138) in June 2023, and the convention will enter into force on June 13, 2024. (6)

Norfolk Island is subject to the laws and regulations related to child labor of the Commonwealth of Australia and some of the laws and regulations related to child labor of the state of Queensland. Some laws specific to Norfolk Island also remain in force. (1,7) However, gaps exist in Norfolk Island's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for light work (Table 2).

**Table 2. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 24 of the Employment Act 1988 (NI) (8)
Minimum Age for Hazardous Work	Yes	18	Section 81 and 89 (2) (d) of the Work Health and Safety Regulations 2011 (Qld) (NI) (9,10)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Chapter 4 of the Work Health and Safety Regulations 2011 (Qld) (NI) (9,10)

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**Table 2. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Sections 270.6 and 270.7 of the Criminal Code Act 1995 (Cth); Sections 270.6, 270.7, and 271.9 of the Crimes Legislation Amendment Act 2013 (Cth) (11,12)
Prohibition of Child Trafficking	Yes		Division 270 and 271 of the Criminal Code Act 1995 (Cth) (11)
Prohibition of Commercial Sexual Exploitation of Children	No		Divisions 270 and 271 of the Criminal Code Act 1995, Section 122 of the Criminal Code 2007 (NI) (11,13)
Prohibition of Using Children in Illicit Activities	Yes		Divisions 309 and 310 of the Criminal Code Act 1995 (Cth); Sections 303–305 of the Criminal Code 2007 (NI) (11,13)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Canberra Act 2600 (14)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Canberra Act 2600 (14)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 268.68 and 268.88 of the Criminal Code Act 1995 (Cth) (11)
Compulsory Education Age	Yes	16	Section 4 and 9 of the Education Act 2006 (Qld) (15)
Free Public Education	No		Section 51 of the Education Act 2006 (Qld) (15)

\* Country has no conscription (14)

The Australian Government and the Queensland Government signed an Intergovernmental Agreement to support the provision of state services to Norfolk Island after the previous arrangements with the New South Wales Government ended on December 31, 2021. (16) In 2022, the Government of Norfolk Island started to transition its states' services from New South Wales to Queensland, which is expected to fully complete by December 31, 2026. (7) Only specific Queensland legislation is in force during this transition, including the Norfolk Island Applied Laws and Service Delivery (Queensland) Ordinance 2021, the Education (General Provisions) Act 2006 (Qld), and the Education (General Provisions) Regulation 2017 (Qld). (7) Although Norfolk Island's Criminal Code 2007 and the Commonwealth Criminal Code prohibits the offering and procuring of a child for sex, the law does not prohibit the use a child for prostitution. (11,13) Additionally, the Employment Act 1988 (NI) does not set a minimum age for light work or specify activities in which light work may be permitted, which is not in compliance with international standards. (8) However, local authorities have reported that no children under age 15 are currently employed on Norfolk Island. (1) Norfolk Island also does not meet the international standard for free public education because under the newly applicable Queensland Education Act, 2006, free education is only available to Australian citizens, permanent residents, or children of citizens of permanent residents. Fees may be charged to attend school for people outside those categories. (15) Lastly, although the minimum age for work, 15, is lower than the compulsory education age, 16, a guardian of school age children must not allow the child to be employed during the time the child is required to attend school. (10,15)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor, including its worst forms. However, the Government of Australia has established mechanisms for the enforcement of laws and regulations on child labor, which apply to Norfolk Island. Norfolk Island also has its own institutional mechanisms to enforce labor laws and regulations on child labor (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role & Activities
Norfolk Island Labor Inspectors	Inspect places of employment for violations. Authorized to issue stop-work orders when violations are found, including child labor violations. (1,8)
Child Welfare Officers	Enforce laws prohibiting commercial sexual exploitation of children. Provide outreach and establish community programs to raise awareness about commercial sexual exploitation of children. (17)
Australian Federal Police	Enforce criminal laws related to the worst forms of child labor. (1,18) Oversee the Child Protection Operations Team, which coordinates and investigates online and multi-jurisdictional child sexual exploitation issues, including child pornography; and the Human Trafficking Teams, which investigate human trafficking for the purposes of transnational sexual and labor exploitation. (19,20)

### **Labor Law Enforcement**

As there is no evidence of a problem, there appears to be no need for labor law enforcement actions to address child labor.

### **Criminal Law Enforcement**

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR**

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor. However, the Government of Australia has established a key mechanism to coordinate its efforts to address child labor (Table 4).

**Table 4. Key Mechanism to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Activities
Inter-Departmental Committee on Human Trafficking and Slavery	Deals with child labor law enforcement and policy, including the worst forms of child labor, from a counter-trafficking perspective. (1) Comprises 11 government agencies, including the Australian Federal Police, Department of Employment, and Department of Foreign Affairs, and is chaired by the Department of Home Affairs. (10,21) The Committee meets at least twice a year, including once at the ministerial level, and includes an Operational Working Group subcommittee that meets monthly and refers emerging policy issues for consideration. (1,22) In 2022, the Committee took multiple steps to implement the National Action Plan to Combat Modern Slavery, including extensive consultations with countries, businesses, and civil society groups. (23)

## **V. GOVERNMENT POLICIES ON CHILD LABOR**

As there is no evidence of a problem, there appears to be no need for policies to address child labor. However, the Government of Australia has established a policy related to child labor (Table 5).

**Table 5. Key Policies Related to Child Labor**

Policy	Description & Activities
National Action Plan to Combat Human Trafficking and Slavery 2020–2025	Sets five strategic priorities for addressing modern slavery, which the National Action Plan defines as trafficking in persons, slavery, slavery-like practices, and the worst forms of child labor. Priorities include: (1) prevention; (2) disruption, investigation, and prosecution; (3) support and protection for victims; (4) partnerships; and (5) research. (1,24) In December 2022, the Australian Attorney General convened the fourteenth Ministerial Meeting of the National Roundtable on Human Trafficking and Slavery, the government's key mechanism for consulting with civil society and industry stakeholders on modern slavery issues. (1)

In 2022, the Government of Australia issued its annual report detailing the previous year's activities related to implementation of the Modern Slavery Act, which requires businesses and organizations with an annual turnover of \$70 million (AUD 100 million) or more to report on efforts made to reduce the risk of modern slavery, including the worst forms of child labor, in their supply chains. (1,25)

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### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor. However, the Government of Australia has established social programs that included the goal of preventing child labor. (Table 6)

**Table 6. Key Social Programs to Address Child Labor**

Program	Description & Activities
Cash Assistance Programs	Child Care Subsidy Program provides support for the care of children ages 13 or younger using an approved childcare service, and the Parenting Program provides an income support payment for the principal caretakers of a child under age 8. (1)

For information about USDOL's projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor on Norfolk Island (Table 7).

**Table 7. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a minimum age of 13 for light work and specify the activities in which light work may be undertaken by children.	2020 – 2022
	Establish free education by law for all children on Norfolk Island, including those who are not citizens, permanent residents, nor children of permanent residents.	2022
	Raise the minimum age for work from 15 to 16 to align with the compulsory education age.	2022
	Ensure that the law criminally prohibits the use of a child for prostitution in line with international standards.	2022

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