

CHRISTMAS ISLAND

MODERATE ADVANCEMENT

Although research found that no child labor exists on Christmas Island, in 2023, the government made moderate advancement in efforts to prevent the worst forms of child labor. In June 2023, the Government of Australia ratified the International Labor Organization’s Minimum Age Convention of 1973 (No. 138), which entered into force on June 13, 2024. However, despite this effort, the laws in force on Christmas Island do not afford free public education to children without permanent resident status, including undocumented children.



PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists on Christmas Island.



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government action below would close a gap USDOL has identified in Christmas Island’s implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

Ensure that free public education is afforded to all children, regardless of legal or resident status.






LEGAL FRAMEWORK FOR CHILD LABOR

Christmas Island is non-self-governing and is included as part of the territory of the Australian Commonwealth. Under the Acts Interpretation Act 1901 (Cth), all laws of the Commonwealth are applicable to Christmas Island as if it were a part of mainland Australia. Australia has ratified all key international conventions concerning child labor. However, Christmas Island’s laws do not meet the international standard related to free public education because free public education is not afforded to all children.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 17.5 Years	✓	Section 190 of the Children and Community Services Act 2004 (WA) (CI); Section 29 of the School Education Act 1999 (WA) (CI)
Minimum Age for Hazardous Work, 18 Years	✓	Part 7.1 Division 2 r.336 of the Work Health and Safety (General) Regulations; Section 634 of the Mines Health and Safety Act of 2020 (WA) (CI); Section 193 of the Children and Community Services Act 2004 (WA) (CI)
Identification of Hazardous Occupations or Activities Prohibited for Children	✓	Applicant Guide – Application for a High Risk Work License; Section 634 of the Health and Safety (Mines) Regulations 2022 (WA) (CI)
Prohibition of Slavery, Debt Bondage, and Forced Labor	✓	Sections 270.1A-270.7 and 270.8 of the Criminal Code Act 1995 (Cth)
Prohibition of Child Trafficking	✓	Divisions 270.3, 270.7, 271.1, 271.4, 271.7, and 271.7F-7G of the Criminal Code Act 1995 (Cth)
Prohibition of Commercial Sexual Exploitation of Children	✓	Sections 3-4 and 16-18 of the Prostitution Act 2000 (WA) (CI); Section 3 and 192 of the Children and Community Services Act 2004 (WA) (CI); Section 217 of the Criminal Code Act Compilation Act 1913 (WA) (CI)
Prohibition of Using Children in Illicit Activities	✓	Divisions 309 and 310 of the Criminal Code Act 1995 (Cth)
Minimum Age for Voluntary State Military Recruitment, 18 Years	✓	Canberra Act 2600
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*	Canberra Act 2600

Legal Framework for Child Labor (Cont.)

Child Labor Laws and Regulations	Meets International Standards	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups		Sections 268.68 and 268.88 of the Criminal Code Act 1995 (Cth)
Compulsory Education Age, 17.5 Years		Section 6 of the School Education Act 1999 (WA) (CI)
Free Public Education		Section 4, 97, and 98 of the School Education Act 1999 (WA) (CI); Sections 12-14A, and 62 of the School Education Regulations 2000

*Country has no conscription

Christmas Island’s laws on free public education are not in line with international standards because free public education is not afforded to children without permanent resident status, including undocumented children.



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, Australia has established institutional mechanisms for the enforcement of laws and regulations on child labor.

Agencies Responsible for Child Labor Law Enforcement

Australian Federal Police: Enforce criminal laws related to the worst forms of child labor. Lead the Australian Center to Counter Child Exploitation.

Western Australia Department of Communities: Enforces laws related to the minimum age for work through a Service Delivery Arrangement under which Australian government services are provided on Christmas Island.



COORDINATION, POLICIES, AND PROGRAMS

<p>Key Mechanism to Coordinate Government Efforts on Child Labor</p> <p>As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor. However, Australia established a mechanism to coordinate its efforts to prevent child labor.</p>	<p>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. 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. The Committee meets at least twice a year, including once at the ministerial level, and includes an Operational Working Group subcommittee that met five times in 2023 and refers emerging policy issues for consideration.</p>
<p>Key Policies Related to Child Labor</p> <p>As there is no evidence of a problem, there appears to be no need for policies to address child labor. However, Australia established a policy to prevent child labor.</p>	<p>National Action Plan to Combat Modern 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.</p>
<p>Key Social Programs to Address Child Labor</p> <p>As there is no evidence of a problem, there appears to be no need for programs to address child labor. However, Australia funded a program that includes the goal of preventing child labor.</p>	<p>Cash Assistance Programs: The 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.</p>

For information about USDOL’s projects to address child labor around the world, visit dol.gov/ILABprojects
 For references, please visit dol.gov/ChildLaborReports