

**Amendment to section 3 of the West  
Pakistan Maternity Benefits Ordinance,  
1958**

**Report No.128**

## **AMENDMENT TO SECTION 3 OF THE WEST PAKISTAN MATERNITY BENEFITS ORDINANCE, 1958**

### **Introduction:**

Present age is the age of acknowledgment of fundamental rights of all the human beings, the basic rights i.e. life, freedom, religion and family etc. of individual have been given legal security world widely. The human rights activist and the media people are playing a key role for acknowledgment and enforcement of such rights. The Constitution of Pakistan, 1973 also ensure the fundamental rights of individuals without any difference of race, gender and religion. The state is required to provide protection to its citizens and to ensure their social well being. Women being the most vulnerable section of the society need special care and attention. The legislatures all over the world are keen to adopt women friendly legislation. Despite restrictive and conservative environment and lack of protective legislation in Pakistan, the Pakistani woman is taking part in the economical activities of the country and playing a vital role in the fields of economical, industrial, agricultural and social development. As per survey to a calculation available in social media in 2008, it was recorded that 21.8 percent of females were participating in the labor force in Pakistan while 82.7 percent of men were involved in labor. The reason for such a low number of female workers in Pakistan is some how the lack of facilities provided to working ladies at their work places and the conservative approach of male dominating society. Since the trends are changing in Pakistani culture the female folk is actively taking part in the growth and development of country. On the other side Pakistan being the member state of International Labour Organization is adopting the conventions and recommendations which specifically pertains to women rights and the relevant legislation in this regard has been implemented. The Constitution of Pakistan itself provides protection to the employees, i.e. not to be discriminated on basis of sex. Art 27 of the Constitution of Pakistan, 1973 provide for the safeguard against discrimination in Service, which states as follows:

**Art. 27. Safeguard against discrimination in services.**  
*(1) No citizen otherwise qualified for appointment in the*

*service of Pakistan shall be discriminated against in respect of any such appointment on the ground only of race, religion, caste, sex, residence or place of birth:*

*Provided that, for a period not exceeding forty years from the commencing day, posts, may be reserved for persons belonging to any class or area to secure their adequate representation in the service of Pakistan:*

*Provided further that, in the interest of the said service, specified posts or services may be reserved for members of either sex if such posts or services entail the performance of duties and functions which cannot be adequately performed by members of the other sex:*

*Provided also that under-representation of any class or area in the service of Pakistan may be redressed in such manner as may be determined by an Act of Majlis-e-Shoora (Parliament).*

**(2)** *Nothing in clause (1) shall prevent any Provincial Government, or any local or other authority in a Province, from prescribing, in relation to any post or class of service under that Province, for a period not exceeding three years, prior to appointment under that Government or authority.*

The Principles of Policy as framed under the Constitution of Pakistan also ensure the participation of women in national life and such principles also provides protection to family, mother and the child; the relevant articles are reproduced hereunder:

**Art. 34. Full participation of women in national life.—***Steps shall be taken to ensure full participation of women in all spheres of national life.*

**Art. 35. Protection of family, etc.—**The State shall protect the marriage, the family, the mother and the child.

**Art. 37 (e) Promotion of social justice and eradication of social evils.—***The State shall—  
(e) make provision for securing just and human conditions of work, ensuring that children and women are not employed in vocations unsuited to their age or sex, and for maternity benefits for women in employment;*

### **Legislation protecting the rights of Women and ILO Conventions;**

In acknowledgment of rights of working women and in order to provide them a women friendly working environment the Government of Pakistan on the basis of many ILO conventions has legislated various laws which specifically pertain to the rights of women at work place. It is a universal truth that the females are fragile creature of God which needs special care and attention. In past the women were designated with the domestic obligations only and were responsible for child and family care, but with the changing trends and advancement of societies and due to increasing inflation the role of women has also converted as an earning hand, now she is also playing an effective role in all the sectors of development and proving her abilities, however, this does not mean that she has abandoned her domestic role. The modern women have dual role to play apart from her working liabilities she has to manage her children and family. This dual role of women has been admitted internationally and every developed country has legislated laws with the intention to provide relaxations to female workers at workplace to facilitate them to perform the dual responsibility and to encourage the participation of women folk in the advancement of countries. In this regard International Labour Organization has played a positive role; non discrimination and the promotion of concept of equality are fundamental principles underpinning the work of ILO since its creation in 1919. These principles are the fundamental component for the ILO's Decent Work Agenda, on basis of which various Conventions and Recommendation have been passed by ILO for equal working opportunities and to maintain the work family life balance by both men and women. In order to promote the culture of gender equality and to discourage the discrimination at work place the ILO has

passed various conventions; the reference of some of them is given herein below:

- Convention No. 3: Maternity Protection 1919;
- Convention No. 103: Maternity Protection (Revised)1952;
- Recommendation No. 95: Maternity Protection, 1952;
- Convention No. 183 and Recommendation No. 191: Maternity Protection, 2000;
- Recommendation No. 165: Workers with Family Responsibilities, 1981;
- Convention No. 10: Equal Remuneration Convention, 1951;
- Convention No. 111: Discrimination (Employment and Occupation) Convention, 1958;
- Convention No. 156: Workers with Family Responsibilities Convention, 1981

On basis of aforesaid conventions and various other conventions the Government of Pakistan being member state of ILO has also initiated some women friendly legislations reference of which is given herein below:

- The West Pakistan Maternity Benefits Ordinance, 1958.
- Protection against Harassment of women at Workplace Act, 2010.
- Prevention of Anti Women Practice Act, 2011.
- The Mines Maternity Benefits Act, 1941.

### **Maternity Benefits:**

The right to maternity benefits is enshrined in several international human rights instruments and ILO conventions.

According to Art 25 (2) of Universal Declaration of Human Rights, “*motherhood and childhood are entitled to special care and assistance*” The Declaration further states that member states must ensure that everyone gets “*just and favorable condition of work*” [Art.23 (1)]. Art 10(2) of International Covenant on Economic, Social and Cultural Rights 1966 provides that “*special protection to be accorded to mothers during a reasonable period before and after child birth, including paid leaves or leaves with adequate social security benefits*”. Furthermore, maternity protection for women workers has been a core issue for the International Labour Organization (ILO), since its foundation in 1919, when the governments, employers and trade unions of member States adopted the first Convention on maternity protection. Over the course of its history, the ILO’s member States have adopted three Conventions on maternity protection (No. 3 of 1919; No. 103 of 1952; No. 183 of 2000). These Conventions, together with their corresponding Recommendations (No. 95 of 1952; No. 191 of 2000) have progressively expanded the scope and entitlements of maternity protection at work and provided detailed guidance orienting national policy and action. The core concerns are to enable women to successfully combine their reproductive and productive roles and to prevent unequal treatment in employment due to their reproductive role.

On the basis of such international recommendations on human rights a number of countries have legislated laws on the basis of ILO conventions to acknowledge the maternity rights of working women, Apart from the developed countries like America, Canada and United Kingdom many developing countries like Cambodia, Malaysia, Thailand, Bangladesh, Sri Lanka, India, Pakistan, Philippines and Indonesia etc have enacted the relevant laws to provide safe guard to working female by providing them other benefits including maternity protection. In United Nations the Civil Rights Act of 1964 has been amended vide Pregnancy Discrimination Act, 1978, which provides that an employer can not single out pregnancy-related conditions for special procedures to determine an employee's ability to work. However, if an employer requires its employees to submit a doctor's statement concerning their inability to work before granting leave or paying sick benefits, the employer may require employees affected by pregnancy-related conditions to submit such statements. If an employee is temporarily

unable to perform her job because of her pregnancy, the employer must treat her in a way as he treats any other temporarily disabled employee. For example, if the employer allows temporarily disabled employees to modify tasks, perform alternative assignments, or take disability leave or leave without pay, the employer also must allow an employee who is temporarily disabled because of pregnancy to do the same.

### **Health during Maternity:**

Pregnancy, childbirth and the post-natal period are three phases in a woman's reproductive life in which special health risks exist and special workplace protection is required. Recognizing and addressing the hazard may greatly reduce the specific risks to her health, enhance the probability of a successful outcome to the pregnancy and set the stage for the healthy development of the child. The ILO Convention No. 183 calls for measures to ensure health protection for pregnant or nursing woman. Art. 3 of Convention 183 pertain to the health of pregnant employee and nursing mother, which is reproduced herein bellow for ready reference:

**Article 3** *“Each Member shall, after consulting the representative organizations of employers and workers, adopt appropriate measures to ensure that pregnant or breastfeeding women are not obliged to perform work which has been determined by the competent authority to be prejudicial to the health of the mother or the child, or where an assessment has established a significant risk to the mother's health or that of her child”.*

Similarly, the Maternity Protection Recommendation, 1952 (No. 95) states that night work and overtime work should be prohibited for pregnant and nursing women. During pregnancy and up to at least three months after confinement, women should not be employed on work prejudicial to their health or that of the child. In particular, the employment of pregnant and nursing women is prohibited with regard to:

- *Any hard labour involving lifting heavy weights, pulling or pushing or undue physical strain, including prolonged standing;*
- *Work requiring special balance;*
- *Work with vibrating machines.*

Recommendation No. 191 on maternity protection states that measures should be taken to provide, on the basis of a medical certificate as appropriate, alternatives to work defined as harmful to the health of a pregnant or nursing woman or her child. These may include adaptation of the woman's family conditions of work; transfer to another post not harmful to her health without loss of pay when such an adaptation is not feasible; or paid leave in accordance with national laws, regulations or practice when such a transfer is not feasible. Special precautions or alternative employment may be necessary in the case of pregnant women working in the presence of radiation.

### **The West Pakistan Maternity Benefits Ordinance, 1958:**

In Pakistan the relevant implemented law which provides female employee the Maternity Protection and acknowledges the maternity benefits to women workers is West Pakistan Maternity Benefits Ordinance, 1958. Such law stipulates that upon the completion of four months employment or qualifying period, a worker may have up to six weeks prenatal and postnatal leave during which she is paid a salary drawn on the basis of her last pay. The Ordinance is applicable to all industrial and commercial establishments employing women. It also places restrictions on the dismissal of the woman during her maternity leave. However, the said law is silent with respect to taking appropriate measures to maintain the health of pregnant or nursing lady and to assign her work which is not hazardous to the health of mother and the child. The relevant provision which impose certain prohibition on employer is reproduced hereunder:

Section 3 of the West Pakistan Maternity Benefit Ordinance, 1958 provides as follows:-

3. **“Employment of, or work by, women in establishments prohibited during certain period.—** No employer shall knowingly employ a woman and no woman shall engage in employment in any establishment during the six weeks following the date on which she is delivered of a child.”

The provision prohibit a woman to work with any establishment immediately after given birth to a child, simultaneously it also barred the employer to knowingly employ a women who has recently given birth to a child, the yardstick to calculate the prohibited period is “six weeks”. Similarly, in Pakistan the Mines Maternity Benefits Act, 1941 is also implemented, which contain relevant provision which prohibit an employer to employ a woman below ground under the mine, the relevant section.3 is reproduced hereunder:

**3. *Prohibition of employment of, and work by women during certain period.—***

(1) No owner or manager of a mine shall knowingly employ a woman and no woman shall engage in employment in any mine during the six weeks following the day on which she is delivered of a child.

(2) No owner or manager of a mine shall employ any women below ground in the mine—

- (a) if he has reason to believe or if she has informed him that she is likely to be delivered of a child within ten weeks;
- (b) if she has to the knowledge of the management been delivered of a child within the preceding twenty-six weeks;
- (c) during the period of ten weeks following the twenty-six weeks referred to in clause (b)—
  - (i) for more than four hours in a day unless a crèche is provided at the mine;

- (ii) in any case, for more than four hours at any one time;

Provided that where the woman informs the management that the child of which she was delivered has died, the provisions of clause (c) shall not apply after the management has with due diligence verified the correctness of her statement.

The intention of legislature to impose such prohibition is to secure the women and to consider her physical health which has gone effected. However, if we shall compare section 3 of the West Pakistan Maternity Benefit Ordinance, 1958 with the Mines Maternity Benefits Act, 1941 and other implemented laws of India and Bangladesh on the same issue, we shall find that all the laws for maternity benefit contain the same clause; however, the relevant provisions are more elaborate and comprehensive. The perusal of the laws for maternity benefits as implemented in India and Bangladesh reflects that the recommendations of ILO conventions have already been adopted therein.

According to the **Indian Maternity Benefit Act, 1961**, the relevant provision is given hereunder:-

***“4. Employment of, or work by, women prohibited during certain period.—***

*(1) No employer shall knowingly employ a woman in any establishment during the six weeks immediately following the day of her delivery or her miscarriage.*

*(2) No woman shall work in any establishment during the six weeks immediately following the day of her delivery of her miscarriage.*

*(3) Without prejudice to the provisions of section 6, no pregnant woman shall, on a request being made by her in this behalf, be required by her employer to do during the period specified in sub-section (4) any work which is of an arduous nature or which involves long hours of standing or which in any way is likely to interfere with her pregnancy or*

the normal development of the fetus, or is likely to cause her miscarriage or otherwise to adversely affect her health.

(4) The period referred to in sub-section (3) shall be—

- (a) at the period of one month immediately preceding the period of six weeks, before the date of her expected delivery;
- (b) any period during the said period of six weeks for which the pregnant woman does not avail of leave of absence under section 6.”

Moreover, in Bangladesh the implemented law for the benefit of labour class is “**Bangladesh Labour Act, 2006**” the Chapter IV of such law deals with Maternity Benefits available to working ladies, the relevant section. 45 is reproduced herein below:

**“45. Employment of women worker prohibited during certain period:**

(1) No employer shall knowingly employ a woman in his establishment during the eight weeks immediately following the day of her delivery.

(2) No woman shall work in any establishment during the eight weeks immediately following the day of her delivery.

(3) No employer shall employ any woman for doing any work which is of an arduous nature or which involves long hours of standing or which is likely to adversely affect her health; if he has reason to believe or if she has informed him that she is likely to be delivered of a child within ten weeks; she has to the knowledge of the employer been delivered of a child within the preceding ten weeks:

Provided that in case of tea plantation worker, a woman worker can undertake light work if and for so long as the medical practitioner of the concerned tea estate certifies that she is physically fit to do so ; and, for the days that she does such work, she shall be paid at the prevailing

rate of pay for such work, and such pay shall be paid to her in addition to the maternity benefit which she may be entitled to receive under the existing Act.”

The bare perusal of all the above mentioned provisions of the Indian, Pakistani and Bangladeshi laws for maternity benefits provided to female employee reflects that the West Pakistan Maternity benefits needs some improvement with respect to working conditions of pregnant ladies for assignment of arduous nature of work to her. For better understanding of the relevant provisions of all the laws for maternity benefit, a comparative table has been given hereunder:-

West Pakistan Maternity Benefit Ordinance, 1958	Indian Maternity Benefit Act, 1961	Bangladesh Labour Act, 2006	Mines Maternity Benefit Act, 1941
<p><b>3.</b>Employment of, or work by, women in [establishments] prohibited during certain period.- No employer shall knowingly employ a woman and no woman shall engage in employment in any [establishment] during the six weeks following the date on which she is delivered of a child.</p>	<p><b>4.</b> Employment of, or work by, women prohibited during certain period. -(1) No employer shall knowingly employ a woman in any establishment during the six weeks immediately following the day of her delivery or her miscarriage.</p> <p>(2) No woman shall work in any establishment during the six weeks immediately</p>	<p><b>45.</b> Employment of women worker prohibited during certain period:(1) No employer shall knowingly employ a woman in his establishment during the eight weeks immediately following the day of her delivery.</p> <p>(2) No woman shall work in any establishment during the eight weeks immediately</p>	<p><b>3.</b> Prohibition of employment of, and work by women during certain period.-(1) No owner or manager of a mine shall knowingly employ a woman and no woman shall engage in employment in any mine during the six weeks following the day on which she is delivered of a child.</p> <p>(2) <u>No owner or manager of a mine shall employ any women</u></p>

	<p>following the day of her delivery of her miscarriage.</p> <p><u>(3) Without prejudice to the provisions of section 6, no pregnant woman shall, on a request being made by her in this behalf, be required by her employer to do during the period specified in subsection (4) any work which is of an arduous nature or which involves long hours of standing or which in any way is likely to interfere with her pregnancy or the normal development of the fetus, or is likely to cause her miscarriage or otherwise to adversely affect her health.</u></p> <p><u>(4) The period referred to in subsection (3) shall be—</u></p> <p><u>(a) at the period of one month immediately preceding the period of six weeks, before the date of her expected delivery;</u></p> <p><u>(b) any period during the said period of six weeks for which the</u></p>	<p>following the day of her delivery.</p> <p><u>(3) No employer shall employ any woman for doing any work which is of an arduous nature or which involves long hours of standing or which is likely to adversely affect her health; if he has reason to believe or if she has informed him that she is likely to be delivered of a child within ten weeks; she has to the knowledge of the employer been delivered of a child within the preceding ten weeks:</u></p> <p>Provided that in case of tea plantation worker, a woman worker can undertake light work if and for so long as the medical practitioner of the concerned tea estate certifies that she is physically fit to do so ; and, for the days that she does such work, she shall be paid at the prevailing rate of pay for such work, and such pay shall be paid to her in addition to the maternity benefit which she may be</p>	<p><u>below ground in the mine-</u></p> <p><u>(a) if he has reason to believe or if she has informed him that she is likely to be delivered of a child within ten weeks;</u></p> <p><u>(b) if she has to the knowledge of the management been delivered of a child within the preceding twenty-six weeks;</u></p> <p><u>(c) during the period of ten weeks following the twenty-six weeks referred to in clause (b)-</u></p> <p><u>(i) for more than four hours in a day unless a crèche is provided at the mine;</u></p> <p><u>(ii) in any case, for more than four hours at any on time; Provided that</u></p>
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	<i><u>pregnant woman does not avail of leave of absence under section 6.”</u></i>	<i>entitled to receive under existing this Act.”</i>	<i>where the woman informs the management that the child of which she was delivered has died, the provisions of clause (c) shall not apply after the management has with due diligence verified the correctness of her statement.</i>
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The above mentioned comparative table reflects that as per labour laws of Bangladesh the employ is prohibited to assign arduous nature of work to pregnant working lady for a term of 20 weeks which also includes the period of 16 weeks for which she is entitled for maternity leave as per section 46 of Bangladesh Labour Act, 2006, whereas, according to Indian law arduous nature of work is prohibited for one month preceding to the six weeks for which she is entitled for maternity leave or any other period during which she does not avail her maternity leave. Similarly, the Mines Maternity Benefits Act, 1941 also contain a prohibition on employer to employ a woman to work under ground for a period of ten weeks before her expected date of delivery and twenty six weeks after the delivery of her child, however this entire period of thirty six weeks includes the period of 12 weeks for which she is entitled for maternity benefits.

According to section 4 of the West Pakistan Maternity Benefits Ordinance, 1958 a pregnant lady is entitled to avail twelve weeks of maternity leave which include six weeks prenatal and six weeks postnatal leaves, whereas, as per labour law of Bangladesh a working lady is entitled to 16 weeks maternity benefits, however, the Indian Maternity Benefits Act, 1961 as similar to Pakistan provides twelve weeks maternity leave six weeks preceding and six weeks succeeding to expected date of delivery.

In addition to Maternity Benefit Laws of India and Bangladesh, the Maternity Benefits Ordinance, 1939 as implemented in Sri Lanka also reflect that the said law also contain a provision which restrict the employer to employ a woman to any such work which may be injurious to her or her child before and after her confinement, the relevant provision in Sri Lankan law is section 10 (B) which pertains to maternity restriction.

The comparison of all these laws reflect that in India, Bangladesh and Sri Lanka apart from the cash maternity benefits, the laws also care about the health of the pregnant female workers, the laws of India and Bangladesh provides that the employer shall prohibit to employ a woman for an arduous nature of work who is pregnant and have delivered a baby, therefore, it is, recommended that the relevant provision which pertain to the prohibition to assign arduous nature of work to working lady, which is prejudicial to her physical health and is likely to interfere with her pregnancy, need to be adopted in Pakistani Law in order to provide the working ladies a women friendly working environment.

In support of aforesaid discussion the verdict of the Supreme Court of India in a case titled as **Municipal Corporation of Delhi Vs Female Workers (Muster Roll) and Another (AIR 2000 Supreme Court 1274)** is very much relevant, which elaborately hold as follows:

*“Para 24.the provisions of the Act which have been set out above would indicate that they are wholly in consonance with the Directive Principles of State Policy, as set out in Article 39 and in other Articles, especially Article 42. A woman employee, at the time of advanced pregnancy cannot be compelled to undertake hard labour as it would be detrimental to her health and also to the health of the fetus. It is for this reason that it is provided in the Act that she would be entitled to maternity leave for certain periods prior to and after delivery”.*

The judgment further states that:

*“A (Para 29-30) Indeed the concept of social justice has now become such an integral part of industrial law that it would be idle for any party to suggest that industrial adjudication can or should ignore the claims of social justice in dealing with industrial disputes. The concept of social justice is not narrow, one-sided, or pedantic, and is not confined to industrial adjudication alone. Its sweep is comprehensive. It is founded on the basis ideal of social-economic equality and its aim is to assist the removal of socio-economic disparities and inequalities: nevertheless, in dealing with industrial matters, it does not adopt a doctrinaire approach and refuses to yield blindly to abstract notions, but adopts a realistic and pragmatic approach.”*

*A just social order can be achieved only when inequalities are obliterated and everyone is provided what is legally due. When who constitute almost half of the segment of our society have to be honored and treated with dignity at places where they work to earn their livelihood. Whatever be the nature of their duties, their avocation and the place where they work: they must be provided all the facilities to which they are entitled. To become a mother is the most natural phenomena in the life of a woman. Whatever is needed to facilitate the birth of child to a woman who is in service, the employer has to be considerate and sympathetic towards her and must realize the physical difficulties which a working woman would face in performing her duties at the work place while carrying a baby in the womb or while rearing up the child after birth. The Maternity Benefit Act, 1961 aims to provide all these facilities to a working woman in a dignified manner so that she may overcome the state of motherhood honorably, peaceably, undeterred by the fear of being victimized for forced absence during the pre or post-natal period.*

The judgment of Indian Supreme Court is much elaborate and specifically holds that it is the obligation of the state to enact laws to protect the maternity rights of the working women and to prohibit the employer to compel her to undertake hard labour as that would be detrimental to her health and to the health of her unborn child. Unfortunately, the Pakistani precedential law is silent with respect to this fundamental right of working females and the lack of proper legal coverage of health protection to working mother is increasing the hardship of working women day by day, therefore, it is the need of the day that the maternity benefits law may be modified in consonance with the Principles of Policy and other Articles of Constitution of Pakistan in order to bring them in lines with the implemented laws of neighboring countries in accordance with the international recommendations of ILO Conventions.

### **Legislative Proposal:**

In light of foregoing discussion it is proposed that the West Pakistan Maternity Benefits Ordinance, 1958 may be amended to incorporate the prohibition regarding assignment of arduous nature of work to pregnant ladies in order to provide more security and comfort to the working women in Pakistan. Therefore, it is suggested that section 3 of the West Pakistan Maternity Benefits Ordinance, 1958 be amended by insertion of sub-section (2) in section 3. The proposed amendment shall be as follows:

**3. *Employment of, or work by, women in establishments prohibited during certain period.—(1) No employer shall knowingly employ a woman and no woman shall engage in employment in any establishment during the six weeks following the date on which she is delivered of a child.***

**(2). *No employer shall ask any employed woman to do any work which is of an arduous nature or which involves long hours of standing or which is likely to adversely affect her health for a period of one month immediately;-***

**(a) *preceding the period of six weeks, before the date of her expected delivery; and***

**(b) succeeding the six weeks after the date of her delivery.**

Above said proposal was placed before the Sub-Committee, which unanimously approved the proposal. The proposed amendments along with comparative table and recommendations of the Sub-committee were placed before the Law and Justice Commission of Pakistan for consideration.

**COMPARATIVE TABLE**

Existing Provision	Proposed Provision	Approved by Sub-committee of LJCP
<p><b>3. Employment of, or work by, women in establishment prohibited during certain period.-</b> No employer shall knowingly employ a woman and no woman shall engage in employment in any establishment during the six weeks following the date on which she is delivered of a child.</p>	<p><b>3. Employment of, or work by, women in establishments prohibited during certain period.—(1)</b> No employer shall knowingly employ a woman and no woman shall engage in employment in any establishment during the six weeks following the date on which she is delivered of a child.</p> <p><b>(2).No employer shall ask any employed woman to do any work which is of an arduous nature or which involves long hours of standing or which is likely to adversely affect her health for a period of one month immediately; -</b></p> <p><b>(a) preceding the period of six weeks, before the date of her expected delivery; and</b></p> <p><b>(b) succeeding the six weeks after the date of her delivery.</b></p>	<p align="center"><b>Approved</b></p>

### **Commissions deliberations on 8<sup>th</sup> September, 2013**

The Commission considered the proposal and found it beneficial for the working ladies and approved the same, accordingly.

Draft Bill for amendment of the law is hereby enclosed.

**A**

**BILL**

further to amend the West Pakistan Maternity Benefit Ordinance, 1958

**WHEREAS** it is expedient to amend the West Pakistan Maternity Benefit Ordinance, 1958 (W.P. Ordinance No. XXXII of 1958) for the purposes hereinafter appearing;

**And**

It is hereby enacted as follows:

**1. Short title and commencement.**— (1) This Act may be called the West Pakistan Maternity Benefit (Amendment) Act, 2013.

(2) It shall come into force at once.

**2. Amendment to Section 3.**—(1) Section 3 of the Ordinance may be numbered as sub-section (1).

(2) After sub-section (1) of section 3 the following sub-section (2), may also be added:-

***“(2).No employer shall ask any employed woman to do any work which is of an arduous nature or which involves long hours of standing or which is likely to adversely affect her health for a period of one month immediately;-***

***(a) preceding the period of six weeks, before the date of her expected delivery; and;***

***(b) succeeding the six weeks after the date of her delivery.”***