



Client Alert August 2024

Regulation Update on Law Number 4 of 2024 Concerning Maternal and Child Welfare

Background

Ratified and promulgated on 2 July 2024, the Law Number 4 of 2024 Concerning Maternal and Child Welfare During the First Thousand Days of Life (“**Law 4/2024**”) consists of 9 (nine) chapters and 46 (forty-six) articles which contain provisions that apply to enforcing the maternal and child welfare, particularly during the first thousand days of life, including rights and obligations, duties and authority, implementation of maternal and child welfare, data and information, funding and community participation.

Overview

Upon enactment of Law 4/2024, it is noteworthy that the employers should re-evaluate its policies to comply with the fulfilment of employment rights of working mother, which are as follows:¹

¹ Article 4 paragraph (3) of Law 4/2024;



Sanction

The scope of sanctions imposed under Law 4/2024 are provided and limited in the form of administrative sanctions (could be in the form of verbal and/or written warnings). The scope of which is intended for the following violations:²

- (i) The unavailability of health and nutrition services which meet the criteria of health service standard;³
- (ii) Providers of family planning service facilities has not implemented the provisions such as (among others) accessibility to services for mothers or fathers in the form of communication, information, and education, which

² Article 30 in conjunction with Article 31, and Article 18 paragraph (2) of Law 4/2024;

³ Article 22 of Law 4/2024;

concretely take the form of health and nutrition services, social welfare services, population administration services, civil registration, and so forth (as regulated in Article 18 paragraph (2) of Law 4/2024); and

- (iii) Employers, providers or managers of facilities, adequate accommodation, facilities, and infrastructure which non-compliance with the provisions sets out under Article 30 will be given supervision and/or administrative sanctions.

While for criminal sanctions violating maternity leave provisions, the qualification will be referred to the prevailing manpower laws and regulations.

Key Takeaways

1. Law 4/2024 consists of 9 (nine) chapters and 46 (forty-six) articles which contain provisions that apply to enforcing the maternal and child welfare during the first thousand days of life, including rights and obligations, duties and authority, implementation of maternal and child welfare, data and information, funding and community participation;
2. Upon enactment of Law 4/2024, it is noteworthy that the employers should re-evaluate its policies to comply with the fulfillment of employment rights of working mother, such as (among others) maternity, paternity, and miscarriage leaves, health facilities, support and accessibility in the workplace, as well as fairness in terms of sense of mother-and-child-friendly environment; and
3. Administrative sanctions are imposed (could be in the form of verbal and/or written warnings) due to non-compliance or violations under Law 4/2024, while criminal sanctions will be referred to the prevailing manpower laws and regulations.

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