
STATUTORY INSTRUMENTS

1968 No. 1728

The Children (Performances) Regulations 1968

PART III

RESTRICTIONS AND CONDITIONS APPLYING TO ALL LICENCES

Application of Part III

9. The restrictions and conditions specified in this Part of these Regulations shall apply in the case of every licence.

Education

10.—(1) The licensing authority shall not grant a licence unless they are satisfied that the child's education will not suffer by reason of taking part in the performances for which the licence is requested and have approved the arrangements (if any) for the education of the child during the currency of the licence.

(2) The holder of the licence shall ensure that the arrangements for the child's education during the currency of the licence, approved by the licensing authority, are carried out.

(3) The licensing authority shall not approve any arrangements for the education of a child by a private teacher unless they are satisfied that—

- (a) the course of study proposed for the child is satisfactory;
 - (b) the said course of study will be properly taught by the private teacher;
 - (c) the private teacher is a suitable person to teach the child in question; and
 - (d) the private teacher will not teach more than five other children at the same time, or, if the other children being taught at the same time have reached a similar standard in the subject to the child in question, eleven.
- (a) (4) (a) The licensing authority shall not approve any arrangements for the education of a child by a private teacher unless they are satisfied that the child will, during the currency of the licence, receive education for periods which, when aggregated, total not less than three hours on each day on which the child would be required to attend school if he were a pupil attending a school maintained by the local authority (or, in Scotland, a public school).
- (b) The requirements of sub-paragraph (a) of this paragraph shall be deemed to be satisfied if, in a case to which this sub-paragraph applies, the licensing authority are satisfied that the child will receive education—
- (i) for not less than six hours a week,
 - (ii) during each complete period of four weeks on location, or, if there is a period on location of less than four weeks, during that period, for periods not less than the aggregate periods of education required by sub-paragraph (a) of this paragraph in respect of the period on location,

- (iii) on days other than days on which the child would not be required to attend school if he were a pupil attending a school maintained by the local authority (or, in Scotland, a public school), and
 - (iv) for not more than five hours on any such day.
- (c) Sub-paragraph (b) of this paragraph applies—
- (i) if the performances to which the licence relates are to be recorded (by whatever means) with a view to their use in a broadcast or in a film intended for public exhibition,
 - (ii) to any period of recording on location exceeding one week.
- (d) In calculating any period of education for the purposes of this paragraph there shall be disregarded—
- (i) any period which takes place, in the case of a child taking part in a performance to be recorded (by whatever means) with a view to its use in a broadcast or film intended for public exhibition, other than during the hours when he is permitted to be present at a place of performance or rehearsal under Regulations 27 to 29 of these Regulations, or, in any other case, which takes place other than between the hours of nine in the morning and four in the afternoon,
 - (ii) any period which is less than thirty minutes.
- (e) In this paragraph the expression “on location” means at a place which is one mile or more from any film or broadcasting studio (including any land adjacent to the studio and occupied and used in connection with it).

(5) Any licence under which a child is to be taught by a private teacher shall be subject to the condition that the local authority approve the schoolroom or other place where the child is to receive education, and the local authority may give their approval subject to such conditions as they consider necessary to ensure that the place is suitable for the child's education.

Earnings

11.—(1) Where the licensing authority think fit, they may grant a licence subject to a condition requiring the holder of the licence to ensure that the sums earned by the child in respect of whom the licence is granted in taking part in a performance to which the licence relates, or such part of those sums as may be required by the condition, shall be dealt with in a manner approved by the licensing authority.

(2) Any such condition shall be set out in the licence.

Matrons

12.—(1) A person, who may be a man or a woman, approved by the licensing authority (in these Regulations referred to as a matron) shall be in charge of the child at all times during the period beginning with the first and ending with the last performance to which the licence relates except while the child is in the charge of a parent or teacher.

(2) The licensing authority shall not approve a matron unless they are satisfied that she is suitable and competent to exercise proper care and control of a child of the age and sex of the child in question and that she will not be prevented from carrying out her duties towards the child by other activities or duties towards other children.

(3) Without prejudice to the last foregoing paragraph, the licensing authority shall not approve a matron if she is to be in charge of more than eleven other children during the time when she would be in charge of the child in question if approval were given.

(4) The licensing authority shall not approve as matron the private teacher of the child in question if she is to be in charge of more than two other children during the time when she would be in charge of the child if approval were given.

(5) A matron while in charge of a child under this Regulation shall have the care and control of the child with a view to securing his health, comfort, kind treatment and moral welfare.

(6) Where a child suffers any injury or illness while in the charge of a matron or teacher, the holder of the licence shall ensure that the parent of the child named in the application form and the local authority are notified immediately of such injury or illness.

Lodgings

13.—(1) Where by reason of taking part in a performance a child has to live elsewhere than at the place where he would otherwise live, that child shall live only in premises which have been approved by the local authority as suitable for occupation by him.

(2) The local authority's approval may be subject to any of the following conditions:—

- (a) that transport for the child from the said premises to the place of performance or rehearsal is provided;
- (b) that suitable arrangements are made for meals for the child;
- (c) any other condition conducive to the welfare of the child in connection with the premises in which the child will live.

Place of performance and place of rehearsal

14.—(1) A child shall not take part in a performance or rehearsal unless the place of performance or rehearsal has been approved by the local authority.

(2) The local authority shall not approve the place of performance or rehearsal unless they are satisfied that, having regard to the age of the child and the nature, time and duration of the performance or rehearsal—

- (a) suitable arrangements have been made for meals for the child, for the child to dress for the performance or rehearsal, and for the child's rest and recreation, when not taking part in a performance or rehearsal;
- (b) the place is provided with suitable and sufficient sanitary conveniences and washing facilities, and
- (c) the child will be adequately protected against inclement weather,

and their approval may be given subject to such conditions as they consider necessary for the purposes of this paragraph.

(3) Arrangements for a child who has attained the age of five years to dress for a performance or rehearsal shall not be deemed to be suitable unless such a child can dress only with children of the same sex as the child in question.

Arrangements for getting home

15. The holder of the licence shall ensure that suitable arrangements (having regard to the child's age) are made for the child to get to his home or other destination after the last performance or rehearsal on any day.

Break in performances

16.—(1) Subject to the provisions of paragraph (2) of this Regulation, a child who takes part in performances, other than performances in a circus, or rehearsals on the maximum number of days in a week permitted under Part IV or V of these Regulations, as the case may be, for a period of eight consecutive weeks, shall not take part in any performance or rehearsal or be employed in any other form of employment during the fourteen days next ensuing.

(2) This Regulation shall not apply if the number of days specified in the licence on which the child may perform is less than sixty.

Further medical examinations

- (a) 17. (1) (a) Where a licence specifies the dates of performances and these fall on days in four consecutive weeks or more or where a licence specifies the period in which performances may take place and such period is one month or more, the holder of the licence shall ensure that the child is medically examined within forty-eight hours after the end of each such period of four weeks or each month, as the case may be, in order to ascertain whether he is fit to take part in any further performances for which the licence has been granted and whether his health will suffer by reason of taking part in such performances.
- (b) The holder of the licence shall obtain from the person making the medical examination a report stating whether in his opinion the child is fit to take part in any further performances for which the licence has been granted and whether his health will suffer by reason of taking part in such performances.
- (c) If the report states that the child is not fit or that his health would suffer as aforesaid, he shall not take part in any further performance until the person making the medical examination has certified that the child is fit to take part and that his health will not suffer thereby.

(2) Where a child has been medically examined under Regulation 8(1) of these Regulations, that child shall be medically examined during the seven days immediately following the day of the last performance to which the licence relates unless the licensing authority are satisfied, having regard to the date of the last medical examination of the child under these Regulations and the number and nature of performances in which the child has taken part, that no such medical examination is necessary.

(3) Where a medical examination is required under this Regulation, it shall be carried out by the school medical officer of the licensing authority or of the local authority or other medically qualified person approved by either of the said authorities; and a copy of the medical report shall be sent to the licensing authority.

Restriction on employment

18.—(1) On the day on which or on the day immediately following the day on which a child takes part in a performance, he shall not be employed in any other form of employment.

(2) On the day on which a child takes part in a performance for which a licence has been granted, he shall not take part in a performance for which a licence is not required.

Production of licence

19. The holder of a licence shall on request produce the licence at all reasonable hours at the place of performance to an authorised officer of the local authority or a constable.