
STATUTORY INSTRUMENTS

1968 No. 1728

The Children (Performances) Regulations 1968

PART II

RESTRICTIONS ON THE GRANT OF LICENCES

Number of performing days

6.—(1) Subject to paragraphs (2) and (3) of this Regulation, a licensing authority shall not grant a licence—

- (a) in respect of a child who has attained the age of thirteen years if, during the twelve months preceding any performance in respect of which a licence is requested, he will have taken part in other performances on more than seventy-nine days;
- (b) in respect of a child who has not attained the age of thirteen years if, during the twelve months preceding any performance in respect of which a licence is requested, he will have taken part in other performances on more than thirty-nine days.

(2) The relevant number of days of other performances specified in paragraph (1) of this Regulation may be increased by four if the licensing authority so determine:

Provided that the licensing authority shall not so determine if the child has taken part in a performance on any of the six days preceding any of the said four additional days of performance.

(3) Where application is made for a licence for a child to take part in a performance to be recorded (by whatever means) with a view to its use in a television broadcast or in a film intended for public exhibition and—

- (a) the child will not have taken part in any performance other than such a performance as aforesaid during the twelve months preceding the performance in respect of which the licence is requested, and
- (b) the purpose of the performance for which the licence is requested is to continue the recording of a performance which is incomplete,

the relevant number of days of other performances specified in paragraph (1) of this Regulation may be increased by ten if the licensing authority so determine.

(4) In deciding whether or not to grant a licence and, if a licence should be granted, the number of days in respect of which it should be granted, the licensing authority shall take into account—

- (a) the arrangements for rehearsals taking place during the fourteen days preceding the day of the first performance for which the licence is requested, and
- (b) any other form of employment in which the child is employed during the twenty-eight days preceding the day of the first performance for which the licence is requested.

(5) In this Regulation the expression “other performances” includes an entertainment for which a licence under section 22(1) or (6) of the Children and Young Persons Act 1933 has been granted, an entertainment for which by section 22(2) of that Act (charitable performance) a licence is not necessary and a performance for which by section 29(1) of that Act (broadcast performance) a licence is not necessary.

Troupe work

7.—(1) Subject to paragraph (2) of this Regulation, a licensing authority shall not grant a licence in respect of a child who has attained the age of thirteen years if the child—

- (a) by reason of taking part in any performance for which the licence is requested will have to live elsewhere than at the place where he would otherwise live, and
- (b) has during the three months preceding the performance for which the licence is requested or, if the licence is requested for more than one performance, the first performance, lived elsewhere than at the place where he would otherwise have lived by reason of taking part in a performance.

(2) Paragraph (1) of this Regulation shall not apply where—

- (a) the licence is for acting and the part the child is to act cannot be taken except by a child of about his age, or
- (b) the licence is for dancing in a ballet which does not form part of an entertainment of which anything other than ballet or opera also forms part and the part the child is to dance cannot be taken except by a child of about his age, or
- (c) the nature of the child's part in the performance is wholly or mainly musical and either the nature of the performance is also wholly or mainly musical or the performance consists only of opera and ballet.

(3) On the extension of the compulsory school age (or, in Scotland, school age) to sixteen years, that is to say—

- (a) in England and Wales, on the coming into force of an Order in Council under section 35 of the Education Act 1944, and
- (b) in Scotland, on the coming into force of regulations under section 32 of the Education (Scotland) Act 1962,

paragraph (1) of this Regulation shall have effect as if for the word “thirteen” there were substituted the word “fourteen”.

Medical examinations

8.—(1) Subject to paragraph (2) of this Regulation, a licensing authority shall not grant a licence—

- (a) for performances for film or television, or
- (b) for broadcast performances, other than performances for television, with respect to which the applicant for the purposes of Regulation 3(2) of these Regulations requests in the application form that the child may perform on more than six days in a period not exceeding six months, or
- (c) for other performances if the child would perform on the maximum number of days in a week permitted under Part IV or V of these Regulations, as the case may be, and for a period exceeding one week,

unless the school medical officer, or other medically qualified person approved by them, has examined the child and has certified that he is fit to take part in the performances for which the licence is requested and that his health will not suffer by reason of taking part in such performances.

(2) Where a child has been medically examined under paragraph (1) of this Regulation, he need not be medically examined in order that a further licence may be granted in respect of a performance taking place within a period of six months from the date of the said medical examination unless it appears desirable to the licensing authority that he should be medically examined.