

GUIDELINES PUBLIC PERFORMANCES BY CHILDREN

Children who have not reached school leaving age can be allowed to take part in public performances, activities or rehearsals (on the stage, television, films, etc) under a licence granted by the Education Authority. The licence covers any performances or activities for which a charge is made, in licensed premises or clubs, or for use in a film, broadcast or other recording intended for the public.

Licences are issued subject to the provisions of the Children (Performances) Regulations 1968 and should be applied for at least 21 days before the performance or activity, using the form prescribed by Schedule 1 of the Regulations.

The need for a licence applies whether the performance or activity is remunerated or not but one is not required if the performance or activity is given under arrangements made by a school or other approved body, if the child has not performed for more than three days in the previous six months. In the latter case, the Regulations still control the child's working conditions.

Children cannot take part in performances or activities endangering life or limb. There are also restrictions on training of children for performances or activities of a dangerous nature.

The Regulations impose conditions relating to education arrangements, number of days, duration and place of performance or activity etc. The correct applicant for a licence is the organiser of the performance or activity.

Anne Campbell
Quality Improvement Manager Curricular Support
Education Services
Reviewed October 2012

Appendices 4/-

Form of Application for a Licence Part I
Form of Application for a Licence Part II
Children in Entertainment Licence
Entertainment Licence Procedures

CHILDREN AND YOUNG PERSONS ACT 1963

THE CHILDREN'S (PERFORMANCES) REGULATIONS 1968

FORM OF APPLICATION FOR A LICENCE

(Note: It is important that this form, duly completed, should be sent so as to reach the licensing authority not less than twenty-one days before the first performance for which the licence is requested, since the licensing authority may otherwise refuse to grant a licence.)

Application to Dumfries and Galloway Council Education Services

PART I (to be completed by the applicant)

1. I hereby apply for a licence under Section 37 of the Children and Young Persons Act 1963 authorising the child (insert name of child)
 - * (1) to take part in performances on the dates specified in Item 4 (i) of the Annexe to this part.
 - * (2) to take part in performances in the number of days during the period specified in item 4 (ii) of the Annexe to this part. (**)
2. I certify that to the best of my knowledge the particulars contained in the Annexe to this part are correct.
3. I attach the following:-
 - (a) the birth certificate of the child or other satisfactory evidence of the child's age;
 - (b) two identical prints (unmounted) of a photograph of the child taken during the six months preceding the date of this application;
 - (c) a copy of the contract, draft contract or other documents containing particulars if the agreement regulating the child's appearance in the performances for which the licence is requested;
 - *(d) a declaration under Section 38 (1) (a) or (b) of the Children and Young Persons Act 1963;
 - (e) Medical Certificate of Health.
4. I understand that if a licence is granted to me it will be granted subject to the restrictions and conditions laid down in the Children (Performances) Regulations 1968 and to such other conditions as the local authority or the licensing authority may impose under the said Regulations.

Signed: Date:

Full name:

Address:

.....

Occupation:

*delete if inapplicable

NOTE: Any person who fails to observe any condition subject to which a licence is granted or knowingly or recklessly makes any false statement in or in connection with an application for a licence is liable to a fine not exceeding level 3 on the standard scale or imprisonment for a term not exceeding three months or both (Section 40 of the Children and Young Persons Act 1963).

(**) A licence specifying the number of days on which a child may perform and the period, not exceeding six months, in which the performances may take place may be granted only to the British Broadcasting Corporation, the Independent Television Authority, a programme contractor within the meaning of Section 1 (5) of the Television Act 1964 or a body supplying programmes to such a programme contractor to be broadcast by the Independent Television Authority or in respect of a child taking part in a performance to be recorded (by whatever means) with a view to its use in a film intended for public exhibition.

ANNEXE TO PART I

PARTICULARS CONNECTED WITH THE PERFORMANCE IN WHICH THE CHILD IS TO TAKE PART

1. Name and nature (see (a) overleaf) of the performances or activities in respect of which the licence is requested:
.....
2. Description of the child's part:
3. Place of the performances or activities in respect of which the licence is requested (see (b) overleaf):
.....
.....
4. (i) The dates of the performances or activities for which the licence is requested:
.....
Or (ii) The number of days, and the period during which, it is requested that the child may take part in performances or activities (see (c) overleaf):
.....
5. Time and duration of performances or activities in respect of which the license is requested:
.....
6. Approximate duration of the child's appearances in the performances or activities in respect of which the licence is requested:
.....
7. The amount of night-work (if any) for which approval will be sought from the Local Authority under Regulation 30 of the Children (Performances) Regulations 1968 stating:
 - (i) the approximate number of days
 - (ii) the approximate duration on each day
8. The sums to be earned by the child taking part in the performances or activities in respect of which this licence is requested:
- (a) Nature of the performances or activities, e.g. theatrical, filming, television etc.
 - (b) This includes the places at which work on location is to be done
 - (c) A licence specifying the number of days on which a child may perform and the period, not exceeding six months, in which the performance may take place may be granted only to the British Broadcasting Corporation, the Independent Television Authority, a programme contractor within the meaning of Section 1 (5) of the Television Act 1964 or a body supplying programmes to such a programme contractor to be broadcast by the Independent Television Authority or in respect of a child taking part in a performance to be recorded (by whatever means) with a view to its use in a film intended for public exhibition.
9. Proposed arrangements for rehearsals taking place during the fourteen days preceding the first performance or activity for which the licence is requested, stating in respect of each rehearsal:-
 - (i) the date
 - (ii) the place
 - (iii) the approximate duration

10. The days or half days on which leave of absence from school is requested to enable the child to take part in performances or activities for which the licence or in rehearsals:

.....
.....

11. Proposed arrangements (if any) under Regulation 10 of the Children (Performances) Regulations 1968 for the education of the child during the period for which the licence is requested stating:-

(i) the name address of the school to be attended, or

(ii) (a) the name, address and qualification of the proposed private teacher

.....
(b) the place where the child will be taught

.....
(c) the proposed course of study

.....
(d) the number of the children to be taught by the private teacher at the same time as the child in respect of whom this application is made, and the sex and age of each such child

.....
(e) whether the child is to receive the required amount of education in accordance with Regulation 10(4) or 10(4)(b)

.....

12. The name of the local authority (if any) which has previously approved the appointment of the private teacher for the purpose of a licence

.....

13. The name, address and description of the proposed matron

.....

14. The name of the local authority (if any) which has previously approved the appointment of the matron for the purpose of a licence

.....

15. The number of other children to be in the charge of the matron during the time when he/she would be in charge of the child in respect of whom this application is made, and the sex and age of each such child

.....

.....

16. The address of the lodging where the child will live if a licence is granted by reason of which the child has to live elsewhere than at the place where he/she would otherwise live, the name of the householder and the number of other children who will live in the same lodgings

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.....

.....

17. Approximate length of time which the child will spend travelling:-

(a) to the place of performance, activity or rehearsal

(b) from the place of performance, activity or rehearsal

and the arrangements (if any) for transport:-

(a) to the place of performance, activity or rehearsal

(b) from the place of performance, activity or rehearsal

18. Name of any other licensing authority to which an application has been made for another child to take part in performances or activities to which this application relates:

.....

.....

CHILDREN IN ENTERTAINMENT
FORM OF APPLICATION FOR A LICENCE
PART II (to be completed by the Parent)

(Note: Parent includes a carer or other person who has for the time being the charge of or control over the child).

Please give the following particulars opposite each question:

1. Full name of child	
2. Date of birth of child	
3. Address of child	
4. Name and address of schools attended by the child during the 12 months preceding the date of this application or, if he/she has not attended school, the name and address of his/her private teacher.	
5. Particulars of each licence granted during the 12 months preceding the date of this application by any other local authority to whom this application is being made, stating in each case: (a) the name of the local authority (b) the date on which the licence was granted (c) the dates and nature of the performances or activities	
6. Particulars of each application for a licence made during the 12 months preceding the date of this application and refused by any local authority other than the local authority to whom the application is made, stating in each case: (a) the name of the local authority (b) the date of the application (c) the reasons (if known) for the refusal to grant a licence	

7. Particulars of each performance or activity for which a licence was not required in which the child took part during the 12 months preceding the date of this application; in each case: (a) the date (b) the place (c) the nature of the performance or activity (d) the name of the person responsible for the production in which the child took part.	
8. Dates, if any, on which the child has been absent from school during the 12 months preceding the date of this application by reason of his/her taking part in a performance or activity.	
9. Particulars of any form of employment in which the child is employed during the 28 days preceding the day of the first performance or first activity for which the licence is requested stating: (a) the nature of the employment (b) the days on which the child is employed (c) the times which the child is employed	
10. Particulars relating to the sums earned by the child during the 12 months preceding the date of this application stating:- (a) whether the sums earned were in respect of performances or activities for which a licence was granted; performances for which a licence was not required; or other forms of employment (b) the amount of the sums earned (c) the date on which payment was received (d) the name, address and description of the person from whom payment was received.	

I support/-

I support this application for a licence.

I certify that to the best of my knowledge the foregoing particulars are correct and I understand that if licence is granted it will be granted subject to the restrictions and conditions laid down in the Children (Performances) Regulations 1968 and such other conditions as the local authority may impose under the said Regulations.

Signature Date.....

Full Name

Address

.....

Relationship to Child*

Note: Any person who fails to observe any condition subject to which a licence is granted or knowingly or recklessly makes any false statement in or in connection with an application for a licence is liable to a fine not exceeding level 3 on the standard scale or imprisonment for a term not exceeding three months or both (Section 40 of the Children and Young Persons Act 1963).

* State whether parent/carer or other person for the time being the charge of the child.

CHILDREN IN ENTERTAINMENT LICENCE

Dumfries and Galloway Council, on an application relating to
 (hereinafter called "the child"), whose photograph is attached hereto, hereby grant to

.....
 a licence authorising the child:-

* (1) to take part in performances on the dates specified below

OR

(2) to take part in performances on a number of days and during the period specified below
(note (a) overleaf refers) subject to the restrictions and conditions laid down in the Children
 (Performances) Regulations 1968 and to such other conditions as the local authority may
 impose under the said Regulations.

The performances or activities in respect of which the licence is granted are **(note (b) overleaf
 refers):-**

.....

* The child may be absent from (School)
 for the purpose authorised by this licence on **(note (c) overleaf refers)**

.....

* The licence holder shall ensure that **(note (d) overleaf refers)**

.....

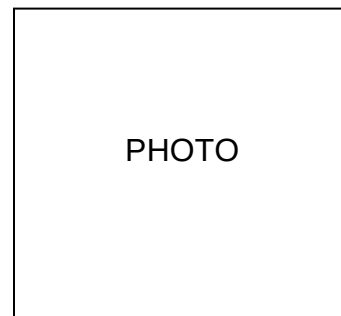
.....

Signed: Date:

(Director, Education Services)

* Delete if inapplicable

Education Services
 Dumfries and Galloway Council
 Woodbank
 30 Edinburgh Road
 DUMFRIES DG1 1NW
 Tel: 01387 260427



NOTES REFERRED TO

- (a) A licence specifying the number of days on which a child may perform and the period, not exceeding six months, in which the performances may take place may be granted only to the British Broadcasting Corporation, the Independent Television Authority, a programme contractor within the meaning of Section 1(5) of the Television Act 1964 or a body supplying programmes to such a programme contractor to be broadcast by the Independent Television Authority or in respect of a child taking part in a performance to be recorded (by whatever means) with a view to its use in a film intended for public exhibition.
- (b) In the case of (1) overleaf state the names, dates, places and nature of the performances and in the case of (2) overleaf state the names, places and nature of the performances, the number of days on which the child may perform and the period in which the performances may take place.
- (c) Set out the days or half days on which the child may be absent from school. If absence from school is granted to enable the child to take part in a rehearsal, this should be stated.
- (d) Set out the terms of any condition imposed under Regulation 11 of the Children (Performances) Regulations 1968 in respect of any sums earned by the child taking part in the performances to which this licence relates.

CHILDREN AND YOUNG PERSONS ACT 1963
THE CHILDREN (PERFORMANCES) REGULATIONS 1968

ENTERTAINMENT LICENCE PROCEDURES

Applications should be accompanied by the child's birth certificate and two passport size photographs.

Check that the Headteacher of child's school has no objection to absence from school.

Write one copy of licence and stick one photograph at bottom right hand corner rubber stamp.

Make three or four copies. Send original to company and copies to:

- the child's parent (plus birth certificate if original sent);
- Headteacher; and
- other local authority, if applicable.

Put one copy on file with other photo stapled to bottom right hand corner.