
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 372

The Children (Performances and Activities) (Scotland) Regulations 2014

PART 5

CONDITIONS APPLYING TO ALL PERFORMANCES

Application of Part 5

18. The conditions prescribed in this Part apply to licences for performances and to performances for which, by reason of section 37(3)(a) of the 1963 Act, a licence is not required.

Children under 5

19.—(1) This regulation applies to a child who is under the age of 5.

(2) A child must not be present at a place of performance or rehearsal—

- (a) for more than 5 hours a day; and
- (b) before 8 a.m. or after 8 p.m..

(3) A child must not take part in a performance or rehearsal on any day—

- (a) for a continuous period of more than 45 minutes without a rest break of not less than 15 minutes; and
- (b) for a total period of more than 2 hours.

(4) Any time during which a child is present at a place of performance or rehearsal but is not taking part in a performance or rehearsal, must be used for meals, rest and recreation and suitable arrangements must be made to safeguard, support and promote the wellbeing of the child.

Children aged 5 to 8

20.—(1) This regulation applies to a child who is at least the age of 5 but under the age of 9.

(2) A child must not be present at a place of performance or rehearsal—

- (a) for more than 8 hours a day; and
- (b) before 7 a.m. or after 11 p.m..

(3) A child must not take part in a performance or rehearsal on any day—

- (a) for a continuous period of more than 1 hour without a rest break of not less than 15 minutes; and
- (b) for a total period of more than 3 hours.

(4) A child must not be present at a place of performance or rehearsal for more than 3½ consecutive hours without there being a meal break of not less than 1 hour.

(5) When calculating the number of hours on any day during which a child is present at a place of performance or rehearsal, any periods of education required to comply with the arrangements approved under regulation 12 must be taken into account, even if that education is provided somewhere other than at the place of performance or rehearsal.

Children aged 9 or more

- 21.**—(1) This regulation applies to a child who is at least the age of 9.
- (2) A child must not be present at a place of performance or rehearsal—
- (a) for more than 9½ hours a day; and
 - (b) before 7 a.m. or after 11 p.m..
- (3) A child must not take part in a performance or rehearsal on any day—
- (a) for a continuous period of more than 1 hour without a rest break of not less than 15 minutes; and
 - (b) for a total period of more than 4 hours.
- (4) A child must not be present at a place of performance or rehearsal—
- (a) for more than 3½ consecutive hours without there being a meal break of not less than 1 hour; and
 - (b) for more than 8 consecutive hours without there being 2 meal breaks, the first being not less than 1 hour and the second not less than 30 minutes.

(5) When calculating the number of hours on any day during which a child is present at a place of performance or rehearsal, any periods of education required to comply with the arrangements approved under regulation 12 must be taken into account, even if that education is provided somewhere other than at the place of performance or rehearsal.

Minimum breaks overnight

22. Subject to regulation 28, a child must have an overnight break of a minimum duration of 12 hours between leaving a place of performance or rehearsal and being present at a place of performance or rehearsal the next day.

Limitation on daily performances

23. On any day a child may take part only in a performance or rehearsal which is of the same nature and in which the child performs the same part or takes the place of another performer in the same performance.

Employment

24. A child taking part in a performance must not be employed in any other form of employment on the day of that performance or the following day.