
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 372

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

PART 6

**RESTRICTIONS AND CONDITIONS
APPLYING TO PERFORMANCE LICENCES**

Application of Part 6

25. The restrictions and conditions prescribed in this Part apply to licences for performances.

Maximum number of days in a week on which a child may take part in performances or rehearsals

26. A child must not take part in performances or rehearsals on more than 6 consecutive days.

Break in performances

27.—(1) Subject to paragraph (2), a child who takes part in performances or rehearsals on the maximum number of days permitted under regulation 26 for a period of 8 consecutive weeks, must not take part in any performance or rehearsal or be employed in any other form of employment during the 14 days following the last performance.

(2) The restriction in paragraph (1) does not apply if—

- (a) the performances are circus performances; or
- (b) the number of days specified in the licence on which the child may perform is less than 60.

Night-work

28.—(1) Notwithstanding regulations 19 to 21, and subject to the restrictions and conditions in paragraphs (2) and (3), a licensing authority may permit a child to take part in a performance after the latest permitted hour if it is satisfied that a performance must take place after that hour.

(2) The licensing authority must only permit the child to take part in a performance after midnight and before the earliest permitted hour if it is satisfied that is impracticable for the performance to be completed before midnight.

(3) Where the licensing authority permits a child to take part in a performance after the latest permitted hour, the following restrictions and conditions apply—

- (a) the number of hours during which the child takes part in a performance after the latest permitted hour must be included when calculating the maximum number of hours during which the child may take part in a performance or rehearsal on any one day under regulations 19 to 21;

- (b) the child must not take part in any other performance or rehearsal until at least 16 hours have elapsed since the end of the child’s part in the performance; and
- (c) where the child takes part in a performance after the latest permitted hour on 2 successive days, the licensing authority must not permit the child to take part in any further performance after the latest permitted hour during the 7 days immediately following those 2 days.

(4) In this regulation “latest permitted hour” and “earliest permitted hour” in relation to a child mean the latest hour and the earliest hour respectively at which that child may be present at the place of performance or rehearsal under regulations 19 to 21.

Chaperone discretion

29.—(1) A chaperone may allow a child to take part in a performance for a period not exceeding 30 minutes immediately following the latest permitted hour provided that—

- (a) the total number of hours during which the child takes part in a performance or rehearsal, including that period of 30 minutes, does not exceed the maximum number of hours permitted under regulations 19 to 21;
- (b) the chaperone is satisfied that the wellbeing of the child will not be adversely affected; and
- (c) the chaperone is satisfied that the situation requiring the child to take part in a performance after the latest permitted hour arose in circumstances outside the control of the licence holder.

(2) Where the chaperone allows a child to take part in a performance after the latest permitted hour, the licence holder must ensure that the chaperone notifies the licensing authority no later than the following day and provides the reason for that decision.

(3) A chaperone may allow one of the meal breaks required under regulation 20 or 21 to be reduced where the child is taking part in a performance or rehearsal outdoors, provided that—

- (a) the duration of the meal break is not less than 30 minutes; and
- (b) the maximum number of hours during which the child may take part in a performance or rehearsal under regulation 20 or 21 is not exceeded.

(4) In this regulation “latest permitted hour” in relation to a child means the latest hour at which that child may be present at the place of performance or rehearsal under regulations 19 to 21.