SCOTTISH STATUTORY INSTRUMENTS

2014 No. 372

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

PART 4

RESTRICTIONS AND CONDITIONS APPLYING TO ALL LICENCES

Education

12.—(1) The licensing authority must not grant a licence unless it—

(a) is satisfied that the child's education will not suffer by reason of taking part in the performance or activity for which the licence is requested;

(b) has approved the arrangements (if any) for the education of the child during the period to which the licence relates; and

(c) has approved the place where the child is to receive education during that period, subject to such conditions as it considers necessary to ensure that the place is suitable for the child's education.

(2) The licence holder must ensure that any arrangements approved by the licensing authority for the child's education are carried out.

(3) Where, during the period to which the licence relates, a child requires to be absent from school for more than 5 days on which the child would be required to attend school if the child were a pupil attending a public school, arrangements must be made for the education of the child by a private teacher in accordance with this regulation.

(4) The licensing authority must not approve any arrangements for the education of a child by a private teacher unless it is satisfied that—

(a) the proposed course of study for the child is satisfactory;

(b) the proposed 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;

(d) the private teacher will not teach more than 5 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, 11 other children; and

(e) the child will, during the period to which the licence relates, receive education for periods which, when aggregated, total not less than 3 hours on each day on which the child would be required to attend school if the child were a pupil attending a public school.

(5) Where the performance to which the licence relates is to be recorded with a view to use in a broadcast or in a film intended for public use, the requirements of paragraph (4)(e) are deemed to be satisfied if the licensing authority is satisfied that the child will receive education—

(a) for not less than 6 hours a week;

(b) during each complete period of 4 weeks or, if there is a period of less than 4 weeks, during that period, for periods not less than the aggregate periods of education required by paragraph (4)(e) in respect of the period;

(c) on days on which the child would be required to attend school if the child were a pupil attending a public school; and

(d) for not more than 5 hours on any such day.

(6) When calculating any period of education for the purposes of this regulation the following must not be included—

(a) any period which is outside the hours when the child is permitted to be present at a place of performance or rehearsal under regulations 19 to 21; and

(b) any period of less than 30 minutes.