



Education Act 1918

1918 CHAPTER 39

ATTENDANCE AT SCHOOL AND EMPLOYMENT OF CHILDREN AND YOUNG PERSONS

13 Amendment of 3 Edw.7 c.45 and 4 Edw.7 c.15

(1) The Employment of Children Act, 1903, so far as it relates to England and Wales, shall be amended as follows:—

(i) For subsection (1) of section three the following subsection shall be substituted :—

“A child under the age of twelve shall not be employed ; and a child of the age of twelve or upwards shall not be employed on any Sunday for more than two hours, or on any day on which he is required to attend school before the close of school hours on that day, nor on any day before six o'clock in the morning or after eight o'clock in the evening :

Provided that a local authority may make a byelaw permitting, with respect to such occupations as may be specified, and subject to such, conditions as may be necessary to safeguard the interests of the children, the employment of children of the age of twelve or upwards before school hours and the employment of children by their parents, but so that any employment permitted by byelaw on a school day before nine in the morning shall be limited to one hour, and that if a child is so employed before nine in the morning he shall not be employed for more than one hour in the afternoon.”

(ii) In subsection (2) of section three, which prohibits the employment of a child under the age of eleven years in street trading, the words " under the age of eleven years " shall be repealed :

(iii) For section twelve the following section shall be substituted :—

“Except as regards the City of London, the powers and duties of a local authority under this Act shall be deemed to be powers and duties under Part III. of the Education Act, 1902, and the provisions of the Education Acts for the time being in force with regard to those powers and duties and as to

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the manner in which the expenses of an authority under that Part of that Act shall be paid shall apply accordingly”:

- (iv) For the definition of the expression "local authority " there shall be substituted the following definitions :—

“The expression ' local authority ' means in the case of the City of London the mayor, aldermen, and commons of that city in common council assembled and elsewhere the local education authority for the purposes of Part III. of the Education Act, 1902.”

- (2) The Prevention of Cruelty to Children Act, 1904, so far as it relates to England and Wales, shall be amended as follows :—

- (i) In paragraph (b) of section two, which restricts the employment of boys under the age of fourteen years and of girls under the age of sixteen years for the purpose of singing, playing or performing, or being exhibited for profit, or offering anything for sale, between nine p.m. and six a.m., " eight p.m." shall be substituted for " nine p.m. " so far as relates to children under fourteen years of age :
- (ii) In paragraph (c) of section two, which restricts the employment of children under eleven years for the purpose of singing, playing or performing, or being exhibited for profit, or offering anything for sale, twelve years shall be substituted for eleven years:
- (iii) In section three, which relates to licences for the employment of children exceeding ten years of age, the age of twelve years shall be substituted for the age of ten years :
- (iv) A licence under section three to take part in any entertainment or series of entertainments, instead of being granted, varied, added to, or rescinded as provided by that section, shall be granted by the local education authority for the purposes of Part III. of the Education Act, 1902, of the area in which the child resides, subject to such restrictions and conditions as are prescribed by rules made by the Board of Education, and may be rescinded by the authority of any area in which it takes effect or is about to take effect if the restrictions and conditions of the licence are not observed, and, subject as aforesaid, may be varied or added to by that authority at the request of the holder of the licence :
- (v) The holder of a licence shall at least seven days before a child takes part in any entertainment or series of entertainments furnish the local education authority of the area in which the entertainment is to take place with particulars of the licence and such other information as the Board of Education may by rules prescribe, and if he fails to furnish such particulars and information as aforesaid he shall be liable on summary conviction to a fine not exceeding five pounds:
- (vi) Subsections (3) and (4) of section three shall cease to apply with respect to licences to take part in an entertainment or series of entertainments :
- (vii) If the applicant for a licence or a person to whom a licence has been granted feels aggrieved by any decision of a local education authority, he may appeal to the Board of Education, who may thereupon exercise any of the powers conferred on a local education authority by this section :
- (viii) The provisions of this subsection shall not apply to any licence in force on the appointed day :
- (ix) References to the Employment of Children Act, 1903, shall be construed as references to that Act as amended by this Act.