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STATUTORY INSTRUMENTS

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**1968 No. 1728**

**The Children (Performances) Regulations 1968**

**PART VI**

**PERFORMANCES FOR WHICH BY REASON OF SECTION  
37(3) (a) OF THE ACT A LICENCE IS NOT REQUIRED**

**Performances for which a licence is not required, other than broadcast or recorded performances**

**32.** Regulations 33 and 34 of these Regulations shall apply in the case of a child taking part in a performance for which by reason of section 37(3)(a) of the Act a licence is not required, being a performance other than a broadcast performance or a performance to be recorded (by whatever means) with a view to its use in a broadcast or in a film intended for public exhibition.

**Maximum number and length of performances daily**

**33.—(1)** A child shall not take part in a performance the duration of which exceeds three and a half hours.

(2) A child shall not take part in a performance if the duration of his appearances in the performance exceeds two and a half hours.

(3) A child shall not take part in more than one performance on any day unless he performs the same part in the performances, except where he takes the place of another performer in the same performance, and the performances are of the same nature.

(4) On any day on which a child is required to attend school after the morning session he shall not take part in more than one performance.

(5) Subject to the provisions of paragraph (3) of this Regulation, a child on any other day shall not take part in more than two performances.

(a) (6) (a) Subject to the provisions of sub-paragraph (b) of this paragraph, a child shall not take part in more than one performance on any day unless there is an interval of not less than one and a half hours between the end of his part in the first performance and the beginning of his part in the second performance.

(b) On not more than two days in any week a child may take part in more than one performance on any day if—

(i) there is an interval of not less than forty-five minutes between the end of his part in the first performance and the beginning of his part in the second performance; and

(ii) he is not present at the place of performance on such a day for more than six hours.

(7) Notwithstanding paragraphs (4), (5) and (6) of this Regulation and subject to paragraph (3) of this Regulation, where a child takes part in a performance in a circus—

(a) on any day on which he is required to attend school after the morning session, he may take part in not more than two performances;

- (b) on any other day, he may take part in not more than three performances:

Provided that—

- (i) he shall not take part in more than one performance unless there is an interval of not less than one and a half hours between the end of his part in one performance and the beginning of his part in the next performance, and
- (ii) the duration of his appearance in a performance does not exceed thirty minutes.

### **Earliest and latest hours at place of performance**

**34.**—(1) Subject to the provisions of paragraph (2) of this Regulation, a child shall not be present at a place of performance after whichever is the earlier of the two following times:—

- (a) ten in the evening, if he has not attained the age of thirteen years, or half-past ten if he has;
- (b) thirty minutes after the end of his part in the performance or last performance.

(2) If in order to enable a child to take part in a performance the child's presence at the place of performance is required after the latest permitted time specified in paragraph (1) of this Regulation, he may be present at the place of performance not later than eleven in the evening on not more than three evenings in a week.

(3) A child shall not be present at a place of performance before ten in the morning, and on the day immediately following a day on which a child has taken part in a performance he shall not take part in a performance until after the expiration of not less than fourteen hours from the end of his part in the performance in which he last performed on the preceding day.

(4) This Regulation shall not apply with respect to a place of performance where the child lives or receives education in that place.

### **Broadcast and recorded performances for which a licence is not required**

**35.** Regulations 36 to 40 of these Regulation shall apply in the case of a child taking part in a performance for which by reason of section 37(3)(a) of the Act a licence is not required, being a broadcast performance or a performance to be recorded (by whatever means) with a view to its use in a broadcast or in a film intended for public exhibition.

### **Limitation on daily performances**

**36.** On any day a child may take part only in performances which are of the same nature and in which he performs the same part or takes the place of another performer in the same performance.

### **Children aged thirteen or more**

**37.**—(1) A child who has attained the age of thirteen years shall not be present at a place of performance—

- (a) for more than eight hours a day;
- (b) before nine in the morning or after seven in the evening, except that a child may be present after half-past eight in the morning if on the preceding day he was not present after half-past six in the evening.

(2) Such a child shall not take part in a performance on any day—

- (a) for a continuous period of more than one hour without an interval for rest;
- (b) for a total period of more than three and a half hours.

(3) Such a child shall not be present at a place of performance for more than four consecutive hours without there being two or more intervals of which one shall be for the purpose of a meal and

shall be of not less than one hour and the other or others shall be for the purpose of rest and shall not be less than fifteen minutes.

### **Children aged five to twelve**

**38.**—(1) A child who has attained age of five years but has not attained the age of thirteen years shall not be present at a place of performance—

- (a) for more than seven and a half hours a day;
- (b) before nine in the morning or after half-past four in the afternoon, except that a child who has attained the age of ten years may be present until five in the afternoon.

(2) Such a child shall not take part in a performance on any day—

- (a) for a continuous period of more than forty-five minutes without an interval for rest;
- (b) for a total period of more than three hours.

(3) Such a child shall not be present at a place of performance for more than three and a half consecutive hours without there being two or more intervals of which one shall be for the purpose of a meal and shall be of not less than one hour and the other or others shall be for the purpose of rest and shall not be less than fifteen minutes.

### **Children aged two to four**

**39.**—(1) A child who has attained the age of two years but has not attained the age of five years shall not be present at a place of performance—

- (a) for more than five hours a day;
- (b) before half-past nine in the morning or after half-past four in the afternoon.

(2) Such a child shall not take part in a performance on any day—

- (a) for a continuous period of more than thirty minutes without an interval for rest;
- (b) for a total period of more than two hours.

(3) Any time during which such a child is present at a place of performance, but is not taking part in a performance, shall be used for the purposes of meals, rest and recreation.

### **Children under two**

**40.**—(1) A child who has not attained the age of two years shall not be present at a place of performance—

- (a) for more than three hours a day;
- (b) before half-past nine in the morning or after four in the afternoon.

(2) Such a child shall not take part in a performance on any day—

- (a) for a continuous period of more than twenty minutes without an interval for rest;
- (b) for a total period of more than one hour.

(3) Any time during which such a child is present at a place of performance, but is not taking part in a performance, shall be used for the purpose of meals, rest and recreation.

### **Restriction on employment**

**41.**—(1) On the day on which or on the day immediately following the day on which a child takes part in a performance for which by reason of section 37(3)(a) of the Act a licence is not required, he shall not be employed in any other form of employment.

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(2) On the day on which a child takes part in a performance for which by reason of section 37(3)(a) of the Act a licence is not required, he shall not take part in a performance for which a licence is required.