
WELSH STATUTORY INSTRUMENTS

2015 No. 1757

The Children (Performances and Activities) (Wales) Regulations 2015

PART 3

General requirements applicable to all licensed performances or activities

Education

- 15.**—(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 performances or activities;
 - (b) has approved the arrangements (if any) for the education of the child during the period to which the licence applies; and
 - (c) has approved the place where the child is to receive education, 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) The licensing authority must not approve any arrangements for the education of a child by a private teacher unless it is satisfied—
- (a) with the proposed course of study for the child;
 - (b) that the proposed course of study will be delivered by a suitable private teacher;
 - (c) that the private teacher will teach no more than six children (including the child in question) at any time, or twelve children if all the children being taught have reached a similar standard in the subject being taught to the child in question; and
 - (d) that the child will, during the period to which the licence applies, receive education for periods, which when aggregated, total not less than three hours on each day on which the child would be required to attend school if the child were attending a school maintained by the licensing authority.
- (4) The requirements of paragraph (3)(d) are deemed to have been met if the licensing authority is satisfied that the child will receive education—
- (a) for not less than six hours a week;
 - (b) during each complete period of four weeks, or if there is a period of less than four weeks, during that period, for periods not less than the aggregate periods of education required by paragraph (3)(d) 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 school maintained by the licensing authority; and
 - (d) for not more than five hours on any such day.
- (5) For the purposes of this regulation, any period of education does not include—

- (a) any period which takes place other than during the hours when a child is permitted to be present at a place of performance or rehearsal under regulation 23; and
- (b) any period of less than thirty minutes.

Earnings

16. The licensing authority may include a condition in the licence that any or all of the sums earned by the child for taking part in the performance or activity be dealt with in a particular manner by the licence holder.

Chaperones

17.—(1) A licensing authority must approve a person to be a chaperone to—

- (a) have care and control of the child; and
- (b) safeguard, support and promote the wellbeing of the child,

whilst the child is taking part in an activity, performance, or rehearsal or whilst the child is living elsewhere than the place the child would otherwise live during the period to which the licence applies.

(2) Paragraph (1) does not apply if the child is being cared for by the child’s parent or a teacher who would ordinarily provide the child’s education.

(3) The maximum number of children a chaperone may take care of at any one time is—

- (a) twelve; or
- (b) where the person approved to act as a chaperone is the private teacher of the child in question, three.

(4) The licensing authority must not approve a person as a chaperone unless it is satisfied that the person—

- (a) has undertaken child protection training;
- (b) is suitable and competent to exercise proper care and control of a child of the age and sex of the child in question; and
- (c) will not be prevented from carrying out duties towards the child by duties towards other children.

(5) Where a child suffers any injury or illness while under the care of the chaperone, the licence holder must ensure that the parent of the child named in the application form and the licensing and host authorities are notified immediately of such injury or illness.

(6) The licensing authority may if it thinks fit, grant a licence subject to a condition requiring the holder of the licence to provide the chaperone with a current copy of the script for the production concerned.

(7) A condition imposed under paragraph (6) must be set out in the licence.

Accommodation

18.—(1) Where a child is required to live somewhere other than where that child would usually live during the period to which the licence applies by reason of taking part in the performance or activity for which the licence is obtained, the licensing authority must approve that place as being suitable for that child.

(2) The licensing authority’s approval may be subject to any of the following conditions—

- (a) that transport will be provided for the child between the place of performance, rehearsal or activity, and the accommodation;

- (b) that suitable arrangements are made for meals for the child; and
- (c) any other condition conducive to the welfare of the child in connection with that accommodation.

Place of performance and place of rehearsal

19.—(1) The licensing authority must approve any place where the child will perform, rehearse or take part in any activity.

(2) The licensing authority must not approve the place of performance, rehearsal or activity unless it is satisfied that, having regard to the age of the child and the nature, time and duration of the performance, rehearsal or activity—

- (a) suitable arrangements have been made for—
 - (i) the provision of meals for the child;
 - (ii) the child to dress for the performance, rehearsal or activity; and
 - (iii) the child's rest and recreation, when not taking part in a performance, rehearsal or activity;
- (b) the place has suitable and sufficient toilets and washing facilities; and
- (c) the child will be adequately protected against inclement weather.

(3) The licensing authority may give its approval subject to such conditions as it considers necessary.

(4) In paragraph (2)(a)(ii), arrangements for a child who has attained the age of five years to dress for a performance, rehearsal or activity are not suitable unless such a child can dress only with children of the same sex as the child in question.

Travel arrangements and time

20.—(1) The licence holder must ensure that suitable arrangements (having regard to the child's age) are made to get the child home or to any other destination after the last performance or rehearsal, or the conclusion of any activity on any day.

- (2) The licensing authority must—
 - (a) have regard to the length of time which the child will spend travelling to and from the place of performance or rehearsal when giving its approval; and
 - (b) include any conditions that it considers necessary in relation to the earliest and latest times that the child can be at the place of performance or rehearsal.