
WELSH STATUTORY INSTRUMENTS

2015 No. 1757

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

PART 4

Restrictions in relation to all performances

Application of this Part

21. The requirements in this Part apply to all licensed performances and to all performances, which are exempted from the requirement to obtain a licence, under section 37(3)(a) of the 1963 Act.

Employment

22. A child taking part in a performance must not be employed in any other employment on the day of that performance or the following day.

Earliest and latest times at place of performance or rehearsal

23.—(1) Table 1 sets out the earliest and latest times a child may be at a place of performance or rehearsal.

(2) This regulation does not apply where the place of performance or rehearsal is the place where the child ordinarily lives or receives education.

Table 1

| <i>Age of child</i> | <i>Earliest time</i> | <i>Latest time</i> |
|-----------------------------|----------------------|--------------------|
| Birth until child reaches 5 | 07:00 | 22:00 |
| 5 to school leaving age | 07:00 | 23:00 |

Attendance at place of performance or rehearsal and hours of performance

24.—(1) Table 2 sets out the maximum number of hours a child may be at a place of performance or rehearsal, may perform or rehearse in one day and may perform or rehearse continuously.

(2) When calculating the number of hours on any day during which a child is present at a place of performance or rehearsal, any periods of education required to comply with arrangements approved under regulation 15 must be taken into account, even if that education is provided elsewhere than at the place of performance or rehearsal.

Table 2

| <i>Age of child</i> | <i>Maximum number of hours in one day at place of performance or rehearsal</i> | <i>Maximum total number of hours of performance or rehearsal in one day</i> | <i>Maximum continuous number of hours of performance or rehearsal in one day</i> |
|-----------------------------|--------------------------------------------------------------------------------|-----------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| Birth until child reaches 5 | 5 | 2 | 0.5 |
| 5 until child reaches 9 | 8 | 3 | 2.5 |
| 9 to school leaving age | 9.5 | 5 | 2.5 |

Breaks on any day on which a child is performing or rehearsing

- 25.**—(1) When a child under the age of five is present at the place of performance or rehearsal—
- (a) any breaks must be for a minimum duration of fifteen minutes, except that where a child is present for four or more consecutive hours, any such breaks must include at least one break of forty-five minutes used for the purpose of a meal; and
 - (b) any break must be used for the purposes of meals, rest, education or recreation.
- (2) When a child aged five or over is present at the place of performance or rehearsal for more than four, but less than eight consecutive hours, the child must have a minimum of:
- (a) one meal break of a minimum duration of forty-five minutes; and
 - (b) one other break of a minimum duration of fifteen minutes.
- (3) When a child aged five or over is present at the place of performance or rehearsal for eight or more consecutive hours, the child must have:
- (a) the breaks required under paragraph (2); and
 - (b) at least one other break of a minimum duration of fifteen minutes.
- (4) Subject to paragraph (5), a child must have a break of a minimum duration of one and a half hours between the child's participation in consecutive performances where on the same day—
- (a) the child performs the same part or takes the place of another performer in more than one instance of the same performance including rehearsals, falling within section 37(2)(a) or (b) of the 1963 Act, for which a licence has been obtained;
 - (b) the child is taking part in performances under different licences granted in respect of the child; or
 - (c) the child is taking part in a performance for which a licence has been obtained and in a performance for which a licence is not required under section 37(3)(a) of the 1963 Act.
- (5) Where the earlier performance or rehearsal is less than one hour in duration, and—
- (a) the following performance or rehearsal takes place at the same place of performance or rehearsal; or
 - (b) there is no time required for travel between the earlier and consecutive performance or rehearsal,

the break between those performances (or rehearsals) may be reduced to a minimum of forty-five minutes.

Minimum breaks overnight

26. Subject to regulation 30, a child must have an overnight break of a minimum duration of twelve hours between attendance at a place of performance or rehearsal.