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SCOTTISH STATUTORY INSTRUMENTS

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**2014 No. 372**

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

**PART 2**

**DOCUMENTATION REQUIREMENTS FOR ALL LICENCES**

**Application of Part 2**

3. This Part applies to licences for a performance or an activity.

**Application for a licence**

4.—(1) A licensing authority must not grant a licence unless it receives an application for a licence, which must—

- (a) be made in writing by the applicant, who is—
  - (i) the person responsible for the production of the performance in which the child is to take part; or
  - (ii) the person responsible for the organisation of, or engaging the child in, the activity;
- (b) be in the form set out in Schedule 1 (form of application for a licence) or in a form to the like effect;
- (c) be accompanied by the documents specified in the form set out in that Schedule; and
- (d) be signed by the applicant, a parent of the child and, if the application relates to a performance or activity for which the child will require to be absent from school, the head teacher at the child's school.

(2) The licensing authority may refuse to grant a licence if the application is not received at least 21 days before the day on which the first performance or activity for which the licence is requested is to take place.

**Power of licensing authorities to obtain additional information**

5.—(1) The licensing authority may request such further information as it considers necessary to enable it to be satisfied that it should grant a licence as required by section 37(4) of the 1963 Act.

- (2) In particular the licensing authority may—
- (a) request a report from the head teacher at the child's school;
  - (b) request that the child be medically examined in order to ascertain whether the child is fit to take part in the performance or activity for which the licence is requested and that the child's health will not suffer as a result of taking part in that performance or activity; and
  - (c) interview the applicant, the child, the child's parents, any proposed chaperone and any proposed private teacher.

(3) The licensing authority may make such inquiries as it considers necessary to enable it to consider whether a licence should be granted subject to a condition relating to the manner in which sums earned by the child in taking part in any performance or activity should be dealt with.

#### **Form of licence**

**6.—(1)** A licence granted to an applicant by a licensing authority must be in the form set out in Schedule 2 (form of licence) or in a form to the like effect.

(2) In the case of a licence for a performance, the licence must specify—

- (a) the names, places and nature of the performance;
- (b) the number of days on which the child may perform; and
- (c) the period, not exceeding 6 months, in which the performance may take place.

(3) In the case of a licence for an activity, the licence must specify the nature of the activity, the place at which it is to take place and either—

- (a) the date on which it is to take place; or
- (b) the number of days on which the child may participate and the period, not exceeding 6 months, in which the activity may take place.

(4) The licensing authority must send a copy of the licence to the parent who signed the application form.

#### **Particulars to be sent to a local authority under section 39(3) of the 1963 Act**

**7.** Where a performance or an activity is to take place in the area of a host authority other than the licensing authority, the licensing authority must send to that host authority a copy of the application form and the licence.

#### **Records to be kept by the licence holder under section 39(5) of the 1963 Act**

**8.** The licence holder must retain the records specified in Schedule 3 (records to be kept by the licence holder) for 6 months from the date of the last performance (Part 1 of Schedule 3) or activity (Part 2 of Schedule 3) to which the licence relates.

#### **Production of licence**

**9.** The licence holder must on request produce the licence (at all reasonable hours) at the place of performance or rehearsal, or at the place where the activity takes place, to which the licence relates, to an authorised officer of the host authority or a constable.