



Children and Young Persons (Scotland) Act 1937

1937 CHAPTER 37 1 Edw 8 and 1 Geo 6

PART III

EMPLOYMENT

Entertainments and Performances

32 ^{F1}

Textual Amendments

^{F1} Ss. 32, 34(3)(5), 38(1)(2)(7) repealed by Children and Young Persons Act 1963 (c. 37), s. 64, [Sch. 5](#)

33 **Prohibition of persons under sixteen taking part in performances endangering life or limb.**

[^{F2}No person under the age of sixteen years, and no child aged sixteen years,] shall take part in any [^{F3}performance to which [^{F4}section 37(2)] of the ^{M1}Children and Young Persons Act 1963 applies and] in which his life or limbs are endangered and every person who causes or procures [^{F5}such a person or child], or, being his parent or guardian, allows him, to take part in such a performance, shall be liable on summary conviction to a fine not exceeding [^{F6}level 3 on the standard scale] or, in the case of a second or subsequent offence, not exceeding [^{F6}level 3 on the standard scale].

Textual Amendments

^{F2} Words in s. 33 substituted (9.6.2000) by S.S.I. 2000/149, [reg. 2\(3\)\(a\)](#)

^{F3} Words substituted by Children and Young Persons Act 1963 (c. 37), [Sch. 3 para. 30](#)

^{F4} Words in s. 33 substituted (4.8.1998) by S.I. 1998/276, [reg. 10](#)

Changes to legislation: There are currently no known outstanding effects for the Children and Young Persons (Scotland) Act 1937, Cross Heading: Entertainments and Performances. (See end of Document for details)

- F5** Words in s. 33 substituted (9.6.2000) by S.S.I. 2000/149, **reg. 2(3)(b)**
- F6** Words substituted by virtue of Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289E–289G**

Marginal Citations

- M1** 1963 c. 37.

34 Restrictions on training for performances of a dangerous nature.

- (1) No [^{F7}child]under the age of twelve years shall be trained to take part in performances of a dangerous nature, and no [^{F8}child who has attained that age]shall be trained to take part in such performances except under and in accordance with the terms of a licence granted and in force under this section; and every person who causes or procures a person, or being his parent or guardian allows him, to be trained to take part in performances of a dangerous nature in contravention of this section, shall be lible on conviction by a court of summary jurisdiction to a fine not exceeding [^{F9}level 3 on the standard scale] or, in the case of a second or subsequent offence, not exceeding [^{F9}level 3 on the standard scale].
- (2) An education authority may grant a licence for a [^{F10}child who has attained the age of twelve years]to be trained to take part in performances of a dangerous nature.
- (3) ^{F11}
- (4) A licence under this section shall specify the place or places at which the person is to be trained and shall embody such conditions as are, in the opinion of the authority, necessary for his protection, but a licence shall not be refused if the authority are satisfied that the person is fit and willing to be trained and that proper provision has been made to secure his health and kind treatment.
- (5) ^{F11}

Textual Amendments

- F7** Word substituted by Employment Act 1989 (c. 38, SIF 43:1), s. 10(2), **Sch. 3 Pt. III para. 12** (a)(i)
- F8** Words substituted by Employment Act 1989 (c. 38, SIF 43:1), s. 10(2), **Sch. 3 Pt. III para. 12** (a)(ii)
- F9** Words substituted by virtue of Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289E–289G**
- F10** Words substituted by Employment Act 1989 (c. 38, SIF 43:1), s. 10(2), **Sch. 3 Pt. III para. 12** (b)
- F11** **Ss. 32, 34(3)(5), 38(1)(2)(7)** repealed by Children and Young Persons Act 1963 (c. 37), s. 64, **Sch. 5**

Modifications etc. (not altering text)

- C1** S. 34 amended by Children and Young Persons Act 1963 (c. 37), s. 41(2)(3)

Changes to legislation:

There are currently no known outstanding effects for the Children and Young Persons (Scotland) Act 1937, Cross Heading: Entertainments and Performances.