



Children and Young Persons Act 1933

1933 CHAPTER 12 23 and 24 Geo 5

PART I

PREVENTION OF CRUELTY AND EXPOSURE TO MORAL AND PHYSICAL DANGER

Offences

12 Failing to provide for safety of children at entertainments.

- (1) Where there is provided in any building an entertainment for children, or an entertainment at which the majority of the persons attending are children, then, if the number of children attending the entertainment exceeds one hundred, it shall be the duty of the person providing the entertainment to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate, and to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and to take all other reasonable precautions for the safety of the children.
- (2) Where the occupier of a building permits, for hire or reward, the building to be used for the purpose of an entertainment, he shall take all reasonable steps to secure the observance of the provisions of this section.
- (3) If any person on whom any obligation is imposed by this section fails to fulfil that obligation, he shall be liable, on summary conviction, to a fine not exceeding, in the case of a first offence fifty pounds, and in the case of a second or subsequent offence one hundred pounds ^{F1}
- (4) A constable may enter any building in which he has reason to believe that such an entertainment as aforesaid is being, or is about to be, provided, with a view to seeing whether the provisions of this section are carried into effect, and an officer authorised for the purpose by an authority by whom licences are granted under any of the enactments referred to in the last foregoing subsection shall have the like power of entering any building so licensed by that authority.

Status: Point in time view as at 24/11/2005. This version of this provision has been superseded.

Changes to legislation: Children and Young Persons Act 1933, Section 12 is up to date with all changes known to be in force on or before 19 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (5) The institution of proceedings under this section shall—
- [^{F2}(a) in the case of a building in respect of which a premises licence authorising the provision of regulated entertainment has effect, be the duty of the relevant licensing authority;]
 - (b) in any other case, be the duty of the police authority.
- [^{F3}(5A) For the purposes of this section—
- (a) “premises licence” and “the provision of regulated entertainment” have the meaning given by the Licensing Act 2003, and
 - (b) “the relevant licensing authority”, in relation to a building in respect of which a premises licence has effect, means the relevant licensing authority in relation to that building under section 12 of that Act.]
- (6) This section shall not apply to any entertainment given in a private dwelling-house.

Textual Amendments

- F1** Words in s. 12(3) repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), ss. 198, 199, [Sch. 6 para. 14\(a\)](#), [Sch. 7](#) (with ss. 2(3), 15(2), 195); S.I. 2005/3056, [art. 2\(2\)](#)
- F2** S. 12(5)(a) substituted (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), ss. 198, 199, [Sch. 6 para. 14\(b\)](#) (with ss. 2(3), 15(2), 195); S.I. 2005/3056, [art. 2\(2\)](#)
- F3** S. 12(5A) inserted (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), ss. 198, 199, [Sch. 6 para. 14\(c\)](#) (with ss. 2(3), 15(2), 195); S.I. 2005/3056, [art. 2\(2\)](#)

Modifications etc. (not altering text)

- C1** S. 12: functions of local authority not to be the responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, [reg. 2\(1\)](#), [Sch. 1](#) B1 35
- C2** [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 35](#) (in relation to liability on first and subsequent convictions), 38 (increase of fines) and 46 (substitution of references to levels on the standard scale) apply (E.W.)

Status:

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