
STATUTORY INSTRUMENTS

1968 No. 1728

The Children (Performances) Regulations 1968

PART V

BROADCAST AND RECORDED PERFORMANCES

Licences to which Part V applies

24. The restrictions and conditions specified in this Part of these Regulations shall apply in the case of every licence authorising a child to take part in a broadcast performance or a performance to be recorded (by whatever means) with a view to its use in a broadcast or a film intended for public exhibition.

Maximum number of days in a week on which a child may take part in performances and rehearsals

25. Where in any period of seven days a child takes part in performances or rehearsals to all of which this Part of these Regulations applies or to some of which this Part applies and to others of which Part IV of these Regulations applies, he shall not take part in such performances or rehearsals on more than five days in that period.

Limitation on daily performances

26. On any day a child may take part only in performances or rehearsals which are of the same nature and in which he performs the same part or takes the place of another performer in the same performance.

Children aged thirteen or more

27.—(1) Subject to the provisions of paragraph (2) of this Regulation, a child who has attained the age of thirteen years shall not be present at a place of performance or rehearsal—

- (a) for more than eight hours a day;
- (b) before nine in the morning or after seven in the evening, except that a child may be present after half-past eight in the morning if on the preceding day he was not present after half-past six in the evening.

(2) Notwithstanding the provisions of paragraph (1) of this Regulation, where the holder of the licence is the British Broadcasting Corporation, the Independent Television Authority, a programme contractor within the meaning of section 1(5) of the Television Act 1964 or a body supplying programmes to such a programme contractor to be broadcast by the Independent Television Authority, a child who has attained the age of thirteen years may—

- (a) be present in any week at a place of performance or rehearsal between the hours of ten in the morning and ten in the evening—
 - (i) for not more than twelve hours on any one day, or

- (ii) for not more than ten hours a day on any two days, or
 - (iii) for not more than eight hours a day on any three days,
- if he is not present at a place of performance or rehearsal on any other day in that week and has not been present at a place of performance or rehearsal after seven in the evening on more than twenty days during the preceding twelve months; or
- (b) be present on one day in any week at a place of performance or rehearsal for not more than twelve hours between the hours of ten in the morning and ten in the evening, provided that—
 - (i) he is not present at the place of performance or rehearsal for more than four hours on any other day in that week;
 - (ii) he does not take part in a performance or rehearsal for a total period of more than two hours on any other day in that week;
 - (iii) he does not take part in a performance or rehearsal on the day immediately following the day on which he has been present at the place of performance or rehearsal after seven in the evening in accordance with this paragraph; and
 - (iv) he has not been present at a place of performance or rehearsal after seven in the evening in accordance with this paragraph on any day during the six preceding days.
- (3) A child who has attained the age of thirteen years shall not take part in a performance or rehearsal on any day—
- (a) for a continuous period of more than one hour without an interval for rest;
 - (b) for a total period of more than three and a half hours.
- (4) A child who has attained the age of thirteen years shall not be present at a place of performance or rehearsal—
- (a) for more than four consecutive hours without there being two or more intervals of which one shall be for the purpose of a meal and shall be of not less than one hour and the other or others shall be for the purpose of rest and shall not be less than fifteen minutes;
 - (b) for more than eight consecutive hours without there being three or more intervals of which two shall be for the purposes of meals and shall each be of not less than one hour and the other or others shall be for the purpose of rest and shall not be less than fifteen minutes.
- (5) In calculating the number of hours on any day during which a child is present at a place of performance or rehearsal, there shall, in the case of a child for whom arrangements for his education by a private teacher have been approved by the licensing authority, be included any periods of education taken into account for the purpose of complying with the requirements of Regulation 10(4) of these Regulations, whether or not they take place at the place of performance or rehearsal.

Children aged five to twelve

28.—(1) Subject to the provisions of paragraph (2) of this Regulation, a child who has attained the age of five years but has not attained the age of thirteen years shall not be present at a place of performance or rehearsal—

- (a) for more than seven and a half hours a day;
- (b) before nine in the morning or after half-past four in the afternoon, except that a child who has attained the age of ten years may be present until five in the afternoon.

(2) Notwithstanding the provisions of paragraph (1) of this Regulation, Regulation 27(2) of these Regulations shall apply to a child who has attained the age of twelve years as if for the word “thirteen” there were substituted the word “twelve” and for the words “seven in the evening” wherever they occur there were substituted the words “five in the afternoon”.

(3) A child who has attained the age of five years but has not attained the age of thirteen years shall not take part in a performance or rehearsal on any day—

- (a) for a continuous period of more than forty-five minutes without an interval for rest;
- (b) for a total period of more than three hours.

(4) A child who has attained the age of five years but has not attained the age of thirteen years shall not be present at a place of performance or rehearsal—

- (a) for more than three and a half consecutive hours without there being two or more intervals of which one shall be for the purpose of a meal and shall be of not less than one hour and the other or others shall be for the purpose of rest and shall not be less than fifteen minutes;
- (b) for more than eight consecutive hours without there being three or more intervals of which two shall be for the purposes of meals and shall each be of not less than one hour and the other or others shall be for the purpose of rest and shall not be less than fifteen minutes.

(5) In calculating the number of hours on any day during which a child is present at a place of performance or rehearsal, there shall, in the case of a child for whom arrangements for his education by a private teacher have been approved by the licensing authority, be included any periods of education taken into account for the purpose of complying with the requirements of Regulation 10(4) of these Regulations, whether or not they take place at the place of performance or rehearsal.

Children under five

29.—(1) A child who has not attained the age of five years shall not be present at a place of performance or rehearsal—

- (a) for more than five hours a day;
- (b) before half-past nine in the morning or after half-past four in the afternoon.

(2) Such a child shall not take part in a performance or rehearsal on any day—

- (a) for a continuous period of more than thirty minutes without an interval for rest;
- (b) for a total period of more than two hours.

(3) Any time during which such a child is present at a place of performance or rehearsal, but is not taking part in a performance or rehearsal, shall be used for the purposes of meals, rest and recreation.

Night-work

30.—(1) Notwithstanding anything in Regulations 27 to 29 these Regulations, but subject to the restrictions and conditions laid down in paragraph (2) of this Regulation, where the local authority are satisfied that a scene must be recorded out of doors and after the latest permitted hour, they may permit a child to take part in a performance after the latest permitted hour, but they shall only permit the child to take part in a performance after midnight and before the earliest permitted hour if they are satisfied that it is impracticable for the recording of the performance to be completed before midnight.

(2) Where the local authority permit a child to take part in a performance after the latest permitted hour, the following restrictions and conditions shall apply:—

- (a) the number of hours during which the child takes part in a performance after the latest permitted hour shall be included in computing the maximum number of hours during which he may take part in a performance or rehearsal on any one day under Regulations 27 to 29 of these Regulations;
- (b) the child shall not take part in any other performance or rehearsal until not less than sixteen hours have elapsed since the end of his part in the performance;

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- (c) where the child takes part in a performance after the latest permitted hour on two successive days, the local authority shall not permit him to take part in any further performance after the latest permitted hour during the seven days immediately following the said two days.

(3) In this Regulation “latest permitted hour” and “earliest permitted hour” in relation to a particular child mean the latest hour and the earliest hour respectively at which that child may be present at the place of performance or rehearsal under Regulations 27 to 29 of these Regulations.

Exceptions to Regulations 27 to 29

- (a) **31.** (1) (a) The matron in charge of a child may allow that child to take part in a performance for a period not exceeding thirty minutes immediately following the latest permitted hour if—
 - (i) the total number of hours during which the child takes part in a performance, including the said period of thirty minutes, does not exceed the maximum number of hours permitted under Regulations 27 to 29 of these Regulations;
 - (ii) it appears to the matron that the welfare of the child will not be prejudiced, and
 - (iii) it appears to the matron that the conditions necessitating the child taking part in a performance after the latest permitted hour arose in circumstances outside the control of the holder of the licence.
 - (b) If a child takes part in a performance after the latest permitted hour under this Regulation, the holder of the licence shall ensure that the matron notifies the local authority not later than the day immediately following the day on which that child takes part in the performance.
 - (c) In this Regulation “latest permitted hour” in relation to a particular child means the latest hour at which that child may be present at the place of performance or rehearsal under Regulations 27 to 29 of these Regulations.
- (2) The matron in charge of a child may allow one of the intervals to be set aside for the purposes of meals under Regulation 27 or 28 of these Regulations, as the case may be, to be reduced where the child is taking part in a performance or rehearsal out of doors, provided that—
- (a) the duration of that interval is not less than thirty minutes, and
 - (b) the maximum number of hours during which he may take part in a performance or rehearsal under the said Regulation 27 or 28 is not exceeded.