
WELSH STATUTORY INSTRUMENTS

2015 No. 1757

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

PART 2

Documentation requirements in relation to all licences

Application for licence

4.—(1) An application for a licence must—

- (a) be made in writing by—
 - (i) the person responsible for the organisation of the sporting event or, as the case may be, the person who proposes to engage the child as a model; or
 - (ii) the person responsible for the production of the performance in which the child is to take part;
- (b) contain the information specified in Parts 1 and 2 of Schedule 2;
- (c) be signed by the applicant and a parent of the child; and
- (d) be accompanied by the documentation specified in Part 3 of Schedule 2.

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

Licence conditions

5. The licensing authority must impose any conditions which it considers necessary in order to ensure that—

- (a) the child is fit to take part in the performance or activity;
- (b) proper provision is made to secure the child's health and wellbeing; and
- (c) proper provision is made to ensure that the child's education will not suffer.

6. Where the applicant requests a licence for a child to take part in a particular activity, performance or rehearsal, but is unable to specify the dates upon which the child will take part in that activity, performance or rehearsal at the time of the application, if the licensing authority decides to grant the licence, it must impose a condition that the child may only take part in that particular activity, performance or rehearsal for a specified number of days within a six month period.

7.—(1) Where the licensing authority considers that the information provided by the applicant is insufficient to enable it to decide whether to issue a licence or whether to issue a licence subject to conditions, the licensing authority must request additional information or documentation to enable it to make such a decision.

(2) In particular, the licensing authority may—

- (a) request that the child is medically examined;
- (b) interview any proposed private teacher;
- (c) interview the applicant, the child, the child's parents, or the proposed chaperone, as appropriate.

Form of licence

8.—(1) A licence must include—

- (a) the name of the child;
 - (b) the name of the parents of the child;
 - (c) the name of the applicant;
 - (d) the names, times, nature and location of the activity or performance (and location of any of any rehearsal if different) for which the licence has been granted;
 - (e) the dates of the activity, performance or rehearsal, or instead of the dates, the number of days on which the child will participate in the activity, performance or rehearsal and the period, not exceeding six months, in which the activities, performances or rehearsals may take place in accordance with regulation 6;
 - (f) any conditions, which the licensing authority considers necessary for the grant of the licence; and
 - (g) a statement that the licence is subject to the restrictions and conditions contained within these Regulations.
- (2) A photograph of the child must be attached to the licence.

Particulars that a licensing authority must provide in respect of a licence

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

10. Where a performance or activity is to take place in the area of a host authority other than the licensing authority, in accordance with section 39(3) of the 1963 Act, the licensing authority must send to that host authority a copy of the application form, licence, any additional information or documentation obtained by it under regulation 7 and, where the licensing authority approves any arrangements for the child's education, details of the days during the period of the licence on which the child subject to the licence would ordinarily be required to attend school if that child were attending a school maintained by the licensing authority.

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

11. For six months from the date of the last performance or activity to which the licence relates, the licence holder must retain the records specified in—

- (a) Part 1 of Schedule 3, where the licence is granted in respect of a performance; or
- (b) Part 2 of Schedule 3, where the licence is granted in respect of an activity.

Production of licence

12. The licence holder must, on request, produce the licence at all reasonable hours during the period beginning with the first and ending with the last performance or activity to which the licence relates, at the place of performance (or any place of rehearsal), or the place where the activity to which the licence relates takes place, to an authorised officer of the host authority or a constable.

Child protection policy

13. The licence holder must ensure that the policy or policies enclosed with the application are adhered to.

Letter from head teacher

14.—(1) Subject to paragraph (2), a licensing authority must not grant a licence in respect of a child who attends school unless it—

- (a) has received a letter from the head teacher of that school dealing with any matter relevant to the authority's consideration of section 37(4) of the 1963 Act; and
- (b) has taken account of that letter.

(2) The requirement in paragraph (1) does not apply where the authority is satisfied that the production of a letter has not been practicable.