WELSH STATUTORY INSTRUMENTS

2007 No. 736 (W.66)

SOCIAL CARE, WALES
CHILDREN AND YOUNG PERSONS, WALES

The Children (Performances) (Amendment)(Wales) Regulations 2007

Made - - - -	*6 March 2007*
Coming into force - -	*2 April 2007*

The National Assembly for Wales, in exercise of the powers conferred upon it by section 37(4) and (5) of the Children and Young Person Act 1963(**1**) hereby makes the following Regulations:

Title, commencement, interpretation and application

1.—(1) The title of these Regulations is the Children (Performances) (Amendment) (Wales) Regulations 2007, and they come into force on 2 April 2007.

(2) In these Regulations, "the 1968 Regulations" means the Children (Performances) Regulations 1968(**2**).

(3) These Regulations apply in relation to Wales.

Amendment of the 1968 Regulations

2.—(1) The 1968 Regulations are amended in accordance with the provisions of this regulation.

(2) In regulation 2(1) delete the words "they may request a report from the head teacher in respect of the child,".

(3) Regulation 6 of the 1968 Regulations is revoked.

(4) After regulation 8 insert the following—

"**Report from head teacher**

8A.—(1) A licensing authority must not grant a licence in respect of a child who attends school unless —

(**1**) 1963.c.37. Section 37 was amended by the Children (Protection at Work) Regulations 1998 (S.I.1998/276). In relation to Wales, the powers have been transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(**2**) S.I.1968/1728 as amended by the Children (Performances) (Miscellaneous Amendments) Regulations 1998 (S.I.1998/1678).

(a) they have obtained a report from the head teacher of that school dealing with any matters relevant to the authority's consideration of section 37(4) of the Act; and

(b) have taken account of that report:

unless the authority is satisfied that it has not been practicable to obtain a report."

(5) In regulation 10(4) (education)—

(a) omit "on location" in each place where those words occur, and

(b) omit sub-paragraph (e).

(6) In regulation 12, after paragraph (1) insert the following—

"(1A) The licensing authority must not approve a matron unless they are satisfied that —

(a) they have provided the matron with information as to the legal responsibilities of a matron and the law on performances by children; and

(b) the matron has undertaken child protection training to the level recommended by the Local Safeguarding Children Board where such recommendation has been made.".

(7) After regulation 12(6) insert —

"(7) Where the licensing authority think fit, they may grant a licence subject to a condition requiring the holder of the licence to provide the matron with a current copy of the script for the production concerned; and

(b) any such condition must be set out in the licence."

(8) After regulation 19 insert the following—

"**Child Protection Policy**

19A. The licence holder must ensure that the policy or policies enclosed with the application are adhered to."

(9) In regulation 27—

(a) in the heading, for "thirteen" substitute "nine";

(b) in paragraph (1), for "thirteen" substitute "nine";

(c) in paragraph (1)(a), for "eight" substitute "nine and a half";

(d) for sub-paragraph (b) of paragraph (1), substitute "(b) before seven in the morning or after seven in the evening.";

(e) in paragraph (2) for the words from and including "the Independent Television Authority" to and including "the Independent Television Authority" substitute "the Channel 3 licence holder, a broadcaster or independent production company";

(f) in paragraph (2)(a), after "performance or rehearsal" insert "either between the hours of seven in the morning and seven in the evening or";

(g) in paragraph (2)(a)(iii), for "eight" substitute "nine and a half";

(h) in paragraph (2)(b), after "twelve hours" insert "either between the hours of seven in the morning and seven in the evening or";

(i) in paragraph (3), for "thirteen" substitute "nine";

(j) in paragraph (3)(b), for "three and a half" substitute "four";

(k) in paragraph (4), for "thirteen" substitute "nine".

(10) In regulation 28—

(a) in the heading, for "twelve" substitute "eight";