CHILDREN IN ENTERTAINMENT - Frequently asked questions

Children who take part in performances or activities are governed by legislation under the Children and Young Persons Acts 1933 and 1963 and The Children (Performances and Activities) (England) Regulations 2014

How do I know if a child licence is required?

A licence may be required for

- Performances that meet the criteria in section 37(2) of the 1963 Act. These can include: acting; singing; dancing; playing in an orchestra; stand-up comedy; magic act; and any production where the activity is contrived or constructed for dramatic effect.

- So-called "reality" television where the activity in which the child participates is manipulated/control or directed for the purpose of the entertainment.

- Presenting or compering (where this has an element of contrived performance).

- Entertaining or performing where the performance meets any of the criteria under section 37(2) of the Act e.g. for a paying audience, on licensed premises, a recording for broadcast or public exhibition.

A licence may not be required for

- Observational documentaries where a child is filmed carrying out normal day to day activities for example playing in the street, participating in an ordinary lesson, training for their sport.

- Elements of a programme where the child is not being directed but is being observed doing normal activities are treated as observational documentary provided the child is filmed being themselves without direction.

- Daily news reporting, news reports (including investigations in the public interest, for e.g. testing if shops sell goods to a child underage).

- Being interviewed as a member of the public;

- Self-generated content e.g. a child records themselves and puts that on the internet;

- Castings and auditions that are not recorded for public exhibition;

- Being part of an audience (watching a show either in a studio, theatre or stadium).
<table>
<thead>
<tr>
<th>Dancing at a community dance festival or performance that meets any of the criteria set out under section 37(2) of the Act.</th>
<th>Dance workshops held on the same day of the performance at a different venue. (Practical dance sessions led by a dance teacher or artist. They may explore an idea or practice some dance movement; they introduce the participants to different dance styles or techniques; and encourage interaction between participants from different schools or groups)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Photo-shoots and modelling where the child or someone else in respect of the child taking part receives payment other than expenses.</td>
<td>Photo-shoots and modelling where no payment is made in respect of the child's participation.</td>
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<tr>
<td>Taking part in a sport where the child or someone else in respect of the child taking part receives payment other than expenses</td>
<td>Being a ball boy or girl If they were actually playing football or tennis and payment other than expenses was made then they could well fall within the remit of the child performance legislation.</td>
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Children who take part in these performances or activities must be looked after by a chaperone.


**What about performances given under arrangements made by a school?**

Under section 37(3)(b) of the 1963 Act, a licence is not required where the performance in which the child is taking part is given under the arrangements made by a school. The deciding factor is whether the school is responsible for organising and producing the performance. The school in question has to fall within the meaning of a "school" in the relevant Education Act.

**For further advice please contact:**

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5th Floor Delamere House
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Earle Street, Crewe
CW1 2BJ
01270 686199
Childemployment@cheshireeast.gov.uk

Further information on child performances can be found on the website - National Network for Children in Employment and Entertainment.

www.nncee.org.uk