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STATUTORY INSTRUMENTS

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**2000 No. 2384**

**CHILDREN AND YOUNG PERSONS, ENGLAND**

The Children (Performances)  
(Amendment) (No. 2) Regulations 2000

<i>Made</i>	- - - -	<i>3rd September 2000</i>
<i>Laid before Parliament</i>		<i>6th September 2000</i>
<i>Coming into force</i>	- -	<i>29th September 2000</i>

The Secretary of State, in exercise of the powers conferred upon him by section 37 of the Children and Young Persons Act 1963<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

**Citation, commencement, interpretation and extent**

1.—(1) These Regulations may be cited as the Children (Performances) (Amendment) (No. 2) Regulations 2000, and shall come into force on 29th September 2000.

(2) In these Regulations, “the 1968 Regulations” means the Children (Performances) Regulations 1968<sup>(2)</sup>.

(3) These Regulations extend to England only.

**Amendment of the 1968 Regulations**

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

(2) In regulation 10(4) (education)—

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

(b) omit sub-paragraph (e).

(3) In regulation 27—

(a) in the heading, for “thirteen” substitute “nine”,

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(1) 1963 c. 37. Section 37 was amended by the Children (Protection at Work) Regulations 1998 (S.I. 1998/276). The powers are exercisable by the Secretary of State in relation to England only. In so far as exercisable 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). In relation to Scotland, they are exercisable by a member of the Scottish Executive by virtue of section 53 of the Scotland Act 1998 (c. 46).

(2) S.I. 1968/1728 as amended by the Children (Performances) (Miscellaneous Amendments) Regulations 1998 (S.I. 1998/1678) and the Children (Performances) Amendment Regulations 2000 (S.I. 2000/10).

- (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)(a), after “performance or rehearsal” insert “ either between the hours of seven in the morning and seven in the evening or”,
  - (f) in paragraph (2)(a)(iii), for “eight” substitute “nine and a half ”,
  - (g) in paragraph (2)(b), after “twelve hours” insert “either between the hours of seven in the morning and seven in the evening or”,
  - (h) in paragraph (3), for “thirteen” substitute “nine”,
  - (i) in paragraph (3)(b), for “three and a half” substitute “four”,
  - (j) in paragraph (4), for “thirteen” substitute “nine”.
- (4) In regulation 28—
- (a) in the heading, for “twelve” substitute “eight”,
  - (b) for “the age of thirteen” in each place where those words occur, substitute “the age of nine”,
  - (c) in paragraph (1)(b), delete “, except that a child who has attained the age of ten years may be present until five in the afternoon”,
  - (d) omit paragraph (2).
- (5) In regulation 37—
- (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)(b), for “three and a half” substitute “four”.
- (6) In regulation 38—
- (a) in the heading, for “twelve” substitute “eight”,
  - (b) in paragraph (1), for “thirteen” substitute “nine”,
  - (c) in paragraph (1)(b), delete “, except that a child who has attained the age of ten years may be present until five in the afternoon”.

Signed by authority of the Secretary of State

3rd September 2000

*John Hutton*  
Minister of State,  
Department of Health

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Children (Performances) Regulations 1968 in relation to children aged nine or over to increase the maximum length of time to four hours in which a child may take part in a continuous performance or rehearsal without a break. They also extend the permitted hours in the working day and the total number of hours in which these children may be present at the place of performance or rehearsal.

The Regulations also extend, to all performances or activities, existing modifications to the education provisions. For each period of four weeks, or if less than four weeks, for that period, education requirements will be met if the child receives education for at least 6 hours each week, with the remainder of the required hours education taking place on days other than days on which the child would not normally be required to attend school, subject to a maximum of five hours education taking place on any day.