



## PERFORMANCES BY CHILDREN (AMENDMENT) REGULATIONS 2018

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Statutory Document No. 2018/0068

*Education Act 2001*

## PERFORMANCES BY CHILDREN (AMENDMENT) REGULATIONS 2018

*Approved by Tynwald:* 20 March 2018  
*Coming into Operation:* 1 April 2018

The Department of Education, Sport and Culture makes the following Regulations under section 54 of the Education Act 2001.

### 1 Title

These Regulations are the Performances by Children (Amendment) Regulations 2018.

### 2 Commencement

If approved by Tynwald these Regulations come into operation on 1 April 2018.

### 3 Amendment of the Performances by Children Regulations 2004

- (1) The Performances by Children Regulations 2004<sup>1</sup> are amended in accordance with paragraphs (2) to (5).
- (2) In regulation 1 (citation, commencement and interpretation) in paragraph (2) after the definition of “the Act”, insert —  


“approved body” means a group or organisation which uses children in their performances or productions and which is approved by the Department for the purpose of regulation 5(2)(c);
- (3) In regulation 7 (application for licence for chorus etc) —
  - (a) in paragraph (1) for “no child is required to be absent from a school at which he is a registered pupil” substitute “the Head Teacher of the school at which he is a registered pupil gives permission for any absence required”; and
  - (b) in paragraph (2)(a) omit “address”.
- (4) After regulation (9) insert —

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<sup>1</sup> SD 439/04

**9A Application to be an approved body**

- (1) An application to be an approved body under regulation 5(2)(c) shall be in the form specified in Schedule 2A.
- (2) An approval under this paragraph for the purposes of regulation 5(2)(c) shall be for a period of 5 years or such shorter period as may be specified in the approval.
- (3) On the anniversary of the date of approval, throughout the period of the approval, an approved body must submit to the Department confirmation that —
  - (a) the details of the officials, the policies and procedures and any planned performances specified in its application for approval have not changed, or details of any changes;
  - (b) safeguarding training has been undertaken by any of the approved body's officials who at the time of the application for approval, had no such training.
- (4) Failure to submit the confirmation and information specified in sub-paragraph (3) may result in the approved body's approval being withdrawn.
- (5) Any approval issued by the Department under this paragraph is subject to the following conditions —
  - (a) no payment is to be made to a child or another person, on behalf of a child, other than for defraying expenses, and if applicable, modest prizes for class winners;
  - (b) no child will be absent from school to take part in a performance without the permission of the Headteacher of the school at which the child is a registered pupil;
  - (c) no performance will be of a dangerous nature, as set out in regulations 2 and 3 of these Regulations;
  - (d) the approved body shall comply with regulations 14, 15, 18, 23, 34 and 35 of these Regulations;
  - (e) a first aider must be present at each performance;
  - (f) the Department has unrestricted access to any dress or technical rehearsal or performance;
  - (g) the approved body shall provide to the Department a copy of its current written child protection policy;
  - (h) the approved body shall ensure that a list of emergency contact details in respect of each child, including any medical issues or additional needs, is available at the place of performance; and

- (i) the approved body shall ensure signing in and out sheets and daily record sheets are completed for each performance.
- (6) Breach of the conditions of an approval may result in the approved body's approval being withdrawn. 
- (5) After Schedule 2 (licence for performance by child), insert –



## SCHEDULE 2A

[regulation 9A(1)] –

### APPLICATION TO BE AN APPROVED BODY FOR THE PURPOSES OF REGULATION 5(2)(C) OF THE PERFORMANCES BY CHILDREN REGULATIONS 2004

#### Section 1 – Organisation Details

Name of Organisation	
Registered Address of organisation <i>inc. postcode</i>	
Tel. No(s)	
Email address	

Name of Applicant*	
Position in Organisation	
Address if different <i>Inc. postcode</i>	
Tel. No(s)	
Email address	

\*N.B The applicant must have the authority to agree, on behalf of the organisation, to any terms and conditions set out by the Department of Education, Sport and Culture.

#### Section 2 - Details of performance

If your application is for a 5 yearly term and you have not arranged any performances, please continue to section 3

Performance Title	
Address of Venue <i>inc. postcode</i>	
Date(s) of performance(s)	
Time(s) of performance(s)	
Description of the performance in respect of which the approval is requested.  <i>Please provide as full a description as you can about what the children will actually be required to do.</i>	

### Section 3 – Safeguarding arrangements

Name of Person responsible for Child Protection and Safeguarding	
Position in Organisation	
Address <i>Inc. postcode</i>	
Tel. No(s)	
Email address	

How do you ensure your child protection policy is followed throughout your organisation?	
What safeguarding training do you provide to those in your organisation who come in to contact with children?	
What arrangements do you have in place for the supervision of the children at rehearsals and	

performances?	
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Declaration of compliance with *Performances by Children Regulations 2004*

I confirm that I understand the provisions of the Performances by Children Regulations 2004 relating to approval to be an approved body and that I am authorised to commit the organisation which I represent to comply with the conditions to which an approval which has been granted is subject.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_



**MADE 12 FEBRUARY 2018**

**GRAHAM CREGEEN, MHK**  
*Minister for Education, Sport and Culture*





**EXPLANATORY NOTE**

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

These Regulations amend the Performances by Children Regulations 2004 (“2004 Regulations”) (SD 439/04) by inserting a definition of “approved body” and the application procedure to be followed in order to become an approved body, in accordance with section 54(2)(a) of the Education Act 2001 and for the purposes of regulation 5(2)(c) of the 2004 Regulations. Approval as an approved body may be up to 5 years and requires the approved body to supply details of changes to officials, policies, procedures and performances, if any. The approved body will also be required to confirm that safeguarding procedures are in place and that safeguarding training has been undertaken by those officials who previously did not have it. These Regulations insert provision into the 2004 Regulations which specify a number of conditions subject to which approval will be given to an approved body.