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## Children's employment regulation

The Children and Young Persons (Care and Protection) (Child Employment) Regulation 2015 was introduced on 17 December 2015.

### How the changes affect your industry

- All industries (other than performer representatives)
- Live performance
- Students (enrolled in an industry course)
- Performer representatives

### All industries

All employers of children in the entertainment industries need to be aware of these changes:

- Any organisation or sole trader who directs a child to perform tasks for payment requires an authority and to comply with the Regulation. Read more about authorities.
- Introduction of one week, 3 month and 6 month authorities. Employers now have greater flexibility in authority options to replace the compliance discount. Read more about authority fees
- Employers are required to develop a Code of Conduct encouraging child safe practices. Read more about developing a child safe code of conduct.
- Fines can now be applied for breaches of the Regulation. Read more about penalties.
- Employers can provide more flexible breaks. Children are to receive regular rest breaks as appropriate to the needs of the child and their workload. Read more about rest breaks.
- Employers are required to keep records for all children engaged to provide a service, for both paid and unpaid services. Records are required to be kept for six years. Read more about record keeping.
- Employers need to maintain an incident register. Read more about incident registers.
- Employers to identify and notify the Office of the Children's Guardian of any risks in connection to the employment of a child and the employer's strategies to mitigate those risks. Read more about seven days notice.
- Children must be in direct view of their supervisor at all times. Read more about supervision.

## Live performance

There are new hours of work for live performance.

<b>Age of child</b>	<b>Max days per week</b>	<b>Hours during which the child may be employed</b>	<b>Max hours per day</b>
Under 6 months	1 day	6:00 am- 6:00 pm	4 hours
6 months to under 3 years	2 days	6:00 am - 6:00 pm	4 hours
Over 3 years and under 6 years	4 days	6:00 am - 9:00 pm	4 hours
Over 6 years and under 8 years	4 days	6:00 am - 10:00 pm	6 hours
Over 8 years and under 15 years	4 days	6:00 am - 11:00 pm	8 hours

These changes to hours of work will:

- remove confusion by aligning the hours of work with film and television requirements
- reduce the amount of variations required by the live performance industry
- provide a better balance between the needs of employers while protecting child employees

Provisions relating to children's school attendance remain in place. Employers are still required to apply for a variation when:

- the child works for more than four hours on a day that they attends school
- the child works on nights immediately preceding school days.

## Students (enrolled in an industry course)

Any student enrolled in an industry course and directing children to perform tasks requires an authority and needs to comply with the Regulation.

Industry courses include:

- film, television or radio
- live performance
- still photography.

This is required when directing children in paid or unpaid activities.

Students are exempt from fees payable for the authority.

## Performer representatives

Performer representatives, when arranging work for a child, need to make sure the work does not:

- amount to more than one shift per day
- exceed five consecutive days
- commence less than 12 hours after the child will finish work from the same or another employer
- exceed 50 hours per week when combined with the child's schooling hours for that week.

Performer representatives, who act solely in this capacity, are not required to obtain an authority.

Performer representatives need to comply with the record-keeping requirements of the Regulation, including recording the authority number of the employer who employs the child. These records need to be retained for six years.