

Children's Employment

Information for School Principals

Employers of children in the entertainment, still photography, modelling and live theatre industries are required to meet specific obligations relating to a child's education needs. These requirements are set out in the [Children and Young Persons \(Care and Protection\) \(Child Employment\) Regulation 2015](#).

Permission to be absent from school

An employer must not employ a child of compulsory school age (within the meaning of the *Education Act 1990*) during hours of normal school attendance unless:

- the period of absence is approved by the principal of the child's school (or the Secretary of the NSW Department of Education), or
- the child is enrolled at a school to undertake courses of study by means of distance education, or
- the child is registered for home schooling under Division 2 of Part 7 of the *Education Act 1990* and the employment is permitted by the conditions to which that registration is subject.

The Office of the Children's Guardian recommends that parents request permission for absence and include the child's name, the type of employment the child will be undertaking, the name of the employer and the dates and times that the child will be absent from school due to employment.

The decision to grant or deny approval for a child to be absent from school for the purposes of engaging in employment is at the school's discretion.

School tuition

If a principal chooses to set tuition requirements as a condition of absence from school, the OCG considers this as receiving schooling, and the employer will be required to comply with the general limitations on hours of work relating to schooling requirements.

Hours of work relating to school requirements

The hours that a child is permitted to work are set out in the [Code of Practice](#), and vary according to the child's age and their industry of employment. Specific requirements relating to a child's schooling include:

- children must not have a combined total of more than 50 hours of school and work in one week
- children must not be employed for more than four hours if they have school on the same day that they work
- if they have school the following day, they must not be employed past 9pm

Authority to employ children

Anyone in NSW who employs a child under 16 for modelling work or a child under 15 for work in entertainment, exhibition or still photography must obtain an authority to employ children in NSW, issued by the Office of the Children's Guardian.

To see whether an employer holds a current authority, check the [register of authorised employers](#).

For more information, please visit www.kidsguardian.nsw.gov.au. If you have any questions, call (02) 8219 3797 or email kidsemployment@kidsguardian.nsw.gov.au.