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Basic Guide to Employment Contracts (Children in Performing Arts)

Anyone who employs a child under the age of 15 years must conclude an employment contract with the child's parent, guardian or agent. The contract must include, the type of work, pay and hours of work.

Application

Sectoral Determination 10 for Children in the Performance of Advertising, Artistic and Cultural Activities applies to all employers who have been granted a permit to employ child workers under 15 years of age, but not to

- o members of the:
 - o National Defence Force,
 - o National Intelligence Agency, or
 - o South African Secret Service;
- o unpaid volunteers working for charity;
- o workers aged 15 or older;
- o children participating in non-profit activities; and
- o employers who have not been granted permits.

The Basic Conditions of Employment Act applies in respect of any matter not covered by this sectoral determination.

See

- o Sectoral Determination 10: Children in the Performance of Advertising, Artistic and Cultural Activities
Basic conditions of employment applicable only to children in the performing arts and their employers

Written Particulars of Employment

The contract of employment must contain the following information:

Employer's Details

- o Employer's full name
- o Employer's address

Child's Details

- o The child's full name
- o Brief description of the work the child is employed for
- o Date of birth

Employment Details

- o Place/s of work
- o Details of each place of work
- o Date of employment
- o Working hours and days of work

Payment Details

- o Salary or wage, or the rate and method of calculating wages
- o Any other cash payments;
- o Any payments in kind and their value
- o Frequency of payment
- o Any deductions
- o Value and payment for any food or accommodation.

Leave Details and Notice/Contract Period

- o Any leave to which the child is entitled
- o Period of notice required
- o Period of contract

Signing the Contract

The parent, legal guardian or agent of the child must sign contracts, indicating the capacity in which they sign.

Contract Changes

Any change in the contract of employment, must be recorded in writing and signed by the employer and either the

- o parent;
- o legal guardian; or
- o authorised agent.

The employer must retain a copy of the contract while the child is employed, and for 3 years afterwards.

Related Links

- [Basic Guide to Pay Slips \(Children in Performing Arts\)](#)
Sectoral Determination 10 stipulates that employers must give children workers certain details each time they are paid.
- [Basic Guide to Permits to Employ Children \(Children in the Performing Arts\)](#)
Sectoral Determination 10 stipulates it is illegal to employ children in the performing arts without a permit.
- [Basic Guide to Protection of \(Children in Performing Arts\)](#)
Sectoral Determination 10 requires that all children be kept safe and out of harm at all times whilst working or performing.
- [Basic Guide to Working Hours \(Children in Performing Arts\)](#)
Sectoral Determination 10 regulates working hours and rest periods for child workers.
- [Sample - Employment Contract](#)