

Supervised Dissertation

ON

“Child Performers Condition in the Entertainment Industry of Bangladesh”

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Declaration

I hereby certify that I am the single author of this research work titled “Child Performers Condition in the Entertainment Industry of Bangladesh.” This research is done by me under the supervision of Nabila Farhin, Lecturer, Department of East West University. Additionally, it has never been submitted in full or in part as part of a prior application for a degree. I certify that this study is being presented as part of the Law 406 (Supervised Dissertation) undergraduate program at East West University. This research paper is wholly original, the work of my own, and it has not been submitted for credit toward any other degree. Every piece of material and content that has been added here contains citations and acknowledgements.

“Child Performers Condition in the Entertainment Industry of Bangladesh”

Abstract

Entertainment industry has grown all over the world and in Bangladesh this is a developing industry as well. Due to the evolution of entertainment industry, there are number of child performers who are entering here. So, what are the protection these children get from the current laws of Bangladesh is a question. There are multiple laws and guidelines regarding children but there are concerns protecting the children in the entertainment industry. The purpose of the research is to ensure if the existing laws of Bangladesh is enough to ensure the protection of a child performer in the entertainment industry. This research is qualitative research and there is both primary and secondary data. In this paper, the author has focused on formal print media, how the existing laws if Bangladesh is not enough to protect the child performers in the entertainment industry and gives recommendations regarding how the laws can develop and child performer right could be ensured.

“Child Performers Condition in the Entertainment Industry of Bangladesh”

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Abbreviations

CRC, 1989: The United Nations Convention on the Rights of the Child, 1989

C-182: Worst Forms of Child Labour Convention, 1999

R-190: Worst Forms of Child Labour Recommendation, 1999.

US: United States.

FLSA,1938: Fair labour standard act,1938.

The Child Labour (Prohibition and Regulation) Act,1986 (ACT 61,1986).

FDC, 1957: Film Development Corporation Act, 1957

DSA,2018: Digital Security Act,2018

PA, 2021: Pornography Act, 2021

BTRC,2011: Bangladesh Television Act,2011

Chapter 1

Introduction:

1.1 Introductory Statement:

Entertainment industry is a growing industry and currently it has developed a lot in Bangladesh as well. Due to the development, children are getting involved here more and more. Entertainment has become a necessity in the modern world now and portrayal of real character depends on actors of every age including children. These children who work in the entertainment industry as actor, singer, dancer etc. are considered to be child performers. Though acting is not recognized in the society as a career for a long time but a child performer who is in the entertainment industry needs to be ensured with broader protection. When the author thought about entertainment industry child performer, he always thought how does the protection of the children there are being handled. The procedure how do they get hired, remuneration, enough leisure time etc. The major thought is that current laws of Bangladesh is enough to protect child performers or not. The current laws recognition and provided safety can definitely be impactful in a child performers life.

The second chapter of the paper discussed about international laws regarding child performer in the entertainment industry. The international standards set from international law regarding the principle best interest of the child, age, and guardianship. All the mentioned parts reflect both general international law and specialized international law. Then the third chapter of the paper explored other countries laws regarding child performer in the entertainment industry and how much they are concerned about it. Then fourth chapter of the paper discussed the provided provisions of Bangladesh regarding child performer in the entertainment industry. General laws, specialized laws and guidelines were discussed as well as other usable platforms. Then fifth chapter of the paper discussed findings of all the chapters, how this problem can get better, and the final chapter of the paper discussed the conclusion.

1.2 Objective of the Research

The research is to understand the importance of rights regarding child performer in the entertainment industry, to understand the recognition on a child performer, to explore other countries and how they are dealing with their child performers in entertainment industries, to find a way to improve the laws regarding child performer in the entertainment industry and find necessity of protection of law.

1.3 Research Scope and Methodology:

The research is the protection of entertainment industry child performers. The research only covers the formal print media platform. The paper only focuses on the laws protecting child performers of entertainment industry. The paper has comparative research on US and Indian entertainment industry with Bangladesh's Entertainment industry. The paper also focuses on the concept of international law regarding child entertainment industry performers.

To achieve the purpose of the dissertation, the research will be a conducted using the qualitative research approach. This research will include primary source discussion and analysis of legislation, articles, blogs, newspapers, websites and international instruments. To conduct this research, the author has prioritized information from primary and secondary sources.

This is qualitatively oriented research, where the research method is based on collecting and analyzing data to understand the notions. The author has used the Statues and Guidelines as primary sources for this research and national and international newspaper articles, online blogs and websites as secondary sources.

1.4 Research Question:

Are the existing laws adequate in protecting child performers in entertainment industry in Bangladesh?

1.5 Limitations of the Research:

The study is based on child Performers in entertainment industry, an unrecognized provision in nature and type. As a new concept, there are less books, blogs, articles, and journals regarding child Performers in entertainment industry. There are less cases where child Performers in entertainment industry is used. Thus, we have to look for judgment in other countries like India, and the USA, but unfortunately there are no such cases so the author looked for incidents. Hence the author faced resource and time limitations. As there is no published material regarding this study, I mainly complete my work based on online articles, newspapers, online published journals, and incidents of both Bangladesh and other countries.

Chapter 2:

Comparative Analysis of International Laws

2.1 The best interest of the child Principle:

International law has set a standard for workers and certainly concerned about child labours. When it is heard about young workers the international laws follow the principle “the best interest of the child”. The United Nations Convention on the Rights of the Child, 1989 (CRC, 1989) pioneered the idea of the Best Interests of the Child premise. Best interest of the child principle gives a clear idea that the best interests of the child will be the first consideration in all acts touching children, whether done by public or private social welfare organizations, court of law, administrative authorities, or legislative bodies.¹ It means whenever an act regarding child are being made this principle should be kept in mind. Unfortunately, we do not see this principle being followed regarding child performers in the entertainment industry and certainly not in Bangladesh.

From general international laws, it is clear that it follows best interest of the child principle as it states children should get extra attention, support and all children should have the same social protection whether they were born married or not.² These law gives a burden to the signed members of the convention to ensure a child’s right regardless of the marital status of its parents as child deserves protection of legal guardian. Every child has the right to the protections necessary for his or her position as a minor from his or her family, society, and the State, without distinction based on race, color, sex, language, religion, national or social origin, property, or place of birth.³ No discrimination can be put to ensuring the safety of a child. In specialized laws, without making any distinctions based on parentage or other factors, special protection and support measures should be implemented on behalf of all children and young people.⁴ Children and young people need to be protected against social and economic exploitation.⁵ Their employment in jobs that are

¹ Convention on the Rights of the Child, 1989, art 3 (1)

² Universal Declaration of Human Rights, 1948, art 25 (2)

³ International Covenant on Civil and Political Rights, 1966, 24 (1)

⁴ International Covenant on Economic, Social and Cultural Rights, 1966, art 10 (3)

⁵ Ibid

detrimental to their morality or health, hazardous to their lives, or likely to impede their natural growth ought to be illegal.⁶ These shows that if an entertainment industry child performers cannot be a victim of hazardous work but Bangladesh did not show any concern here for child performers in the entertainment industry.

States should also establish age thresholds below which it is illegal and penalized by law for children to work for pay.⁷ While the child is under the care of parent(s), legal guardian(s), or some other person who has the child's care, States Parties shall take all required legislative, administrative, social, and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse.⁸ Effective procedures for the establishment of social initiatives to provide the child and those personally liable for the child's care, in addition to other shapes of prevention and for recognition, disclosing, referral, investigation, treatment, and follow-up of cases of child maltreatment described so far in this, should all be included in such protective measures, as appropriate.⁹ This shows international laws does allow entertainment industry child performers not be fall a victim of abuse or ill-treatment. All these laws focus on the best interest of the child principle and ensures their safety and protections without any discrimination but it is missing from Bangladesh laws.

Worst Forms of Child Labour Convention, 1999 (C-182) is totally based on the best interest of the child principle. This Convention must immediately ban and eliminate the worst kinds of child labor.¹⁰ This convention has totally barred pornographic performance of children as well as work that harms children's health, safety, or morality by nature or conditions.¹¹ This law has barred pornographic performance for children. This will be briefly discussed later on. These provisions

⁶ Ibid

⁷ Ibid

⁸ Convention on the Rights of the Child, 1989, art 19

⁹ Ibid

¹⁰ Worst Forms of Child Labour Convention, 1999, art 1

¹¹ Worst Forms of Child Labour Convention, 1999, art 3

are ensuring the best interest principle by considering children's best interest but in practical life states often have denied it for child performers.

2.2 Who is a child according to international law:

Regarding determine who is a child, the international general did not clear it out but through specialized laws age of a child has been cleared that a person is considered to be a child if he is below the age of 18.¹² Focusing on that factor there is a certain age limit to work and given protection to those young workers by international laws. We know that Everyone has the right to work, to a job of their choosing, to fair and benevolent working conditions, and to protection against unemployment.¹³ Everyone has the right to equal remuneration for equal effort without any kind of discrimination.¹⁴ Which means a human being without any restrictions has the right to work and ensure their well-being but international laws created laws to safeguard children from harmful works as well.

The minimum age required must not be less than the age at which obligatory education is completed and, in any event, shall not be less than 15 years.¹⁵ So, no person can be hired by someone below the age of 15 but this rule has an exception in international law. After consulting with the relevant organizations of employers and employees, if any, a nation with an underdeveloped economy and educational system may first set a minimum age of 14 years.¹⁶ There is an exception that national laws can allow a person 13 to 15 years of age to do light work but a country which is undeveloped can substitute 12 to 14 years of age.¹⁷ From international law it is clear that not even an undeveloped country like Bangladesh can hire a person to work under the age of 12 but this rule is not shown on laws for child performers in entertainment industry.

¹² Convention on the Rights of the Child, 1989, art 1; Worst Forms of Child Labour Convention, 1999 (No. 182), art 2; Minimum Age Convention, 1973 article 3

¹³ Universal Declaration of Human Rights, 1948 art 23; Convention on the Elimination of All Forms of Discrimination against Women, 1979, art 11

¹⁴ Ibid

¹⁵ Minimum Age Convention, 1973 (No. 138), art, 2 (3)

¹⁶ Ibid

¹⁷ Minimum Age Convention, 1973 (No. 138), art, 7

There are also other factors regarding alternative works that might harm a person. Any sort of job or labor that, by its nature or the conditions under which it is performed, has the potential to endanger young people's health, safety, or morality must have an age requirement of at least 18 years.¹⁸ These type of jobs will be determined by national laws and regulation by consulting with competent authority and exceptionally after consulting with the relevant organizations of employers and employees, if any, national laws or regulations or the competent authority may authorize employment or work beginning at the age of 16 as long as the young people's health, safety, and morals are fully protected and they have received the necessary specialized training or vocational preparation in the relevant field of endeavor.¹⁹ In case Bangladesh, there is no competent authority to determine these laws and shown no concern for child performers.

Employment that is likely to jeopardize children's health, safety, or morality due to its nature or the conditions under which it is carried out.²⁰ The competent laws, regulations and authorities which will determine the hazardous type of work mentioned above is referred in Worst Forms of Child Labour Recommendation, 1999 (R-190).²¹ The recommendation discussed certain things that should be kept in mind making the laws are:

- i) job where children are subjected to sexual, emotional, or physical abuse,
- ii) job under extremely challenging circumstances, such as working late into the night or for lengthy stretches of time, or work when the kid is unfairly restricted to the employer's property,
- iii) labor underground, underwater, at heights where it is risky, or in small places,
- iv) labor that requires the human handling or transportation of huge items, or that entails using risky gear, equipment, or tools,

¹⁸ Minimum Age Convention, 1973 (No. 138), art, 3

¹⁹ Ibid

²⁰ Worst Forms of Child Labour Convention,1999 (C-182), art, 3

²¹ Worst Forms of Child Labour Convention,1999 (C-182), art,4

- v) employment in a harmful environment setting where children could, for instance, be exposed to potentially harmful chemicals, agents, or procedures, as well as to unhealthy temperatures, noise levels, or vibrations,²²

after consulting with the relevant workers' and employers' organizations, national laws or regulations or the competent authority may permit employment or work beginning at the age of 16 under the condition that the children's health, safety, and morals are completely protected and that the children have received sufficient specialized instruction or vocational training in the relevant branch of activity.²³ A child Performers can go through all the above mentioned works but there is no competent or concerned authority to determine child performers rights in Bangladesh. In lack of competent authority there is no way for a child Performers to feel protected in the existing laws.

Another exception is regarding the age 13 to 15 years²⁴ and for undeveloped countries 12 to 14 years²⁵ directed by specialized international laws. National laws or regulations may permit the employment or work of 13 to 15-year-old or 12 to 14 year old in light duty jobs as long as it is (a) not likely to harm their health or development, and (b) does not interfere with their ability to attend school, participate in programs for vocational orientation or training that have been approved by the appropriate authority, or benefit from the instruction they are receiving.²⁶ National laws or regulations may also allow individuals who are at least 15 years old exceptionally 14 year old but have not yet finished their obligatory education to work on projects that match the standards.²⁷ The competent authority must specify the activities for which employment or work may be allowed in accordance with the above explanation, as well as the hours and circumstances under which such employment or work may be carried out.²⁸ Child performers are easily the victims as they get barred of their development and health as well as they lose their ability to go school often times but there is no proper authorities in Bangladesh to look after them.

²² Worst Forms of Child Labour Recommendation, 1999, para 3

²³ Worst Forms of Child Labour Recommendation, 1999, para 4

²⁴ Minimum Age Convention, 1973 (No. 138), art, 7

²⁵ Ibid

²⁶ Ibid

²⁷ Ibid

²⁸ Ibid

All the above discussed laws and recommendations can be used for entertainment industry child performers but we can see that in case of artistic children there is an exception rule as well. The competent authority may, by permits issued in specific cases, allow exceptions to the prohibition of employment or work provided for by this Convention, for reasons like taking part in artistic performances, after consulting with the organizations of employers and workers concerned, where such organizations exist but the terms and number of hours during which employment or labor is permitted must be specified in the permits that have been thus issued.²⁹ Here creates a scope for child performers in the entertainment industry to stop their exploitation in work but in Bangladesh there is no fix hours due to the lack of competent authority. We should also focus that “artistic children” has never been defined in this law.

2.3 Parents and guardian’s role:

States the parties should make every effort to promote the idea that both parents share equal responsibility for the child's upbringing and development.³⁰ The child's upbringing and growth are primarily the responsibility of the parents or, in certain cases, legal guardians.³¹ Their first focus will be what is in the child's best interests.³² These clears that a parent or a guardian plays an important role in the life of a child performer.

In general law the States Parties to the present covenant agree to protect the freedom of parents and, when appropriate, legal guardians, to provide for the moral and religious upbringing of their children in accordance with their own beliefs.³³ Here it explains that how a parent or legal guardian is responsible for a child performers moral development and education he or she receives which is not ensured by Bangladesh’s laws.

²⁹ Minimum Age Convention, 1973 (No. 138), art, 8

³⁰ Convention on the Rights of the Child, 1989, art 18

³¹ Ibid

³² Ibid

³³ International Covenant on Civil and Political Rights, 1966, art 18

According to specialized law, while taking into account the rights and obligations of the child's parents, guardians, or other people legally responsible for them, the States Parties commit to providing the child with the protection and care necessary for their well-being. To this end, they must implement all necessary statutory and administrative measures.³⁴ So, a child deserves not only the protection of the state but also their parents or legal guardians as well. States Parties shall respect the rights, responsibilities, and obligations of parents, or, as applicable, the members of the enlarged family or neighborhood as provided for by local custom, legal representatives, or other individuals legally responsible for the child, to provide adequate direction and guidance in the exercise by the child of the rights recognized in the convention in a way that is consistent with the development of the child's capacities.³⁵ A community can be also liable for a child's development. States Parties must make sure that a child is not taken away from his or her parents against their will unless competent authorities who are subject to judicial review decide that doing so is in the child's best interests and is required by relevant law and procedures.³⁶ Such a choice may be required in a specific circumstance, such as when there has been parental abuse or neglect of the kid or when there is a separation between the parents and a choice about the child's residency is required.³⁷ To ensure a safety of a child also a child from entertainment industry performer can get protection from this law if their parents are not competent enough to take care of them but we do not see in Bangladesh.

International law ensures that the adoption of a child is just approved by competent authorities who determine, in accordance with the applicable laws and procedures and premised on all relevant and trustworthy information, that the adoption is permissible in light of the child's status with regard to parents, relatives, and primary caregivers and that, if considered necessary, the persons concerned have given their informed consent to the adoption after receiving any necessary counseling. Inter-country adoption may be explored if a child cannot be put in a foster or adoptive

³⁴ Convention on the Rights of the Child, 1989, art 3

³⁵ Convention on the Rights of the Child, 1989, art 5

³⁶ Convention on the Rights of the Child, 1989, art 8

³⁷ Ibid

family or cared for in his or her home country.³⁸ Ensure that intercountry adoptees have the same protections and requirements as national adoptees.³⁹ Take all necessary steps to prevent financial gain through intercountry adoption. Promote, as appropriate, the present article's goals by signing bilateral or multilateral arrangements or agreements, and ensuring, within this framework, that the child's placement in another nation is carried out by competent authorities or organs.⁴⁰ This shows how an adoptive parent can be held liable for a child's development and also entertainment industry children can get protection from abusive parents even if they are not biological parents.

³⁸ Convention on the Rights of the Child, 1989, art 21

³⁹ Ibid

⁴⁰ Ibid

Chapter 3

Comparative Analyses Between The Laws Regarding Entertainment Industry Child Performers In Other Countries

Hollywood is an entertainment industry focusing on movies that are made in United States (US) and Bollywood is an entertainment industry focusing on movies that are made in India while Dhallywood is an entertainment industry focusing on movies that are made in Bangladesh. Now we are going to explore these 3 countries entertainment industries and laws regarding child entertainment industry performers.

3.1 Hollywood (United States):

Hollywood is an entertainment industry focusing on movies that are made in US. According to me US has worked a lot in case of their labour industry as well as showing concern in regards of child workers. In Fair labour standard act,1938 (FLSA,1938); a child is a person below the age of 16 years.⁴¹ It has also discussed about “Oppressive child labor” which means: (1) Any employee under the age of sixteen employed by an employer in any occupation other than one found by the Secretary of Labor to be detrimental to the health or (2) Any employee between the ages of sixteen and eighteen employed by an employer in any occupation that the Secretary of Labor finds and by order declares to be particularly risky for the employment of children between such ages or harmful to their health or well-being is considered to be engaging in oppressive child labor.⁴² While US can use this section to protect the children from entertainment industry workers but they have excluded entertainment industry performers from this right.⁴³ It difficult to imagine that a developed country like the US has not protected their child performers from their federal law how can an undeveloped/developing country like Bangladesh would take a step against it.

⁴¹ Fair labour standard act,1938, sec 203 (I)

⁴² Ibid

⁴³ Fair labour standard act,1938, sec 213 (c) (3)

Child labour provisions in US have clearly been discussed by sec 212 (FLSA,1938) but it has excluded child performers.⁴⁴ Any kid working as an actor or performer in radio or television programs, theater performances, or motion pictures is exempt from the restrictions regarding child labor. Despite this there are many states in US which want to protect their entertainment industry child performers. 32 states have passed their own child entertainment laws in order to safeguard the interests of young performers who appear in films, television programs, or advertisements.⁴⁵ The rules range from only demanding that a child performer obtain the state labor commissioner's permission to establishing the maximum number of hours per day and per week that a child performer may work.⁴⁶ There are no regulations protecting kid performers in 18 states.⁴⁷ Child performers only need work permits in around half of the states, and in certain cases, just those under 14 or 16.⁴⁸ As a result, there are many different guidelines for young performers. Although no one was clear why, Pennsylvania's prior rule forbade children under 7 from appearing on TV but not in cinema.⁴⁹ Newborns cannot begin employment in Kansas until they are 15 days old.⁵⁰ If requested, Nevada casinos that employ children as performers for more than 91 school days must offer tutoring or other educational activities.⁵¹ A few states mandate that parents set aside 15% of their child performer's income in trust accounts.⁵² These accounts are known as Coogan accounts after Jackie Coogan, a former child actor whose mother and stepfather blew his wealth before he turned 18.⁵³ California, New York, New Mexico, Louisiana, and, as of late, Pennsylvania is among them.⁵⁴ US has made its law sufficient enough to protect entertainment industry child performers and many states are showing concern regarding the issue. Many states are updating their laws regarding child performers but it is not the picture of Bangladesh as they shown no sign to protect them so far.

⁴⁴ Ibid

⁴⁵ Mercer, m., 2013. Few protections for child performers. *USA Today*, [online] Available at: <https://www.usatoday.com/story/news/nation/2013/08/29/child-actors-protections-laws-pew/2734035/> [Accessed 30 July 2022].

⁴⁶ Ibid

⁴⁷ Ibid

⁴⁸ Ibid

⁴⁹ Ibid

⁵⁰ Ibid

⁵¹ Ibid

⁵² Ibid

⁵³ Ibid

⁵⁴ Ibid

The alarming situation for development in the laws of entertainment industry child performers in US can be seen from the situations created below, from the lives of entertainment industry child performers: firstly, Justin Bieber has been a victim of starting early in the entertainment industry. He has been opened about his over-dose of drug use, violent nature, hatred towards women and depression.⁵⁵ He is currently suffering from Ramsay Hunt Syndrome and many speculate that he has been avoiding his health due to busy schedule.⁵⁶ He always worked hard from a young age and did not care about his health.⁵⁷ This shows the lack of competent authority, legal guardian's irresponsibility and too much working hours. Secondly, Jennette McCurdy after the age of 30, has started to discuss about her earlier life.⁵⁸ Jennette McCurdy has written her first book titled "I'm Glad That My Mom Died" and shown how much she had suffered.⁵⁹ Her mother put her in a situation where she had to survive in a low calory.⁶⁰ Eventually, her anorexia turned into binge eating and ultimately bulimia. She was making an attempt to keep her already diminutive size, in part. However, she claims that it was largely an effort to connect with and please her mother, who also displayed disordered eating.⁶¹ A torture from her mother and an unstoppable work schedule is sign of lack of competent authority, legal guardian's irresponsibility and too much working hours. A child performer does not deserve this behavior. Finally, Macaulay Culkin, one of the biggest child stars back in the day.⁶² He had an abuse father who forced his children in the acting industry for his advantages.⁶³ Even if his child did not have any interest in acting, kit culkin forced them to do so.⁶⁴ lack of competent authority, legal guardian's abuse and lack of monitoring system causes this problem.

⁵⁵ Savage, M., 2019. Justin Bieber opens up about fame, drug use and depression. *BBC News*, [online] Available at: <<https://www.bbc.com/news/entertainment-arts-49562637>> [Accessed 7 September 2022].

⁵⁶ Hare, A., 2022. *Justin Bieber's Face Paralysis: Will he lose his hearing?*. [video] Available at: <<https://youtu.be/EYZH34Fj7wc>> [Accessed 7 September 2022].

⁵⁷ Ibid

⁵⁸ Ryu, J., 2022. How Jennette McCurdy escaped her narcissistic mother's 'excruciating' abuse. *USA Today*, [online] Available at: <<https://www.usatoday.com/story/entertainment/books/2022/08/09/im-glad-my-mom-died-jennette-mccurdy-nickelodeon-icarly-abuse/10055396002/>> [Accessed 7 September 2022].

⁵⁹ Ibid

⁶⁰ Ibid

⁶¹ Ibid

⁶² Keogh, J., 2021. *The Truth About Kieran And Macaulay Culkin's Father*. [online] TheList.com. Available at: <https://www.thelist.com/645782/the-truth-about-kieran-and-macaulay-culkins-father/> [Accessed 8 September 2022].

⁶³ Ibid

⁶⁴ Ibid

Being a kid celebrity is challenging.⁶⁵ Many young actors and actresses worry about maintaining their careers after saying goodbye to the legendary parts that made them household names in addition to working long hours on set and skipping out on usual childhood activities.⁶⁶ Regrettably, not everyone is successful.⁶⁷ Some former child stars made the decision to step away from the spotlight and seek occupations outside of the entertainment business, but regrettably, others burnt out after struggling with drug and alcohol misuse and garnering media attention for generally terrible behavior.⁶⁸ Others have entirely changed their professional paths and are now more well-known than they ever were.⁶⁹ So, not even success brings fortune to child entertainment industry performers. They have to face problems going back to normal life style and incidents like these happening to child performers are growing day by day. Both success and unsuccess will be harmful if good regulations are not given. Bangladesh should take lessons from these incidents as the entertainment industry here is vastly growing as well and many child performers are coming forward.

3.2 Bollywood (India):

Bollywood in an industry which makes movies in India. India has worked a lot in case of child labour. India has its own act to stop child labour called The Child Labour (Prohibition and Regulation) Act,1986 (ACT 61,1986). According to India a child is a person who has not reached the age of 14.⁷⁰ A country like India which is more developed more than Bangladesh and has a much vaster entertainment industry did not follow international standards while determining the age of child so it difficult to imagine how Bangladesh develop in this sector. India is still in a debatable stage if they should consider child Performers in the entertainment industry part of child

⁶⁵ Ibid

⁶⁶ Ibid

⁶⁷ Ibid

⁶⁸ Ibid

⁶⁹ Ibid

⁷⁰ The Child Labour (Prohibition and Regulation) Act, 1986, sec 2 (ii)

labour prohibition act or not but they did not exclude them from their definition.⁷¹ So, India can use the provisions in the act.

They prohibited certain kinds of work for children⁷² where they did not include entertainment industry child performers as child labour but they added a chapter where the works did not include in the Sec 3 (ACT 61,1986).⁷³ Here they have fixed the working hours for children as each day's work time cannot exceed three hours, and no kid may labor for more than 3 hours without a one-hour break⁷⁴ and including that break a total working hour cannot exceed 6 hours.⁷⁵ Between 7 p.m. and 8 a.m., no kid can work.⁷⁶ No minor may work overtime⁷⁷ and no minor may be compelled or allowed to work on a day he has previously worked.⁷⁸ This section has ensured a child get 1 hour break in every 3 hours and double or overtime work is banned.⁷⁹ This section ensures a child entertainment industry performer right to take rest and not get overtime work which is not seen in Dhallywood industry.

Every week, every kid employed by a business is entitled to a full-day vacation. This holiday must be defined by the employer in a notice permanently displayed in a prominent location inside the establishment, and the occupier may not change the holiday more than once every 3 months.⁸⁰ The act not only saves a child from overtime but also gives a weekly holiday as well.

A written notice containing the information listed below must be sent to the Inspector whose local limits the establishment is located within thirty days of this Act's beginning. This notice must be

⁷¹ Basu, D., 2017. All play and less work for child actors. *The Asian Age*, [online] Available at: <https://www.asianage.com/entertainment/bollywood/110717/all-play-and-less-work-for-child-actors.html> [Accessed 8 September 2022].

⁷² The Child Labour (Prohibition and Regulation) Act, 1986, sec 3; The Child Labour (Prohibition and Regulation) Act, 1986, part A of the schedule.

⁷³ The Child Labour (Prohibition and Regulation) Act, 1986, sec 6

⁷⁴ The Child Labour (Prohibition and Regulation) Act, 1986, sec 7

⁷⁵ Ibid

⁷⁶ Ibid

⁷⁷ Ibid

⁷⁸ Ibid

⁷⁹ The Child Labour (Prohibition and Regulation) Act, 1986, sec 7, comments

⁸⁰ The Child Labour (Prohibition and Regulation) Act, 1986, sec 8

sent by the employer of any establishment where a child was employed or allowed to work immediately prior to that date following certain procedure.⁸¹ Here a child entertainment industry performer is protected from harassment in their work place. If there is a disagreement between an occupier and an inspector regarding the age of a child they are employing or allowing to work in a facility, the inspector must refer the issue to the designated medical authority for resolution in the absence of a certificate from the medical authority specifying the child's age.⁸² Every occupier is required to keep a register of all children who are recruited or permitted to work in any establishment, which must always be open to inspection by an inspector during working hours or when work is being done in that establishment. The register must include the following information: the name and birthdate of each child, the hours and duration of work of any such kid and the intervals of rest to which he is entitled, the nature of the work that is being done.⁸³ Rules for the health and safety of children employed or allowed to work in any business or class of establishments may be made by the competent Government and published in the Official Gazette.⁸⁴ These section shows how much a child work place deserves security and following the principle best interest of the child and can be used to protect entertainment industry child performers.

The National Commission for the Protection of Child Rights (NCPCR, 2005) published extensive recommendations in 2010–2011 that go into great length about the issues and difficulties that young performers in reality programs, TV series, etc. experience.⁸⁵ The report shows the dark side of entertainment industry child performer's lives. The report is just mere guideline but at least India has done some work but Bangladesh did not do so.

The Producer must adhere to a number of requirements as stated in the Rules, the maker must: Before beginning any activities in the district, one must obtain permission from the District Magistrate and provide an undertaking in Form C of the Rules to the District Magistrate and

⁸¹ The Child Labour (Prohibition and Regulation) Act, 1986, sec 9 (1)

⁸² The Child Labour (Prohibition and Regulation) Act, 1986, sec 10

⁸³ The Child Labour (Prohibition and Regulation) Act, 1986, sec 11

⁸⁴ The Child Labour (Prohibition and Regulation) Act, 1986, sec 12

⁸⁵ Rana, L., Chopra, R., 2017. Child Actors and Child Labour Laws. [Blog] *Modaq*, Available at: <https://www.mondaq.com/india/media-entertainment-law/614290/child-actors-and-child-labour-laws> [Accessed 20 August 2022].

provide a list of child participants, consent from parents or guardians, and the name of the person from the production or event who will be in charge of the child's safety and security; and c) ensure that all screenings of his films and television programs will be preceded by a disclaimer.⁸⁶ This recommendation will help an entertainment industry child performer working in Bollywood industry to ensure protection but the same cannot be said by the Dhallywood industry of Bangladesh.

Daisy Irani: she opens about her abuse as a child performer working continuous shifts and being sexually abused.⁸⁷ She opened up as many of the child performers were participating and she wanted to let them her story.⁸⁸ We can see that even India's child performers in the entertainment industry has suffered due to lack of competent authority and monitoring system. Anytime a child is made to work against their will and sacrifices their education, it is considered to violate child labor regulations.⁸⁹ However, no one ever inquiries about the expense of schooling for the young actors who perform for lengthy periods of time.⁹⁰ Parents of young artists sometimes want money, popularity, and notoriety, which is unreasonable.⁹¹ When a kid's emotional and mental health are in danger at employment, it is considered that child labor rules have been violated.⁹² Children's emotional and mental health suffer greatly from the strain of competition and performance in show business.⁹³ Children who are artists must balance time between shootings, schoolwork, and school even if their parents make the required preparations for their schooling.⁹⁴ Child Performers from

⁸⁶ Ibid

⁸⁷ Das, M., 2022. Child artistes denied rights, are victims of unfair practice... Read more at: http://timesofindia.indiatimes.com/articleshow/93083028.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst. *The Times of India*, [online] Available at: <https://timesofindia.indiatimes.com/city/mumbai/child-artistes-denied-rights-are-victims-of-unfair-practices-says-study/articleshow/93083028.cms> [Accessed 8 September 2022].

⁸⁸ Ibid

⁸⁹ Careerride.com. 2022. *Child artists: Unnoticed victims of child labour*. [online] Available at: <https://www.careerride.com/view/child-artists-unnoticed-victims-of-child-labour-19379.aspx> [Accessed 8 September 2022].

⁹⁰ Ibid

⁹¹ Ibid.

⁹² Ibid

⁹³ Ibid.

⁹⁴ Ibid.

entertainment industry are being deprived from their rightful education, which can be harmful for them if certain measures are not taken.

Chapter 4

Existing laws, Regulations and Guidelines of Bangladesh to protect the Entertainment Industry child performers.

4.1 Are Child Performers Recognized as labour?

Looking at the constitution of Bangladesh, they have prohibited all forms of force labour.⁹⁵ The constitution also ensures that every citizen, wherever he may be, and every other person for the time being within Bangladesh have an unalienable right to the protection of the law, to be treated in accordance with the law, and only with the law.⁹⁶ In particular, no action that may be detrimental to a person's life, liberty, body, reputation, or property may be taken unless it is in accordance with the law.⁹⁷ Every person shall have the right to life and personal liberty.⁹⁸ These article should be applicable for child performers as well but when we follow though, we see a different picture. According to national labour law, "worker" refers to any individual, including an apprentice, employed in any establishment or industry to perform manual, technical, trade promotional, or clerical work for pay or reward, whether the terms of employment are expressly stated or implied; however, it excludes individuals primarily engaged in managerial or administrative functions.⁹⁹ According to the legislation's definition above, a person who works primarily in a management or administrative role cannot be regarded as a worker for the purposes of the law.¹⁰⁰ A child can never be in management or administrative role but the labour law of Bangladesh has not recognized child entertainment industry performers as labours or workers.

⁹⁵ The Constitution of People's Republic of Bangladesh, 1972, art 34

⁹⁶ The Constitution of People's Republic of Bangladesh, 1972, art 31

⁹⁷ Ibid

⁹⁸ The Constitution of People's Republic of Bangladesh, 1972, art 32

⁹⁹ The Bangladesh Labour Act, 2006, sec 2

¹⁰⁰ bdlplaw.com. 2022. *Definition of Worker in Bangladesh Labour Law* | bdlplaw.com. [online] Available at: <<https://bdlplaw.com/definition-of-worker-in-bangladesh-labour-law.html#:~:text=to%20do%20any%20skilled%2C%20unskilled,administrative%20%5Bor%20supervisory%5D%20capacity%20%80%9D>> [Accessed 26 August 2022].

A child who has not completed the age 14¹⁰¹ can never be in a management or an administrative role, so a child performing in the entertainment industry should be recognized as a worker. There is another category which is adolescent worker who is above the age of 14 and under the age of 18.¹⁰² Here Bangladesh has used the flexibility provided in international law of standard age of child and set them for themselves. Despite a child can also be person the age of 18 according to their other law as well.¹⁰³ Bangladesh did provide a term to work with conditions for a person age 14 to 18 years of age. A person with the age 14 to 18 years can have some rights as to work like the employer has a certificate of fitness in the required format that was issued to him by a licensed physician.¹⁰⁴ Only parents or legal guardians can make the contract on behalf of the adolescent to work.¹⁰⁵ In the event that there is any doubt over a person's status as a child or teenager, the matter should be decided by a licensed physician if there is no proof of their age.¹⁰⁶ No adolescent may operate between moving components of any equipment that is in motion or clean, lubricate, or adjust any portion of it while such machinery is in action in any business.¹⁰⁷ No adolescent may operate a machine unless (a) he has received proper training in operating the machine and (b) is under the supervision of a person with thorough knowledge of the machine and experience, and (c) has been fully informed of the risks associated with the machine and the precautions to be taken.¹⁰⁸ All these acts could be used for child performers in the entertainment industry but Bangladesh did not recognized them.

Adolescent can enjoy a restricted working hours like no adolescent may be compelled to work more than 7 hours per day or 24 hours per week in any other institution.¹⁰⁹ Between the hours of 7 p.m. and 7 a.m., no adolescent may be compelled or permitted to work in any institution. An adolescent working in a facility is only permitted to work two shifts per day, which cannot overlap or total more than seven and a half hours each. They are also not permitted to work in more than

¹⁰¹ See Note: 99

¹⁰² Ibid

¹⁰³ The Child Act, 2013, sec 4

¹⁰⁴ The Bangladesh Labour Act, 2006, sec 34(2) (a)

¹⁰⁵ The Bangladesh Labour Act, 2006, sec 35

¹⁰⁶ The Bangladesh Labour Act, 2006, sec 36

¹⁰⁷ The Bangladesh Labour Act, 2006, sec 39

¹⁰⁸ The Bangladesh Labour Act, 2006, sec 40

¹⁰⁹ The Bangladesh Labour Act, 2006, sec 41 (2)

one facility per day.¹¹⁰ An adolescent can have all these protections of law but there is an exception to this rule as a kid who has reached the age of twelve may engage in light employment that does not harm his health and development or interfere with his education; nevertheless, the hours of work for such a child, if he attends school, must be set up in a way that does not conflict with his attendance at school.¹¹¹ Anyone who hires a child or adolescent or allows a child or adolescent to work in violation of any provision of this act faces a fine that might reach 5,000 taka.¹¹² These laws are already have flaws in it and so when we think about entertainment industry child performers we should also put concern that remove the flaws then enact their rights as well.

There is also not a single provision how to hire a child performer or how to treat them or what could be their rights by the Film Development Corporation Act, 1957 (FDC, 1957) or in the Digital Security Act, 2018 (DSA, 2018) but there are other laws which are protecting a child entertainment industry performer from performing indecent and defamatory acts. A person offers to transmit an offensive, threatening, or blatantly offensive message to another individual using a radio or telecommunications device¹¹³ and in response to such an offer, the second specified individual willfully or deliberately delivers such message¹¹⁴ then this will be considered as an offence resulting in imprisonment or fine or both.¹¹⁵ This can be a reason that a child performers in the entertainment industry is protected not to perform such roles but the major issue rises when their national which focuses on films did not spoke anything regards hiring performers.¹¹⁶ A child not obtaining the age of 16¹¹⁷ cannot act in a pornographic scene in anyway, if someone tries to do that then it is punishable by law according to Pornography Act, 2021 (PA, 2021) section 2. This section protects a child performer to participate in any act which may sexually violate them.

¹¹⁰ The Bangladesh Labour Act, 2006, sec 41 (5); The Bangladesh Labour Act, 2006, sec 41 (8)

¹¹¹ The Bangladesh Labour Act, 2006, sec 44

¹¹² The Bangladesh Labour Act, 2006, sec 284

¹¹³ The Bangladesh Telecommunication Act, 2011, sec 69 (a)

¹¹⁴ Ibid

¹¹⁵ Ibid

¹¹⁶ Film Development Corporation Act, 1957.

¹¹⁷ Pornography Act, 2021, sec 2 (e)

4.2 Guidelines of Bangladesh:

According to National Children's Policy-2011 a child is a person who did not obtained the age of 18 years.¹¹⁸ This guideline ensures protection for children and this guideline is much needed when there will be a law for child entertainment industry performer. It should be illegal to hire children under the age of 14 as full-time employees.¹¹⁹ In order to prevent the segregation of poor and low socioeconomic status children from school, we should provide unpaid education as well as a monthly stipend for them.¹²⁰ It is important to ensure that the workplace is healthy for the child's body and mind. In such situation, it is important to make sure the youngster is not doing any dangerous or anti-social job.¹²¹ The workplace must provide regular working hours, lunch breaks, and salary exchanges at predetermined intervals.¹²² Education and leisure are basic rights for kids; thus, the employer has a responsibility to make sure the child worker has access to these things beyond working hours.¹²³ The employer or employer should ensure that the kid receives the appropriate medical attention and make plans to meet with the family members if the child has any form of accident or becomes unwell while working.¹²⁴ Institutions that hire children should make sure they are protected from physical, mental, and sexual abuse and should monitor their behavior.¹²⁵ Children working in dangerous or menial jobs should be removed from the situation.¹²⁶ To implement child rights, efforts will be taken to create the required laws and rules.¹²⁷ These rules clearly indicates that any law which will help a child to get protection of law, safety and development of a child, the guideline must be taken to enact when the question of child entertainment performer comes to mind as they also need all the rights. Children shall be protected from all types of violence, including physical, mental, and sexual abuse and exploitation.¹²⁸ This should also be considered for child entertainment industry performer. Programs that are efficient and raise public awareness will be implemented to reduce child abuse, neglect, and violence.¹²⁹

¹¹⁸ “জাতীয়-শিশু-নীতি- ২০১১”, rule 2.1

¹¹⁹ “জাতীয়-শিশু-নীতি- ২০১১”, rule 8

¹²⁰ Ibid

¹²¹ Ibid

¹²² Ibid

¹²³ Ibid

¹²⁴ Ibid

¹²⁵ Ibid

¹²⁶ Ibid

¹²⁷ “জাতীয়-শিশু-নীতি- ২০১১”, rule 5

¹²⁸ “জাতীয়-শিশু-নীতি- ২০১১”, rule 6

¹²⁹ Ibid

These guidelines should be highly considered and followed while creating provisions for child entertainment industry Performers but Bangladesh did not do so.

To stop the exploitation of girls, new laws and amendments to certain existing ones have been passed.¹³⁰ Child Marriage Prevention Act, Women and Child Abuse Prevention Act of 2000, and others are notable examples of these laws.¹³¹ These changes were made for the guidelines and Bangladesh could have followed this for child entertainment industry Performers but Bangladesh did not do so. National Women's Development Policy's goals are:

1. Put an end to all forms of violence against young girl child,
2. Discrimination against girl child should be eliminated,
3. presenting a favorable picture of girl child as well as reflecting the gender perspective, etc.¹³²

These guidelines can be considered for child performers in the entertainment industry.

Development for girl child goals:

1. The needs of girls, particularly those related to food, nutrition, health, education, sports, culture, and vocational training, should be met without prejudice.¹³³
2. Ensuring that girls have the rights they need for their physical and mental development.¹³⁴
3. Eliminate all types of prejudice against girls, and make sure that everyone is treated equally, especially in the family.¹³⁵
4. Ensuring that young girls regularly attend educational facilities.¹³⁶

¹³⁰ “নারী উন্নয়ন নীতি ২০১১”, rule 7

¹³¹ Ibid

¹³² “নারী উন্নয়ন নীতি ২০১১”, rule 17

¹³³ “নারী উন্নয়ন নীতি ২০১১”, rule 18

¹³⁴ Ibid

¹³⁵ Ibid

¹³⁶ Ibid

5. Ensuring the essential safeguards are in place to prevent females from experiencing any kind of sexual harassment, pornographic material, physical abuse, or emotional abuse at educational institutions, including Rastmaghat.¹³⁷

¹³⁷ Ibid

Chapter 5: Conclusion

5.1 Findings:

According to my analyses above, child Performers has been an absolutely neglected sector that needs to be worked on. When we think about a law which is concerned about a child, we always think of the principle best interest of the child as it should be considered as a mandatory provision enacting a children law but as far the research goes, a child performer has never got the enough right as it deserved. whenever an act regarding children is being made this principle should be kept in mind. Unfortunately, we do not see this principle being followed regarding child performers in the entertainment industry and certainly not in Bangladesh.

5.1.1 International Law loopholes

No certain age, working hours, working days, working condition, educational care, medical care, contract for restrictions, wage amount, guardian law has been directly prescribed by the international law for entertainment industry child performers. The area of the international law has been in the grey area regarding a person in the entertainment industry or the artistic background. The term “artistic child” has never been defined and for that reason competent authority to determine an entertainment industry child Performers is difficult.

Though international law also has positive sides. International law gives a burden to the signed members of the convention to ensure a child’s right regardless of the marital status of its parents as child deserves protection of legal guardian but Bangladesh has shown no law which will show this concern to an entertainment industry child performer is difficult. International laws do allow entertainment industry child performers not be fall a victim of abuse or ill-treatment. International laws focus on the best interest of the child principle and ensures their safety and protections without any discrimination but it is missing from Bangladesh laws to protect an entertainment industry child performer.

Child performers are easily the victims as they get barred of their development and health as well as they lose their ability to go school often times but there are no proper authorities in Bangladesh to look after them. The entertainment industry child performers are being deprived from education due to the lack of laws and concerned authorities. A parent or a guardian plays an important role in the life of a child performer. So, a child deserves not only the protection of the state but also their parents or legal guardians as well. Here it explains that how a parent or legal guardian is responsible for a child performers moral development and education he or she receives which is not ensured by Bangladesh's laws. To ensure a safety of a child also a child from entertainment industry Performers can get protection from this law if their parents are not competent enough to take care of them but we do not see in Bangladesh. Even an adoptive parent can be held liable for a child's development and also entertainment industry children can get protection from abusive parents even if they are not biological parents.

5.1.2 Gaps in Hollywood and Bollywood

Developed industry as Hollywood has shown less concerned regarding any sort of direct laws regarding entertainment industry child performers as US FLSA,1938 has excluded entertainment industry child performer. The US states (Hollywood) are concerned and working to develop this particular area by focusing on age proof in many states and work permit. It difficult to imagine that a developed country like the US has not protected their child performers from their federal law how can an undeveloped/developing country like Bangladesh would take a step against it. US has made its law sufficient enough to protect entertainment industry child performers and many states are showing concern regarding the issue. Many states are updating their laws regarding child performers but it is not the picture of Bangladesh as they shown no sign to protect them so far. Incidents caused by lack of competent authority, lack of duty by legal guardian and abusive parents is alarming for USA and learning for Bangladesh.

Bollywood (India) has a law which is usable for entertainment industry child performers but the children in the entertainment industry needs to be recognized as workers first then we get all those protection from law but India managed to launch a guideline for their entertainment industry child

workers called, “The National Commission for the Protection of Child Rights” an extensive recommendation in 2010–2011. Bollywood ensures a child entertainment industry performer’s right to take rest and not get overtime work which is not seen in Dhallywood industry. The Indian law not only saves a child from overtime but also gives a weekly holiday as well. Every occupier is required to keep a register of all children who are recruited or permitted to work in any establishment, which must always be open to inspection by an inspector during working hours or when work is being done in that establishment. These section shows how much a child work place deserves security and following the principle best interest of the child and can be used to protect entertainment industry child performers but is missing in Bangladesh laws.

5.1.3 Existing laws of Bangladesh Discovery

Finally, when we see Bangladesh, we see no work done in the entertainment industry sector and certainly regarding child performers there. When a child performer is hired to work in the entertainment industry, that child deserves a limited number of working days and hours. A child performer is never in managerial or administrative functions so he should be considered as a labour according to Bangladesh’s labour act but this is not the case here. A child performer is not recognized as worker, a child performer from the entertainment industry has no protection or rights received from the country’s laws. The existing laws of Bangladesh has neglected entertainment industry child performers right. They do not recognize them as labour. They gave entertainment industry child performers any provision such as DSA,2015, FDC,1957, and Bangladesh Television Act,2011 (BTRC,2011). These laws contain nearly nothing to protect entertainment industry child performers. So, there is no direct law to protect entertainment industry child performers and existing laws are not sufficient enough to protect them. Bangladesh has only banned child pornography by PA,2021 but did not recognize child entertainment industry performers as workers.

5.2 Recommendation:

Ensuring protection will be great for children of Bangladesh and certainly it will be beneficial for the country. Children represents the future of a nation and protecting them will develop the children and nation as well. The change cannot be done overnight but the ensure of their rights can be done by ensuring few steps:

1. That there are no provisions for child entertainment industry performers in our country. Ensure those provisions in certain laws like adding provisions in DSA,2015, FDC, 1957 etc. in case of hiring a child performer, casting them in roles etc.
2. That there are no adequate laws to protect the child entertainment industry performers in our country. So, add provision for their protection and rights.
3. That there should be determined age limit for entertainment industry performer. Entertainment industry is a different kind of industry as it requires a person from every age, so age determination and reasonable work duties should be ensured.
4. That the child entertainment industry performers should be considered as child labour. If any provision on existing laws to added provision regarding entertainment industry child performer, then they should be added to our labour act and determine their rights, duties, protections, restrictions etc.
5. That the child entertainment industry performers should get a decided working hour. Entertainment industry is a tough industry but unreasonable number of working hours is not justified.
6. That there should be a provision that follows best interest of the child principle. When there is an enactment of provision regarding child entertainment industry performer this principle must be taken in consideration. The principles mentioned in the guidelines should also be taken in consideration.
7. That there is no competent authority to handle this sector. To ensure full legal rights for child performers in the entertainment industry, existence of a competent authority is a must.
8. That new provision regarding child entertainment industry performers should ensure guardianship rights. The guardian should be responsible for the decisions and if the guardian is not right then appropriate authority should take away the child for better protection.

9. That many of child entertainment industry performers drops out from school. Education is a must and in order to ensure that a person who is hiring them should ensure their educational activities as well.
10. Further research and investigation on this sector is a must.

5.3: Conclusion:

As per the above research we can say that existing laws of Bangladesh is inadequate for protection of child performers in the entertainment industry. Undoubtedly, the entertainment industry is a neglected field in Bangladeshi laws and that also has an effect on the child performers as well. The international law has a grey area about the sector but certainly have provisions for children which can be helpful to the child performers in the entertainment industry. The child performers in the entertainment industry have no laws, recognition or protection of law. In order to ensure their rights, the existing laws should add provisions regarding child performers of the entertainment industry. Existence of competent authority is a must in this sector to monitor and ensure their rights. Further research in this area is a must. Children are the future of a nation, ensuring their utmost protection will be beneficial for the whole nation.

Bibliography

Legislations

1. Convention on the Rights of the Child, 1989
2. Universal Declaration of Human Rights, 1948
3. International Covenant on Civil and Political Rights, 1966
4. International Covenant on Economic, Social and Cultural Rights, 1966
5. Worst Forms of Child Labour Convention, 1999 (C-182)
6. Minimum Age Convention, 1973 (No. 138)
7. Convention on the Elimination of All Forms of Discrimination against Women, 1979
8. Fair labour standard act, 1938
9. The Child Labour (Prohibition and Regulation) Act, 1986
10. The Constitution of People's Republic of Bangladesh, 1972
11. The Bangladesh Labour Act, 2006
12. The Child Act, 2013
13. The Bangladesh Telecommunication Act, 2011
14. Film Development Corporation Act, 1957.
15. Pornography Act, 2021

Guideline

1. “জাতীয়-শিশু-নীতি- ২০১১”
2. “নারী উন্নয়ন নীতি ২০১১”
3. Worst Forms of Child Labour Recommendation, 1999

Newspaper Article

1. Mercer, m., 2013. Few protections for child performers. *USA Today*, [online] Available at: <<https://www.usatoday.com/story/news/nation/2013/08/29/child-actors-protections-laws-pew/2734035/>> [Accessed 30 July 2022].
2. Savage, M., 2019. Justin Bieber opens up about fame, drug use and depression. *BBC News*, [online] Available at: <<https://www.bbc.com/news/entertainment-arts-49562637>> [Accessed 7 September 2022].

3. Ryu, J., 2022. How Jettie McCurdy escaped her narcissistic mother's 'excruciating' abuse. *USA Today*, [online] Available at: <<https://www.usatoday.com/story/entertainment/books/2022/08/09/im-glad-my-mom-died-jettie-mccurdy-nickelodeon-icarly-abuse/10055396002/>> [Accessed 7 September 2022].
4. Basu, D., 2017. All play and less work for child actors. *The Asian Age*, [online] Available at: <https://www.asianage.com/entertainment/bollywood/110717/all-play-and-less-work-for-child-actors.html> [Accessed 8 September 2022].
5. Das, M., 2022. Child artistes denied rights, are victims of unfair practice... Read more at: http://timesofindia.indiatimes.com/articleshow/93083028.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst. *The Times of India*, [online] Available at: <https://timesofindia.indiatimes.com/city/mumbai/child-artistes-denied-rights-are-victims-of-unfair-practices-says-study/articleshow/93083028.cms> [Accessed 8 September 2022].

Websites and Blogs

1. Keogh, J., 2021. *The Truth About Kieran And Macaulay Culkin's Father*. [online] TheList.com. Available at: <https://www.thelist.com/645782/the-truth-about-kieran-and-macaulay-culkins-father/> [Accessed 8 September 2022].
2. Rana, L., Chopra, R., 2017. Child Actors and Child Labour Laws. [Blog] *Modaq*, Available at: <https://www.mondaq.com/india/media-entertainment-law/614290/child-actors-and-child-labour-laws> [Accessed 20 August 2022].
3. Careerride.com. 2022. *Child artists: Unnoticed victims of child labour*. [online] Available at: <https://www.careerride.com/view/child-artists-unnoticed-victims-of-child-labour-19379.aspx> [Accessed 8 September 2022].
4. bdlplaw.com. 2022. *Definition of Worker in Bangladesh Labour Law | bdlplaw.com*. [online] Available at: <https://bdplaw.com/definition-of-worker-in-bangladesh-labour-law.html#:~:text=to%20do%20any%20skilled%2C%20unskilled,administrative%20%5Bor%20supervisory%5D%20capacity%E2%80%9D> [Accessed 26 August 2022].

Video

1. Hare, A., 2022. *Justin Bieber's Face Paralysis: Will he lose his hearing?*. [video]
Available at: <<https://youtu.be/EYZH34Fj7wc>> [Accessed 7 September 2022].