

THE STATUTES OF THE REPUBLIC OF SINGAPORE

CHILDREN AND YOUNG PERSONS ACT

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Children and Young Persons Act

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An Act to consolidate the law relating to children and young persons.

[1st August 1950]

PART I

PRELIMINARY

Short title.

1. This Act may be cited as the Children and Young Persons Act.

2. In this Act, unless the context otherwise requires — Interpre-
tation.
- “approved home” means any home or institution or part thereof, for the reception, education and vocational training of children or young persons appointed or established under the provisions and for the purposes of this Act;
- “approved school” means any school or institution, or part thereof, for the reception, education and vocational training of children or young persons appointed or established under the provisions and for the purposes of this Act;
- “Director” means the Director of Social Welfare and includes the Assistant Director of Social Welfare and such other persons as the President may, by notification in the *Gazette*, declare to be vested with all or any of the powers conferred and the duties imposed upon the Director by this Act or by any rules made thereunder;
- “juvenile” means a male or female person who, in the opinion of any court, is 7 years of age or upwards and under the age of 16 years;
- “manager” includes a director, manager and superintendent or other person having the management or control of any approved school or approved home or remand home;
- “place of detention” means a place provided or appointed by the Minister as a place of detention under section 67;
- “remand home” means any home or institution, or part thereof appointed by the Minister to be a remand home for the detention of juveniles sent there under the provisions of this Act;
- “visitor” means a person appointed to be a member of a board of visitors under section 84;
- “vocational training” means actual employment in agriculture or training in some branch of useful industry;
- “youthful offender” means a male or female person who, in the absence of legal proof to the contrary, is, in the opinion of any court, 7 years of age or upwards and under the age of 16 years.

PART II

PROTECTION OF CHILDREN AND YOUNG PERSONS

Interpre-
tation.

3. In this Part and in any rules made thereunder, unless there is something repugnant in the subject or context —

“child” means —

(a) in the case of a person employed or engaged to take part in any public entertainment, a person under the age of 16 years; and

(b) in any other case, a person under the age of 14 years;

“Commissioner” means the Commissioner for Labour, and includes a Deputy Commissioner for Labour, an Assistant or Principal Assistant Commissioner for Labour, and such other persons as the President may, by notification in the *Gazette*, declare to be vested with all or any of the powers conferred and the duties imposed upon the Commissioner by this Act or by any rules made thereunder;

“employ” and “employment” used in reference to a child or young person means employment in any labour exercised by way of a trade or for the purposes of gain whether the gain is to the child or to any other person;

“entertainment” includes an exhibition or performance, but does not include any entertainment given by the pupils of any registered school at or under the auspices of that school; and a person is deemed to take part in an entertainment when the person is employed in or in connection with such entertainment whether as a performer, stagehand, musician or otherwise howsoever;

“guardian”, in relation to a child or young person, includes any person who in the opinion of the court having cognizance of any case in relation to the child, or in which the child is concerned, has for the time being the charge of, or control over, the child or young person;

“legal guardian”, in relation to a child or young person, means a person lawfully appointed by deed or will or by the order of a competent court to be the guardian of that child or young person;

“place of safety” means any place or institution appointed or declared to be a place of safety under section 41 or any other suitable place the occupier of which is willing temporarily to receive a child;

“protector” includes the Director of Social Welfare, Assistant Directors of Social Welfare and such other persons as the President may, by notification in the *Gazette*, declare to be vested with all or any of the powers conferred and the duties imposed upon a protector by this Act or by any rules made thereunder;

“public entertainment” means an entertainment to which the public or any section of the public is admitted or in connection with which any charge, whether for admission or not, is made to, or any collection or subscription is received at such entertainment from, any of the audience;

“young person” means —

- (a) in the case of a person employed or engaged to take part in any public entertainment, a person who has attained the age of 16 years and is under the age of 18 years;
- (b) in any other case, a person who has attained the age of 14 years and is under the age of 18 years;

“transferred child” means a child under the age of 14 years who is living apart from his natural father or mother but does not include a child —

- (a) who is living with a grandparent, a brother or sister by the whole or half blood, or a brother or sister of a deceased parent by the whole blood;
- (b) who being a female is over the age of 12 years and is married and is living with her husband or with a parent or grandparent of her husband;
- (c) who has been lawfully adopted in accordance with any written law relating to adoption and is living with the adopter;
- (d) who is living with a legal guardian;
- (e) who is living with a person other than his natural father or mother in pursuance of

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an order of a court of competent jurisdiction of Singapore or of Malaysia, or in pursuance of an order made under the provisions of this Act or the Women's Charter or of any corresponding enactment of Malaysia or any part thereof;

(f) who is an inmate of any orphanage, hospital, home or institution maintained by the Government, or of any place of safety; or

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(g) who is a boarder at a school registered under the Education Act or any corresponding enactment of Malaysia or any part thereof, or is regularly attending such a school and is living with a friend or relative of his natural father or mother or of his legal guardian or adopter, with the consent of the father, mother, legal guardian or adopter, as the case may be.

“Transferred child” and “child” shall be deemed to apply to a child in respect of whom a bond has been executed or a committal order made under the provisions of this Act until such time as the bond or order is discharged or the child attains the age of 18 years, whichever is the earlier event.

Welfare

Punishment
for cruelty
to children
and young
persons.

4.—(1) If any person over the age of 14 years, who has the custody, charge or care of any child, or any person over the age of 18 years who has the custody, charge or care of any young person, wilfully assaults, ill-treats, neglects, abandons or exposes the child or young person or causes or procures or knowingly permits the child or young person to be assaulted, ill-treated, neglected, abandoned or exposed, in a manner likely to cause that child or young person unnecessary suffering or injury to his health (including injury to or loss of sight, or hearing, or limb, or organ of the body, and any mental derangement), that person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 2 years or to both, and for the purposes of this section a parent or other person legally liable to maintain a child or young person shall be deemed to have neglected him in a manner likely to cause injury to his health, if he

wilfully neglects to provide adequate food, clothing, medical aid or lodging for the child or young person.

(2) If any person who is an employer of any child or any young person, wilfully assaults or ill-treats the child or young person or causes or procures or knowingly permits the child or young person to be assaulted or ill-treated, in a manner likely to cause that child or young person unnecessary suffering or injury to his health (including injury to or loss of sight, or hearing, or limb, or organ of the body, and any mental derangement), that person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 2 years or to both.

(3) A person may be convicted of an offence under this section, notwithstanding that actual suffering or injury to health or the likelihood of such suffering or injury to health, was obviated by the action of another person.

(4) A person may be convicted of an offence under this section, notwithstanding the death of the child or young person in respect of whom the offence is committed.

(5) Upon the trial of any person over the age of 14 years charged with culpable homicide of a child of whom he had the custody, charge or care, or upon the trial of any person over the age of 18 years charged with culpable homicide of a young person of whom he had the custody, charge or care, it shall be lawful for the court, if satisfied that the accused is guilty of an offence under this section in respect of the child or young person, to find the accused guilty of that offence.

5.—(1) Any person who causes or procures any child, or, Begging. having the custody, charge or care of a child, allows that child to be in any street, premises or place for the purpose of begging or receiving alms, or of inducing the giving of alms whether or not there is any pretence of singing, playing, performing, offering anything for sale or otherwise, shall be guilty of an offence and shall be liable on conviction to a fine of \$250 or to imprisonment for 3 months or to both.

(2) If a person having the custody, charge or care of a child is charged with an offence under this section, and it is proved that the child was in any street, premises or place for any such purpose, and that the person charged allowed the

child to be in the street, premises or place, he shall be presumed to have allowed him to be in the street, premises or place for that purpose unless the contrary is proved.

Power to obtain information.

6. A protector may, by summons under his hand addressed to any person who the protector has reason to believe can furnish any information regarding an offence under any of the provisions of section 4 or 5, require that person to appear before the protector at any reasonable time and at any convenient place and that person shall be legally bound to attend as required and to answer any questions touching the offence, truthfully and to the best of his ability.

Detention of child in a place of safety.

7.—(1) A protector, the Commissioner or a police officer, or any person authorised by a Magistrate or by a protector or by the Commissioner or a Justice of the Peace may take to a place of safety any child in respect of whom an offence under this Part or any offence involving bodily injury to a child has been, or there is reason to believe has been, committed.

(2) A child so taken to a place of safety, and also any child who seeks refuge or protection, may be detained in a place of safety until he can be brought before a Magistrate's Court and the Court may make such order as is mentioned in subsection (3), or may cause the child to be dealt with as circumstances may admit and require, until the charge made against any person in respect of any offence in sections 4 and 5 with regard to the child has been determined by the conviction or discharge of that person.

(3) When it appears to a court that an offence under this Part or any offence involving bodily injury to a child has been committed in respect of any child who is brought before it and that it is expedient, in the interests of the child, that an order should be made under this subsection, the court may, without prejudice to any other power under this Part, make such order as circumstances require for the care and detention of the child until a reasonable time has elapsed for a charge to be made against some person for having committed the offence, and, if a charge is made against any person within that time, until the charge has been determined by the conviction or discharge of that person and in case of conviction, for such further time not

exceeding 21 days as the court which convicted that person may direct, and any such order may be carried out notwithstanding that any person claims the custody of the child.

8. Any of the persons mentioned in section 33 may take to a place of safety any child who appears to be destitute, and any child so taken to a place of safety may be detained there for protection. Detention of destitute children.

9.—(1) If it appears to a Magistrate's Court, on information or complaint made by any of the persons mentioned in section 33 that there is reasonable cause to believe — Warrant to search for or remove a child or young person.

(a) that any child or young person has been or is being assaulted, ill-treated, or neglected in any place within the jurisdiction of the Court, in a manner likely to cause the child or young person unnecessary suffering, or to be injurious to his health; or

(b) that an offence under this Part or any offence involving bodily injury to a child or young person, has been or is being committed in respect of the child or young person,

the Magistrate's Court may issue a warrant authorising any police officer named therein to search for the child or young person, and, if it appears to the officer that the child or young person has been or is being assaulted, ill-treated, or neglected in the manner aforesaid, or that any such offence has been or is being committed in respect of the child or young person, to take him to, and detain him in, a place of safety, until he can be brought before a court, or authorising any police officer to remove the child or young person, with or without search, to a place of safety and detain him there until he can be brought before a court; and the court before whom the child or young person is brought may commit him to the care of a relative or other fit person in like manner as if the person in whose care he was had been committed for trial for an offence under this Part, and section 7 shall apply.

(2) A Magistrate's Court issuing a warrant under this section may, by the same warrant, cause any person accused of any offence in respect of the child or young person to be apprehended and brought before the Court, and proceedings to be taken against that person according to law.

(3) Any police officer authorised by warrant under this section to search for any child or young person, or to remove any child or young person, with or without search, may enter (if need be by force) any house, building or other place specified in the warrant, and may remove the child or young person therefrom.

(4) Every warrant issued under this section shall be addressed to and executed by a police officer, who shall be accompanied by the person laying the information, if that person so desires, unless the court by which the warrant is issued otherwise directs, and may also if the court by which the warrant is issued so directs, be accompanied by a Government medical officer.

(5) It shall not be necessary in any information or warrant under this section to name the child or young person, but, in such case, the child or young person shall be described as particularly as the knowledge of the informant or the court permits.

Children and young persons taking part in public entertainment.

10.—(1) No child under the age of 12 years shall take part in a public entertainment which is promoted or performed for the profit of the promoter or performers or both.

(2) No child or young person shall take part in any performance in a public entertainment which performance is dangerous to life or limb.

(3) No child or young person under the age of 17 years shall take part in any public entertainment without the licence of the Commissioner.

(4) Before issuing any such licence, the Commissioner shall be satisfied as to the health and physical fitness to perform of the child or young person and that proper measures have been and will be taken for the preservation of the health, and for securing kind treatment, of the child or young person.

(5) The Commissioner may, in his discretion, refuse to issue a licence on the ground that the child or young person is not actually under the protection of at least one parent or of a legal guardian or that the conditions of employment or wages to be paid are unsatisfactory or inadequate or on any other grounds, whether similar to the foregoing or not, that may appear to him reasonable or proper, and he may, in his

discretion, cancel any licence on any ground for which he could refuse to issue a licence, or for the breach of any condition thereof, but shall, if so required, furnish the child or young person or his parent or guardian with the ground of his refusal or cancellation in writing.

(6) Any person aggrieved by the refusal or cancellation of a licence issued under this section may appeal to the Minister whose decision shall be final and shall not be called in question in any court.

(7) An order cancelling a licence shall have effect until it is set aside on appeal.

(8) In granting a licence the Commissioner shall impose such conditions as may be prescribed and may impose such additional conditions as he thinks fit.

(9) Licences issued under this section shall expire on 31st December in each year.

(10) In respect of any licence issued there shall be charged and paid such fee as the Minister may from time to time notify in the *Gazette*.

11. Any person who —

- (a) employs or procures a child or young person to perform or take part in any public entertainment;
- (b) having the custody, charge or care of a child or young person, suffers the child or young person to perform or take part in such entertainment; or
- (c) being a person licensed under the Public Entertainments Act suffers a child or young person to take part in such entertainment,

Penalty for
contraven-
tion of
section 10.

Cap. 257.

in contravention of section 10, or of any rule made under this Part or any condition or restriction contained in any licence issued under section 10, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 6 months or to both, and the court shall thereupon cancel the licence issued in respect of that child and, if the person convicted is the holder of a licence under the Public Entertainments Act, the court may also order the cancellation of the licence or its suspension for such period as the court may think fit.

Transferred Children

Presumption. **12.** A transferred child shall be deemed, until the contrary is proved, to be in the care, custody or control of the person with whom or in whose house he is living.

Notification of transfers. **13.—(1)** Every person who has or intends to have a transferred child in his care, custody or control in Singapore, whether the transfer was made or is to be made within or without Singapore, shall forthwith notify the transfer or intended transfer to a protector.

(2) The father, mother, legal guardian or guardian of every such transferred child as is referred to in subsection (1) shall, if resident in Singapore, also notify the transfer or intended transfer to the same protector.

(3) On receiving such notification the protector may make such inquiry as he thinks fit as to the reasons for the transfer or intended transfer of the child and as to the suitability for that purpose of the person who has or intends to have the care, custody or control of the child.

(4) If after such inquiry the protector considers it expedient in the interests of the child, he may —

- (a) refuse to accept the notification and order that the child be returned to or remain in the care, custody or control of his father, mother, legal guardian or guardian, as the case may be; or
- (b) accept the notification on condition that the person who has or intends to have the care, custody or control of the child, furnishes security as provided in section 16 (3).

(5) If default is made in complying with any condition of a bond made under subsection (4), the protector may make an order as provided in section 16 (4).

(6) The protector shall register particulars relating to any child in respect of whom an order has been made under subsection (4) (a), or security has been given under subsection (4) (b), or an order has been made under subsection (5) and also particulars relating to his parents and to any person who has had or has the care, custody or control of the child, or who has made a notification in respect of the child.

(7) Except as otherwise provided in subsection (4), the protector shall accept every notification made under this section and shall record particulars thereof.

14.—(1) When the transfer of a child has been notified and accepted under section 13, the person to whom the child has been transferred shall, if at any subsequent time — Obligations subsequent to notification.

- (a) he intends to return the child to the care, custody or control of his father, mother, legal guardian or other person from whom he obtained him;
- (b) he intends to take or send the child out of Singapore for a period of more than one month; or
- (c) without his knowledge or consent, the child has left his care, custody or control,

report in person to a protector and shall, whenever practicable, bring or cause to be brought before the protector the transferred child and his father or mother or legal guardian or other person from whom he obtained him.

(2) On receiving a report under subsection (1) the protector shall make a note thereof and shall, if the father, mother, legal guardian or such other person is believed to be in Singapore and was not present at the time of the report, send written information thereof to the last known place of abode of the father, mother, legal guardian or other person.

15. When the transfer of a child has been notified and accepted under section 13, any second or subsequent transfer of the child shall also be notified in accordance with the provisions of that section. Subsequent transfers to be notified.

16.—(1) Whenever a protector has reason to believe that there is, within Singapore, a transferred child — Power of protector to require production of a transferred child in certain cases.

- (a) in respect of whose transfer no notification has been made within one week after the transfer; or

(b) who for any reason is in need of supervision, he may, by summons under his hand addressed to the person who has or is believed to have the care, custody or control of the child, require the person to appear and to produce the child before him at the time and place specified in the summons.

(2) If a person on whom a summons has been served under subsection (1) fails to produce the child at the time and place specified therein, the protector may issue a warrant authorising any person named therein to search for the child and produce the child before him.

(3) Any child named or described in such warrant may be removed to a place of safety and there temporarily detained until the protector has completed his inquiry under this Part or may, for the like period, be temporarily committed to the custody of a relative or other fit person on such terms and conditions as the protector may require.

(4) On production of a child before the protector in pursuance of a summons or warrant issued under this section, he shall hold such inquiry as he thinks fit and, if after the inquiry he is of the opinion that there has been a failure to notify as required by this Part or that the child is in need of supervision, he may order the person having the care, custody or control of the child to furnish him with copies of the child's and the person's photographs and to furnish a bond or other security to the satisfaction of the protector that the child —

- (a) will not leave Singapore for so long as he is under the age of 18 years or for any shorter period;
- (b) will not be transferred to the care, custody or control of any other person without the previous consent of a protector;
- (c) will not be ill-treated or neglected or employed, used or trained for any immoral or unlawful purpose or in any immoral or unlawful manner; and
- (d) will be produced before a protector whenever he so requires.

(5) If default is made in complying with any order made or any condition of a bond furnished under subsection (4), the protector may, without or in addition to enforcing the bond or other security, by warrant under his hand, order that the child, in respect of whom the order was made, be taken out of the custody of the person in whose care, custody or control the child is and committed to a place of safety or, on such security and on such conditions as the protector may require, to the custody of a relative or other

fit person until the child attains the age of 18 years or for any shorter period.

(6) The protector shall register particulars relating to any child in respect of whom an order has been made under this section and particulars relating to his parents and any person who has had or has the care, custody or control of the child.

17.—(1) Whenever a protector is of opinion that it is in the interest of any transferred child in respect of whom a bond has been executed under this Part that the child should be permitted to leave Singapore, the protector may grant such permission upon being supplied with such photographs as he may require and upon a bond or other security being given to his satisfaction that the person, in whose care, custody or control the child is, will bring the child before the protector whether within or without Singapore and within such period and at such destination as may be specified in the bond.

Transferred
child leaving
Singapore.

(2) The giving of such further security shall not relieve any person who furnished security under this Part from any obligation under the conditions of the bond entered into other than the condition relating to departure from Singapore, until the child has left Singapore.

18.—(1) A protector or any officer generally or specially authorised in that behalf in writing by a protector may, at any time, require the person having the care, custody or control of a transferred child in respect of whom a bond has been executed under this Part to produce the child before him for inquiry, or may visit and inspect the place where the child lives or is believed to live or to be.

Supervision.

(2) The protector or such officer may inquire into the condition and treatment of the child and his wages, if any, food and living conditions generally and, for the purposes of the inquiry, the protector or such officer as aforesaid may require any person to answer any questions he may think proper to ask and the person shall be legally bound to answer truthfully to the best of his ability.

(3) Any person who obstructs or hinders or attempts to obstruct or hinder a protector or any such officer in the exercise of the powers conferred by this section shall be guilty of an offence.

Ill-treatment
of trans-
ferred child.

19.—(1) When a protector has reason to believe that a transferred child has been or is being ill-treated or neglected or employed, used or trained for any immoral or unlawful purpose or in any immoral or unlawful manner, he may issue a warrant as provided in section 16 (2).

(2) On production of a child before the protector in pursuance of a warrant issued under subsection (1), or whenever a transferred child appears before the protector and alleges that he has been ill-treated or neglected or employed, used or trained for any immoral or unlawful purpose or in any immoral or unlawful manner, the protector shall hold such inquiry as he thinks fit and may after the inquiry make an order as provided in section 16 (4) or (5).

(3) The protector shall register particulars relating to any child in respect of whom an order has been made under this section and particulars relating to his parents and any person who has had or has the custody of the child.

Provisions
as to process
and search.

20.—(1) It shall not be necessary in any summons or warrant issued under this Part to name the child, but, in that case, the summons or warrant shall describe the child as particularly as the knowledge of the protector permits.

(2) Any person authorised by warrant issued under this Part to search for any child may enter (if need be by force) any house, building, land, enclosure, vessel or other place where he believes the child to be and may remove the child therefrom.

Review of
orders.

21. A protector may, of his own motion or on the application of any person, at any time and from time to time, review, vary or revoke any order made by him under this Act.

Appeals.

22.—(1) Any person aggrieved by any order made by a protector under this Act or the refusal of the protector to review any such order may appeal to the Minister whose decision shall be final and shall not be called in question in any court.

(2) Any order made under this Part shall have effect until varied or revoked on appeal.

23. Nothing done in pursuance of the provisions of this Part shall prevent a prosecution under any other provision of this Act or under any other written law. Saving.

24. Any person who harbours any child knowing or having reason to believe that the child is a transferred child shall report the fact to a protector or at a police station within a period of 48 hours. Harbour.

Trafficking in Children

25.—(1) Every person who takes any part in any transaction the object or one of the objects of which is to transfer or confer, wholly or partly, temporarily or permanently, the possession, custody or control of a child for any valuable consideration shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years. Unlawful transfer of possession, custody or control of a child.

(2) Every person who without lawful authority or excuse harbours or has in his possession, custody or control any child with respect to whom the temporary or permanent possession, custody or control has been transferred or conferred for valuable consideration by any other person within or without Singapore shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding 2 years.

(3) It shall be a defence in any prosecution under this section to prove that the transfer took place in contemplation of, or pursuant to, a bona fide marriage or adoption, and that at least one of the natural parents of the child or the legal guardian was a consenting party to the marriage, or to the adoption by the adopting party, and had expressly consented to the particular marriage or adoption.

26. Any person who by or under any false pretence, false representations, or fraudulent or deceitful means, made or used either within or without Singapore, brings or assists in bringing any child into Singapore shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 2 years or to both. Importation of child by false pretences.

Power to examine children and persons in charge of them.

27. A protector or any person authorised in that behalf by a protector in writing may require any child and any person who may appear to have the custody or control of the child to appear before the protector at any reasonable time and at any convenient place, and the protector may examine the child as to his reasons for entering or being in Singapore and may examine the person respecting the child, and the child and that person shall be legally bound to answer such questions truthfully to the best of their ability.

Consent to marriage.

28. No female under the age of 18 years who is or has been detained, or who has been a transferred child, or in respect of whom a bond or security has been taken, under the provisions of this Act, shall contract any form of marriage without the previous consent in writing of a protector.

Power of protector to require security.

29. If a protector has reasonable cause to believe that any child —

- (a) has been brought into Singapore either after having been transferred for valuable consideration, or by fraud, misrepresentation or any false pretence;
- (b) has been transferred to the custody or control of any person for valuable consideration either within or without Singapore; or
- (c) is being detained against his will by some person other than his parent or lawful guardian,

he may either —

- (i) require any person in whose custody or under whose control the child appears to be to furnish him with copies of the child's and the person's own photographs, and to furnish security to his satisfaction that the child will not leave Singapore without the previous consent in writing of the protector or will not be transferred to the care or custody of any other person without the previous consent in writing of the protector, and that the child will be produced before the protector whenever he requires it; or
- (ii) in the first instance, or if default be made in complying with any order made under paragraph (i), make an order similar to an order

under section 16 (5) as if the child in question were a transferred child.

30.—(1) A protector or any officer generally or specially authorised in that behalf in writing by a protector may at any time visit and inspect the place where any child in respect of whom security has been furnished under section 29 lives or is believed to live or to be. Inspection.

(2) The protector or any such officer may inquire into the condition and circumstances of the child and for the purposes of the inquiry, the protector or such officer as aforesaid may require any person to answer any questions he may think proper to ask and that person shall be legally bound to answer such questions truthfully to the best of his ability.

(3) Any person who obstructs or hinders or attempts to obstruct or hinder a protector or any such officer in the exercise of the powers conferred by this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 6 months or to both.

31. A protector may, during or after any inquiry referred to in section 6, 19, 27 or 30, arrest or cause to be arrested any person reasonably believed to have committed any offence under section 4, 5, 25 or 26, and may seize and detain any articles or documents which he may have reason to believe relate to the offence. Powers of arrest.

General

32.—(1) A protector or the Commissioner or any officer generally or specially authorised in that behalf in writing by a protector or the Commissioner may enter, and for that purpose may use force if necessary, and search any vessel, house, building, land, enclosure or other place where he has reasonable cause to suspect that an offence under this Act or any rules made thereunder has been or is being committed. Powers of search.

(2) Any person who obstructs or hinders or attempts to obstruct or hinder a protector or the Commissioner or any such officer as aforesaid in the exercise of the powers conferred by this section shall be guilty of an offence.

When court may take cognizance of offence. 21/73.

33. No court shall take cognizance of any offence punishable under this Act except with the written sanction of the Public Prosecutor or a Deputy Public Prosecutor or upon a complaint made by —

- (a) a protector;
- (b) the Commissioner;
- (c) a Magistrate;
- (d) a Justice of the Peace;
- (e) a police officer not below the rank of sergeant; or
- (f) any other person authorised in writing by the Minister or by a protector or by the Commissioner, either by name or office, to make complaint of any offence under this Act.

Court may determine and declare age of child or young person.

34.—(1) Where, in any proceedings under this Act, a person is alleged to be a child or young person, the court, after making such inquiry as it thinks fit as to the age of that person, may determine and declare his age, and for the purposes of this Act the age so declared by the court shall be deemed to be the true age of that person, unless the contrary is proved, in the same or any subsequent proceedings brought in relation to that person.

(2) Where a person is charged with an offence under this Act in respect of a person apparently under a specified age it shall be a defence to prove that the person was actually of, or over, that age.

Offences and penalties.

35. Any person who —

- (a) refuses to answer, to the best of his knowledge and belief, any question which he is legally bound to answer and which is asked of him by any officer appointed or authorised under this Act;
- (b) makes, signs or delivers, or causes to be made, signed or delivered, any wilfully false or incorrect notification, report or statement;
- (c) refuses to allow an officer appointed or authorised under this Act such entry or access to any house, building, land, enclosure, vessel or other place as he is required by this Act to allow; or
- (d) contravenes or fails to comply with any order, summons or warrant lawfully made by a protector under this Act,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$250 or to imprisonment for a term not exceeding 6 months or to both.

36. A certificate purporting to be under the hand of a protector as to any entry in a register or any other record, or as to any matter or thing which he is authorised by this Act, or any rules made thereunder, to make or to do shall be prima facie evidence of the entry having been made, and of the contents thereof and of the matter or thing having been done or not done.

Certificate of protector to be evidence.

37. Any person to whose care a child or young person is committed under this Act shall, while the order is in force, have the like control over the child or young person as if he were the parent, and shall be responsible for the maintenance of the child or young person, and the child or young person shall continue in the care of that person notwithstanding that he is claimed by his parent or any other person and if any person —

Maintenance of child or young person when committed to any person.

- (a) knowingly assists or induces, directly or indirectly, a child or young person to escape from the person to whose care he is committed; or
- (b) knowingly harbours, conceals or prevents from returning to that person, a child or young person who has so escaped, or knowingly assists in so doing,

he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$250 or to imprisonment for a term not exceeding 3 months or to both.

38.—(1) Where an order has been made by a protector under section 16 (5) or 29 committing a child to a place of safety or to the custody of a relative or other fit person the protector may at the time of or subsequent to the making of such order make a further order (referred to in this section as a protector's contribution order) requiring the parent or guardian of the child or the person having the custody of the child at the time of the making of the order to contribute such weekly or monthly sum in respect of the child's maintenance as the protector having regard to his means thinks fit, and it shall be the duty of that parent or guardian or other person to comply with the terms of a protector's contribution order.

Contribution orders.

(2) No protector's contribution order shall be made without giving the person ordered to make a contribution an opportunity to be heard.

(3) A protector's contribution order shall remain in force for so long as the committal order in respect of the child is in force:

Provided that such order —

- (a) may be varied, revoked or suspended by the protector; and
- (b) shall not be so varied as to increase any contribution payable thereunder without giving the person making the contribution an opportunity to be heard.

(4) If any person wilfully neglects to comply with a protector's contribution order made under this section, a court may, for every breach of the order, by warrant, direct the amount due to be levied in the manner by law provided for levying fines imposed by Magistrates, or may sentence the person to imprisonment for a term not exceeding one month for each month's contribution remaining unpaid.

Rules.

39.—(1) The Minister may make rules to give effect to the provisions of this Part.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters:

- (a) the care, maintenance and education of children or young persons committed to the care, custody or control of any person under the provisions of this Act, and the duties of persons to whose care, custody or control the children or young persons have been committed;
- (b) the regulation of conditions of labour of children and young persons and their production for inspection;
- (c) the regulation of hours and days of work of children and young persons;
- (d) the regulation of night work, both as to hours and conditions, of children and young persons;

- (e) the prescription of conditions to be attached to licences for the employment of children or young persons in public entertainment;
 - (f) the care, detention, temporary absence, maintenance and education of children and young persons in places of safety;
 - (g) the inspection of approved schools, approved homes and places of safety and returns to be furnished by persons in charge of such places;
 - (h) the time within which notifications under section 13 and reports under section 14 shall be made and the manner in which such notifications and reports shall be recorded or noted;
 - (i) the particulars (including photographs or other means of identification) to be furnished in relation to transferred children, their parents or persons required to make notifications in respect of transferred children, or persons having the custody of such children;
 - (j) the forms of orders, warrants, summonses and bonds;
 - (k) the forms of registers and other records required to be kept and the manner in which they shall be kept;
 - (l) the furnishing of information as to changes of address of transferred children or of the persons having custody of them, and the transfer of records and registers in such cases;
 - (m) the time and manner of lodging and determining appeals.
- (3) Such rules shall be published in the *Gazette*.

40. Any power exercisable by a Magistrate's Court under this Part may also be exercised by a District Court.

Powers of District Court.

- 41.** The Minister may, by notification in the *Gazette* —
- (a) appoint places or institutions to be places of safety under this Act; and
 - (b) may declare any orphanage, hospital, home, institution or other place to be a place of safety for the purposes of this Act.

Provision of places of safety and approved homes.

PART III

JUVENILE COURTS

Interpre-
tation.

42. In this Part and in the remaining Parts of this Act, unless the context otherwise requires —

“child” means a person who, in the absence of legal proof to the contrary, is, in the opinion of the court having cognisance of any case in relation to such person, under the age of 14 years;

“young person” means a person who, in the absence of legal proof to the contrary, is, in the opinion of the court having cognisance of any case in relation to such person, 14 years of age or upwards and under the age of 16 years.

General
considera-
tion.

43.—(1) Every court in dealing with a child or young person who is brought before it, either as being in need of care or protection, or as an offender or otherwise, shall have regard to the welfare of the child or young person and shall in a proper case take steps for removing him from undesirable surroundings, and for securing that proper provision is made for his education and training.

(2) A court shall not order a child under the age of 10 years to be sent to an approved school or remand home or place of detention unless for any reason, including the want of a fit person of his own religious persuasion who is willing to undertake the care of him, the court is satisfied that he cannot suitably be dealt with otherwise.

Children and
young
persons
not to
associate
with adult
offenders.

44. No child or young person while detained in a police station or while being conveyed to or from any court, or while waiting before or after attending in any criminal court, shall be permitted to associate with an adult (not being a relative) who is charged with an offence other than an offence with which the child or young person is jointly charged.

Bail of
children
and young
persons
arrested.

45. Where a person apparently under the age of 16 years is arrested with or without warrant, he shall be brought before a Juvenile Court; and where he cannot be brought forthwith before a Juvenile Court, the officer making the arrest shall without unnecessary delay take or send the

person arrested before a Magistrate who shall inquire into the case and unless —

- (a) the charge is one of an offence triable only by the High Court;
- (b) it is necessary in the interest of that person to remove him from association with any undesirable person; or
- (c) the Magistrate has reason to believe that the release of that person would defeat the ends of justice,

shall release that person on a bond, with or without sureties, for such amount as will, in the opinion of the Magistrate, secure the attendance of that person upon the hearing of the charge, being entered into by his parent or guardian, or other responsible person.

46. Where a child or young person is charged with any offence or is for any reason brought before a Juvenile Court, his parent or guardian may in any case, and shall if he can be found and resides within a reasonable distance, be required to attend at the Juvenile Court before which the case is heard or determined during all the stages of the proceedings, unless the Juvenile Court is satisfied that it would be unreasonable to require the attendance of the parent or guardian.

Parent or guardian may be required to attend court.

47.—(1) A Juvenile Court shall be presided over by a Magistrate nominated by the President, who, in the exercise of his functions as a Juvenile Court, shall be assisted by two advisers, one of whom may be a woman, and both of whom shall be members of a panel of persons nominated from time to time by the President.

Constitution of Juvenile Courts.

(2) If at any time, by reason of illness or other emergency, the Magistrate nominated under subsection (1) is not available, any Magistrate, although not so nominated may preside over a Juvenile Court, and where it appears that the Court cannot without adjournment be fully constituted, and that an adjournment would be inexpedient in the interests of justice, he may sit with one adviser or he may sit alone.

(3) The functions of the advisers shall be to inform and advise the court with respect to any consideration affecting

the treatment of any child or young person brought before it.

Cap. 68. (4) Save as modified or extended by this Act, the provisions of the Criminal Procedure Code shall apply to a Juvenile Court as if that court were a Magistrate's Court.

Jurisdiction
of Juvenile
Courts.

48.—(1) Subject as hereinafter provided, no charge against a child or young person shall be heard by a court of summary jurisdiction which is not a Juvenile Court:

Provided that —

- (a) where a child or young person is charged with an offence or offences triable only by the High Court, he shall be tried by the High Court;
- (b) a charge made jointly against a child or young person and a person who has attained the age of 16 years shall be heard by a court of appropriate jurisdiction other than a Juvenile Court; or
- (c) where in the course of any proceedings before any court of appropriate jurisdiction other than a Juvenile Court, it appears that the person to whom the proceedings relate is a child or young person, nothing in this section shall be construed as preventing the court, if it thinks fit to do so, from proceeding with the hearing and determination of the proceedings.

(2) A Juvenile Court shall have jurisdiction to try all offences which, but for subsection (1), would be triable only by a Magistrate's Court or a District Court.

Place of
sitting
and persons
who may be
present.

49.—(1) A Juvenile Court shall sit as often as may be necessary for the purpose of exercising any jurisdiction conferred on it by this or any other Act.

(2) A Juvenile Court shall, subject as hereinafter provided, sit either in a different building or room from that in which sittings of courts other than Juvenile Courts are held, or on different days from those on which sittings of the other courts are held, and no person shall be present at any sitting of a Juvenile Court except —

- (a) members and officers of the Court;
- (b) parties to the case before the Court, their solicitors and counsel, and witnesses and other persons directly concerned in that case;

- (c) bona fide representatives of newspapers or news agencies; and
- (d) such other persons as the Court may specially authorise to be present.

50.—(1) Subject as hereinafter provided, no newspaper report of any proceedings in a Juvenile Court shall reveal the name, address or school, or include any particulars calculated to lead to the identification of any child or young person concerned in those proceedings, either as being the person against, or in respect of whom, the proceedings are taken, or as being a witness therein, nor shall any picture be published in any newspaper as being or including a picture of any child or young person so concerned in any such proceedings:

Restriction on newspaper reports of proceedings in a Juvenile Court.

Provided that the Court or the Minister may in any case, if satisfied that it is in the interests of justice to do so, by order dispense with the requirements of this section to such extent as may be specified in the order.

(2) Any person who publishes any matter in contravention of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500.

51. A conviction or finding of guilt of a child or young person shall be disregarded for the purposes of any Act under which any disqualification or disability is imposed upon convicted persons.

Removal of disqualification or disability on conviction.

52.—(1) A child shall not be sentenced or ordered to be imprisoned for any offence, or be committed to prison in default of payment of a fine or costs.

Restrictions on punishment of children and young persons.

(2) A young person shall not be ordered to be imprisoned for an offence, or be committed to prison in default of a fine, damages or costs, unless the court certifies that he is of so unruly a character that he cannot be detained in a remand home, a place of detention, an approved school or an approved home or that he is of so depraved a character that he is not a fit person to be so detained.

(3) Notwithstanding the provisions of any other written law no child or young person shall be sentenced by any court other than the High Court to corporal punishment.

Punishment
of certain
grave crimes.

53.—(1) Where a child or young person is convicted of murder, or of culpable homicide not amounting to murder or attempted murder, or of voluntarily causing grievous hurt, and the court is of opinion that none of the other methods by which the case may legally be dealt with is suitable, the court may sentence the offender to be detained for such period as may be specified in the sentence and where such a sentence has been passed the child or young person shall, during that period, notwithstanding anything in the other provisions of this Act, be liable to be detained in such place and on such conditions as the Minister may direct.

(2) A person detained in pursuance of the directions of the Minister under this section shall, while so detained, be deemed to be in legal custody.

(3) Any person so detained may, at any time, be discharged by the Minister on licence. Such licence may be in such form and may contain such conditions as the Minister may direct, and may at any time be revoked or varied by the Minister.

(4) Where a licence has been revoked, the person to whom the licence related shall return to such place as the Minister may direct, and if he fails to do so may be apprehended without warrant and taken to that place.

Power to
order parent
or guardian
to pay fine,
etc., instead
of child or
young
person.

54.—(1) Where a child or young person is charged before a Juvenile Court with any offence for the commission of which a fine may be imposed and damages and costs or either or both of them may be awarded, and the Juvenile Court is of the opinion that the case would be best met by the imposition of all or any of those penalties whether with or without any other punishment, the Juvenile Court may, in such case, and shall, if the offender is a child, order that the fine imposed and damages or costs awarded be paid by the parent or guardian of the child or young person, unless the Juvenile Court is satisfied that the parent or guardian cannot be found or that he has not conduced to the commission of the offence by neglecting to exercise due care of the child or young person.

(2) Where a child or young person is charged with any offence, a Juvenile Court may order his parent or guardian to give security for his good behaviour.

(3) Where a Juvenile Court thinks that a charge against a child or young person is proved, the Court may make an order on the parent or guardian under this section for the payment of damages or costs or requiring him to give security for the good behaviour of the child or young person, without proceeding to record a finding of guilt against the child or young person.

(4) An order under this section may be made against a parent or guardian who, having been required to attend, has failed to do so, but, save as aforesaid, no such order shall be made without giving the parent or guardian an opportunity to be heard.

(5) Any sum imposed and ordered to be paid by the parent or guardian under this section, or on forfeiture of any such security, may be recovered from him in the manner provided by the Criminal Procedure Code in like manner as if the order had been made on the conviction of the parent or guardian of the offence with which the child or young person was charged.

Cap. 68.

55.—(1) Any court by or before which a child or young person is found guilty of an offence may, if it thinks fit, remit the case to a Juvenile Court, and where any such case is so remitted, the offender shall be brought before a Juvenile Court accordingly, and that Court may deal with him in any way in which it might have dealt with him if he had been tried and found guilty by that Court.

Power of other courts to remit juvenile offenders to Juvenile Court.

(2) No appeal shall lie against an order of remission made under subsection (1) but nothing in this subsection shall affect any right of appeal against the verdict or finding on which such an order is founded, and a person aggrieved by the order of the Juvenile Court to which the case is remitted may appeal therefrom to the High Court as if he has been tried by, and had pleaded guilty before, the Juvenile Court.

(3) A court by which an order remitting a case to a Juvenile Court is made under this section may give such directions as appear to be necessary with respect to the custody of the offender or for his release on bail until he can be brought before a Juvenile Court, and shall cause to be transmitted to the Juvenile Court to which the case has been remitted a certificate setting out the nature of the offence and stating that the case has been remitted for the purpose of being dealt with under this section.

Words
“conviction”
and
“sentence”
not to be
used.

56. The words “conviction” and “sentence” shall cease to be used in relation to children and young persons dealt with by a Juvenile Court and any reference in any written law to a person convicted, a conviction or a sentence, shall, in the case of a child or young person, be construed as including a reference to a person found guilty of an offence, a finding of guilt or an order made upon such a finding, as the case may be.

Procedure
in Juvenile
Courts.

57.—(1) Where a child or young person is brought before a Juvenile Court for any offence it shall be the duty of the Court as soon as possible to explain to him in simple language suitable to his age and understanding the substance of the alleged offence.

(2) After explaining the substance of the alleged offence the Court shall ask the child or young person whether he admits the facts constituting the offence.

(3) If the child or young person does not admit the facts constituting the offence the Court shall then hear the evidence of the witnesses in support thereof. At the close of the evidence in chief of each witness, the witness may be cross-examined by or on behalf of the child or young person.

(4) The Court shall, except in any case where the child or young person is legally represented, allow his parents or guardian or, in their absence, any relative or other responsible person to assist him in conducting his defence.

(5) If in any case where the child or young person is not legally represented or assisted in his defence as provided for in subsection (4), the child or young person, instead of asking questions by way of cross-examination, makes assertions, the Court shall then put to the witness such questions as it thinks necessary on behalf of the child or young person and may for this purpose question the child or young person in order to bring out or clear up any point arising out of those questions.

(6) If it appears to the Court that a prima facie case is made out, the Court shall explain to the child or young person the substance of the evidence against him, and, in particular, any points therein which specially tell against him or require explanation and the child or young person shall be allowed to give evidence upon oath or affirmation

or to make a statement if he so desires and the evidence of any witness for the defence shall be heard.

(7) If the child or young person admits the offence or the Court is satisfied that it is proved, he, and his parent or guardian if present, shall then be asked if he desires to say anything in extenuation or mitigation of the penalty or otherwise.

(8) Before deciding how to deal with him, the Court shall obtain such information as to his general conduct, home surroundings, school record and medical history, as may enable it to deal with the case in the best interests of the child or young person, and may put to him any question arising out of such information.

(9) Such information may include any written report of a probation officer or registered medical practitioner, and may be received and considered by the Court without being read aloud.

(10) For the purpose of obtaining such information under subsection (8), or for special medical examination or observation, the Court may from time to time remand the child or young person on bail or to a place of detention.

(11) Where the Court has received and considered a written report of a probation officer or a registered medical practitioner —

- (a) the child or young person shall be told the substance of any part of the report bearing on his character or conduct which the Court considers to be material to the manner in which he should be dealt with;
- (b) the parent or guardian, if present, shall be told the substance of any part of the report which the Court considers to be material as aforesaid and which has reference to his character or conduct, or the character, conduct, home surroundings, or health of the child or young person; and
- (c) if the child or young person or his parent or guardian having been told the substance of any part of any such report, desires to produce evidence with reference thereto, the Court, if it thinks the evidence material, shall adjourn the proceedings for the production of further

evidence, and shall, if necessary, require the attendance at the adjourned hearing of the person who made the report.

(12) If in any case the Court considers it necessary in the interests of the child or young person, it may require the parent or guardian of the child or young person, as the case may be, to withdraw from the Court.

Presumption
as to age.

58.—(1) Where, in a charge for an offence triable under this Act, it is alleged that the person by whom the offence was committed was under or had attained any specified age, and he appears to the Court to have been at the date of the commission of the alleged offence under or to have attained the specified age, as the case may be, he shall for the purposes of this Act be presumed at that date to have been under or to have attained that age, as the case may be, and any order made therein shall not be invalidated by any subsequent proof that the age has been incorrectly stated.

(2) Where the Court is, or the police are, in doubt as to the exact age of the person by whom an offence is alleged to have been committed the certificate of a Government medical officer to the effect that, in his opinion, the person has or has not attained a specified age may be given in evidence.

Powers of
Juvenile
Court
on proof
of offence.

59.—(1) Where a Juvenile Court is satisfied that an offence has been proved, or where the child or young person admits the facts constituting the offence, the Court shall, in addition to any other powers exercisable by virtue of this Act or any other written law for the time being in force, have power —

- (a) to acquit and discharge the offender or to discharge him in circumstances not amounting to an acquittal;
- (b) to discharge the offender upon his entering into a bond to be of good behaviour and to comply with such order as may be imposed;
- (c) to commit the offender to the care of a relative or other fit person;
- (d) to order his parent or guardian to execute a bond to exercise proper care and guardianship;
- (e) without making any other order, or in addition to an order under paragraph (b), (c), (d) or (h), to

make a probation order placing the offender under the supervision of a probation officer or some person appointed for the purpose by the Court, for a period of not less than one year and not more than 3 years from the date of the order as may be specified therein;

- (f) to order the offender to be detained in a place of detention or remand home for a period not exceeding 6 months;
- (g) to order the offender to be sent to an approved school for a period of not less than 3 years, and not more than 5 years;
- (h) to order the offender to pay a fine, damages or costs;
- (i) where the offender is a young person and the offence is proved, or where the young person admits the facts constituting the offence, the Juvenile Court may order the offender to be sent to a Young Offenders Section, as provided in Part VII, for such length of time as could be awarded by a District Court in respect of a term of imprisonment, if in the opinion of the Court he is of so unruly a character that he cannot be detained in a remand home, a place of detention, an approved school or an approved home, or that he is of so depraved a character that he is not a fit person to be so detained.

(2) Where a Juvenile Court is satisfied, on the representations of the manager of a remand home, a place of detention, an approved school or an approved home, that a young person ordered to be detained in the remand home, place of detention, approved school or approved home is of so unruly a character that he cannot be so detained, or is of so depraved a character that he is not a fit person to be so detained, the Court may —

- (a) order the young person to be transferred to and detained in an approved school or in another approved school (as the case may be) which the Court considers more suitable for him and there to complete the unexpired portion of detention;
- (b) order the young person to be transferred to and detained in, a Young Offenders Section, as

provided in Part VII, for a period not exceeding 6 months;

- (c) on completion of the period of detention in a Young Offenders Section ordered under paragraph (b), and on receipt of a satisfactory report of the young person's conduct from the Director of Prisons, order the young person to be sent back to the remand home, place of detention, approved school or approved home, from which he had been transferred, to complete the unexpired portion of the period for which he had originally been sent to the remand home, place of detention, approved school or approved home; or
- (d) on completion of the period of detention in a Young Offenders Section ordered under paragraph (b), order the young person to be detained for a further period not exceeding 6 months if the Director of Prisons reports that his conduct, during the period of his detention, has been unsatisfactory:

Provided that where the young person is a male and has attained the age of 16 years and the Court is satisfied that it is expedient with a view to his reformation that he should undergo a period of training in a reformatory training centre, the Court may order him to be brought before a District Court to be dealt with under section 13 of the Criminal Procedure Code.

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(3) Where a young person, having been transferred to, and detained in, a Young Offenders Section and sent back to a remand home, place of detention, approved school or approved home, as provided in subsection (2) (b) and (c) is again brought before the Juvenile Court on the representations of the manager of a remand home, place of detention, approved school or approved home, as being of so unruly or depraved a character as to make his detention in such remand home, place of detention, approved school or approved home, undesirable, the Court may —

- (a) order the young person to be again transferred to and detained in a Young Offenders Section for a further period not exceeding 6 months; or
- (b) order the young person to be transferred to and detained in a Young Offenders Section for the

unexpired portion of the period for which he was originally sent to such remand home, place of detention, approved school or approved home:

Provided that where the young person is a male and has attained the age of 16 years and the Court is satisfied that it is expedient with a view to his reformation that he should undergo a period of training in a reformatory training centre, the Court may order him to be brought before a District Court to be dealt with under section 13 of the Criminal Procedure Code.

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60. Subject to section 94 no person shall be detained in a remand home, place of detention, approved school or approved home after he has attained the age of 19 years.

Persons not to be detained in remand homes, etc., after the age of 19.

61. Any child or young person, or his parent or guardian dissatisfied with any judgment, sentence or order of a Juvenile Court, may prefer an appeal to the High Court against the judgment, sentence or order in accordance with the provisions of any law in force for the time being regulating appeals to that Court from a Magistrate's Court or a District Court.

Appeals.

*Children and Young Persons in Need of
Care and Protection*

62.—(1) For the purposes of this Act, a child or young person in need of care or protection means a person who is —

Definition.

- (a) a child or young person who, having no parent or guardian or a parent or guardian unfit to exercise proper care and guardianship, or not exercising proper care and guardianship, is either falling into bad associations, or exposed to moral danger, or beyond control; or
- (b) a child or young person who —
 - (i) being a person in respect of whom any of the offences mentioned in Part II has been committed;
 - (ii) being a member of the same household as a child or young person in respect of whom such an offence has been committed; or

(iii) being a member of the same household as a person who has been convicted of such an offence in respect of a child or young person,

requires care or protection.

(2) For the purpose of this section, the fact that a child or young person is found destitute, or is found wandering without any settled place of abode and without visible means of subsistence, or is found begging or receiving alms (whether or not there is any pretence of singing, playing, performing or offering anything for sale), or is found loitering for the purpose of so begging or receiving alms, shall (without prejudice to the generality of subsection (1) (a)) be evidence that he is exposed to moral danger.

Powers of Juvenile Court in respect of children or young persons in need of care or protection.

63. If a Juvenile Court is satisfied that any person brought before the Court is a child or young person in need of care or protection, the Court may —

- (a) order him to be sent to an approved school or an approved home;
- (b) commit him to the care of a fit person whether a relative or not, who is willing to undertake the care of him;
- (c) order his parent or guardian to enter into a recognizance to exercise proper care and guardianship; or
- (d) without making any other order, or in addition to making an order under paragraph (b) or (c), make an order placing him for a specified period, not exceeding 3 years, under the supervision of a probation officer, or of some other person appointed for the purpose by the Court.

Refractory Children and Young Persons

Power of parent or guardian to bring child or young person before Juvenile Court.

64. Where the parent or guardian of a child or young person proves to a Juvenile Court that he is unable to control the child or young person, the Court, if satisfied —

- (a) that it is expedient so to deal with the child or young person; and
- (b) that the parent or guardian understands the results which will follow from, and consents to, the making of the order,

may order the child or young person to be sent to an approved school or approved home, or may order him to be placed for a specified period, not exceeding 3 years, under the supervision of a probation officer or of some other person appointed for the purpose by the Court.

PART IV

PLACES OF DETENTION

65. Whenever any person apparently under the age of 16 years has been arrested and is not released on bail, any police officer shall, notwithstanding anything to the contrary in any other Act, cause that person to be detained in a place of detention or a remand home until he can be brought before a court unless the officer certifies —

Custody of children and young persons not released on bail. 21/73.

- (a) that it is impracticable to do so;
- (b) that he is of so unruly or depraved a character that he cannot be safely so detained; or
- (c) that by reason of his state of health or of his mental or bodily condition it is inadvisable to so detain him,

and the certificate shall be produced to the court before which the person is brought.

66.—(1) A court on remanding a child or young person who is not released on bail shall, notwithstanding anything to the contrary in any other Act, instead of remanding him in custody in a prison, remand him in custody in a place of detention or remand home named in the order of remand, to be there detained for the period for which he is remanded or until he is from that place delivered in due course of law.

Remand of or committal to custody in a place of detention or remand home.

(2) A court committing for trial a child or young person who is not released on bail, shall, notwithstanding anything to the contrary in any other Act, instead of committing him to prison, commit him to a place of detention named in the order of commitment or to a remand home, to be there detained for the period for which he is committed or until he is from that place delivered in due course of law:

Provided that in the case of a young person it shall not be obligatory on the court to remand or commit him in or to a place of detention or remand home under subsection (1) or (2) if the court certifies that it is impracticable to do so, or

that he is of so unruly a character that he cannot be safely so remanded or committed, or that he is of so depraved a character that he is not a fit person to be so detained; and in that case the court may remand the young person to custody in, or may commit him to, a prison.

(3) An order of remand or commitment under this section may be varied, or, in the case of a young person who proves to be of so unruly a character that he cannot be safely detained in a place of detention or remand home, or to be of so depraved a character that he is not a fit person to be so detained, revoked by any court; and if it is revoked the young person may be remanded in custody in, or committed to, a prison.

Provision
of places of
detention.

67.—(1) Such place or places of detention as may be required for the purposes of this Act shall be provided or appointed by the Minister.

(2) If more than one place of detention is provided or appointed the Minister may determine that any such place shall be used for some only of the purposes for which places of detention are required to be provided and another place for the other purposes.

(3) It shall be lawful for the authority or persons responsible for the management of any institution other than a prison, whether supported out of public funds or by voluntary contributions but subject, in the case of an institution supported out of public funds, to the consent of the President, to agree with the Minister for the use of the institution or any part thereof as a place of detention on such terms as may be agreed upon.

21/73.

(4) In selecting the place of detention or a remand home to which a child or young person is to be committed the court or any police officer shall have regard to whether the place is suitable for the reception of persons found guilty or of persons not found guilty, or of persons charged with serious offences or minor offences, as the case may be, and also, where practicable, to the religious persuasion of the child or young person.

(5) A child or young person detained in a place of detention or a remand home may be, by an order in writing of the Minister, either discharged therefrom or transferred to some other place of detention or remand home.

68.—(1) The order or judgment in pursuance of which a child or young person is committed to custody in a place of detention or remand home shall be delivered with the child or young person to the person in charge of the place of detention or remand home and shall be sufficient authority for his detention in that place in accordance with the tenor thereof.

Provisions as to the custody of children and young persons in place of detention or remand home.

(2) A child or young person while so detained, and while being conveyed to and from the place of detention or remand home shall be deemed to be in lawful custody, and if he escapes may be apprehended without warrant and brought back to the place of detention or remand home in which he was detained.

69. The Minister shall cause places of detention to be inspected, and may make rules as to the inspection of those places of detention, and as to the classification, treatment, employment and control of children and young persons detained therein, and may, by such rules, provide for the appointment of fit and proper persons to visit periodically children and young persons so detained therein.

Inspection.

70. The expenses incurred by the Government in respect of any place of detention or remand home, including the expenses of the maintenance of any child or young person detained therein, whether detained on arrest or committed to custody on remand or commitment for trial or in lieu of imprisonment or in default of payment of a fine, damages or costs, shall be defrayed out of the Consolidated Fund.

Expenses of maintenance of child or young person.

71.—(1) Notwithstanding section 70, in any case in which any child or young person is committed to custody in a place of detention or remand home in accordance with section 66, the parent of the child or young person or, if he is an orphan, the guardian or other person legally liable to maintain him shall, if able to pay for the whole or part of the cost of maintaining him at such place of detention or remand home, be bound to do so as hereinafter provided.

When parent or guardian liable to pay expenses of maintenance.

(2) The liability imposed by subsection (1) shall extend to the maintenance of the child or young person not only during the period of his detention in pursuance of the order of committal under section 66 but also during any period of detention under section 59 in connection with the offence of which he is found guilty.

(3) The rate of maintenance shall be such rate as the Minister may from time to time by notification in the *Gazette* either generally or for any particular place of detention or remand home provide.

(4) A Magistrate's Court having jurisdiction in the place where the person liable to make the payment resides shall, on the application of any police officer or of anyone authorised by the Minister to take proceedings, issue an order in writing on that person or, if that person is present in court, communicate the order to him orally, to show cause why he should not pay for the maintenance of the child or young person at the rate fixed under subsection (3) and in the order.

(5) If the person liable to make payment appears in answer to an order in writing issued under subsection (4), or if in case of his absence it is proved to the satisfaction of the court that the order was duly served, or if the order has been communicated orally to that person under subsection (4), the court shall summarily inquire into his circumstances, and if satisfied that he can pay the whole or any part of the maintenance, shall pronounce an order, according to the justice of the case, requiring the payment to be made into court.

(6) A court by which an order is pronounced under subsection (4) may from time to time vary the order or may rescind the order as the justice of the case may require.

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(7) An order pronounced under this section may be enforced under the Criminal Procedure Code as though it were a fine.

(8) All sums paid into court in pursuance of this section shall be paid into the Consolidated Fund.

Proceedings on subsequent proof of age or unsuitability of young person for detention in place of detention.

72.—(1) When any person is, under the provisions of this Act, committed by an order or judgment of a court to a place of detention, the order or judgment shall not be invalidated by any subsequent proof that the person is not a child or young person; but in that case it shall be lawful for the court before which such proof is brought to order the production of the person before it for inquiry, and, if it thinks fit, to revoke the order of committal; and the order shall thereupon be cancelled.

(2) When any young person has been committed to a place of detention in accordance with section 66, and it subsequently appears to any court that the person is of so unruly or depraved a character that it is undesirable that he should be further detained in a place of detention, it shall be lawful for the court to order the production of the person before it for inquiry, and, if it thinks fit, to make an order in respect of the young person under section 59 (2) (a).

PART V

APPROVED SCHOOLS AND APPROVED HOMES

73. The manager of any school or home intended for the reception, education and vocational training of persons to be sent there in pursuance of this Act may apply to the Minister to appoint the school or home for that purpose, and the Minister may, after directing the Director to make such inquiries as he thinks fit, appoint the school or home and issue a certificate of appointment and approval to the manager thereof, which certificate shall be published in the *Gazette*. Any such school or home shall, while that certificate remains in force, be an appointed approved school or approved home for the purposes of this Act.

Minister may certify appointed approved schools and homes.

74.—(1) The manager of an appointed approved school or approved home may make rules not repugnant to this Act for the regulation and management of the institution under his charge.

Manager may make rules subject to the approval of the Minister.

(2) No such rules shall be enforced until they have been approved by the Minister.

(3) Rules so approved shall not be altered without the like approval.

75. The manager of an appointed approved school or approved home shall send a monthly report to the Director, containing such particulars as may be required by the rules for the school or home.

Manager shall send monthly report to Director of Social Welfare.

76. A report on the condition of any appointed approved school or approved home shall be made to the Minister by the Director if the latter is dissatisfied with the condition of the school or home. The Minister upon consideration of this report may cancel his certificate, and upon notice in writing

Minister may cancel his certificate.

of such cancellation having been given to the manager thereof the school or home shall cease to be an appointed approved school or approved home from such time as is specified in the notice, and the fact of such cancellation shall be notified in the *Gazette*.

Manager or his executor or administrator may cancel certificate.

77.—(1) The manager of any appointed approved school or approved home may, upon giving 6 months' previous notice, and the executors and administrators of a deceased manager may, upon giving one month's previous notice in writing of his or their intention to do so, apply for the cancellation of the certificate given to the school or home.

(2) At the expiration of 6 months or one month, as the case may be, from the date of the notice, unless in the meantime the notice has been withdrawn, the certificate shall be deemed to be cancelled, and notification of such cancellation shall be published in the *Gazette*.

Privileges and liabilities of managers.

78. The manager of an appointed approved school or approved home shall receive any child or young person sent to him under this Act, and shall undertake to educate, clothe, lodge and feed him during the whole period of which he is liable to be detained in the school or home, or until the cancellation of the certificate takes effect.

Effect of cancellation of certificate.

79. Whenever the certificate of an appointed approved school or approved home is cancelled under section 76, no child or young person shall be received into the school or home, under any of the provisions of this Act, after the date of the receipt by the manager of the school or home of the notice of cancellation, or after the date of the notice of cancellation, as the case may be.

Discharge or transfer of juveniles.

80. When the cancellation of the certificate of an appointed approved school or approved home takes effect, the persons resident therein shall be, by order of the Minister, either discharged or transferred to some other appointed approved school or approved home or to a Government approved school or approved home, but so that the whole period of detention for which any person was sent to such approved school or approved home shall not be increased by the transfer.

81.—(1) The Minister may, by order to be published in the *Gazette*, establish such approved schools and approved homes as may be necessary for the purposes of this Act.

Minister shall establish approved schools and approved homes.

(2) Every such order shall specify the premises in which the approved school or approved home to which it refers is to be established and shall state whether the same is to be used for male or female persons, or both.

82. Approved schools and approved homes established under the provisions of this Part shall be under the control and management of the Director.

Director of Social Welfare to control and manage approved schools and homes.

83. The Director, subject to the approval of the Minister, may make regulations for the management of every approved school or approved home established under the provisions of this Act, and for the maintenance of order and discipline of the persons detained therein as well as of the officers thereof. All such regulations shall be published in the *Gazette*.

Director of Social Welfare may make regulations for approved schools and homes.

84.—(1) The Minister may, by notification in the *Gazette*, appoint such persons as he may think fit to be members of a board of visitors in respect of any approved school or approved home for such period as may be specified in the notification.

Visitors.

(2) Every person appointed under subsection (1) may enter at all reasonable times any approved school or approved home, and may make such inquiries or examination therein as to him appear necessary, and shall also make such reports as may be required by the Minister.

Powers and duties of visitors.

(3) Any manager who refuses admittance to any such visitor or to any Judge of the Supreme Court, or to any member of the Cabinet or of Parliament, or to any Magistrate, or to the Director or any officer deputed by him for the purpose, or offers any hindrance or obstruction to those persons after their identity is reasonably established, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50.

Approved schools lawful places of detention.

85. Every approved school and approved home shall be a lawful place of detention for such youthful offenders as are ordered to be detained therein, and shall be inspected and reported on as herein provided.

Minister may discharge or transfer from one school to another.

86. The Minister may at any time, by writing under his hand and seal, notwithstanding any order made by any court, order any child or young person to be discharged from any approved school or approved home, or to be transferred from one school or home to another, but so that the whole period of detention for which any person was sent to such approved school or approved home shall not be increased by the transfer.

Illness of a child or young person detained.

87.—(1) In the case of the serious illness of any child or young person who is detained in an approved school or approved home or is committed to the care and custody of any society or institution under the provisions of this Act, in which there is no suitable accommodation for the child or young person, any manager or person having control of the place where the child or young person is detained may, on the certificate of a medical officer, make an order for his removal to a Government hospital.

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(2) Where any child or young person detained in any of the places mentioned in subsection (1) appears to the Minister on the certificate of a registered medical practitioner to be suffering from leprosy, the Minister may, by order in writing, direct his removal to any hospital or place specified by the Director of Medical Services under section 8 (2) of the Infectious Diseases Act, there to be kept and treated until cured of his leprosy.

(3) So long as any child or young person who has been removed to any such hospital or place under subsections (1) and (2) remains therein, the medical officer thereof shall, at the end of every month, transmit to the manager or person having control of the hospital or place where the child or young person was detained a certificate signed by him that it is in his opinion necessary that he should remain in the hospital or place.

(4) In this section, "Government hospital" includes any hospital which the Minister, by notification in the *Gazette*, may declare to be a hospital for the purposes of this section.

88. So soon as, in the opinion of the medical officer in charge of any hospital or place, it is no longer necessary that any child or young person who has been removed to the hospital or place should remain therein, he shall transmit to the manager or person having control of the hospital or place where the child or young person was detained a certificate stating that the necessity has ceased, and thereupon the manager or person having control of the hospital or place where the child or young person was detained shall forthwith cause the child or young person to be brought back to the hospital or place where he was detained if he is still liable to be detained therein.

Return when cured.

89. Every precaution shall be taken by the medical officers and other officers of any hospital, mental hospital or place specified by the Director of Medical Services under section 8 (2) of the Infectious Diseases Act to prevent the escape of children or young persons who may at any time be under treatment therein, and it shall be lawful for those officers to take such measures for preventing the escape of any such children or young persons as are necessary, provided that nothing is done under the authority hereof which in the opinion of the medical officers is likely to be prejudicial to the health of those children or young persons.

Duty to prevent escape.

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90. Where in any case, from the gravity of the offence for which any child or young person may be in custody or for any other reason, the manager or person having control of the place where the child or young person is detained considers it to be desirable to take special measures for the security of the child or young person while under treatment in a hospital, mental hospital or place specified by the Director of Medical Services under section 8 (2) of the Infectious Diseases Act, it shall be lawful for him to give the child or young person into the charge of fit and proper persons not being less than two in number, one of whom at the least shall always be with the child or young person day and night, and those persons shall be vested with full power and authority to do all things necessary to prevent the child or young person from escaping, and shall be answerable for his safe custody until such time as he is handed over to a manager or person having control of the place where the child or young person was detained on his discharge from the hospital, mental hospital or place specified by the

Special custody in hospital.

Cap. 137. Director of Medical Services under section 8 (2) of the Infectious Diseases Act or until such time as his period of detention expires, whichever may first occur.

Saving of powers of High Court.

91. Nothing in this Act contained shall be held to lessen or affect the powers of the Judges of the High Court to direct persons confined in Singapore to be brought before the Court by writ of habeas corpus.

Review of cases of children and young persons ordered to be detained in approved schools.

92.—(1) The manager of any approved school or approved home shall review all cases of children or young persons when they have been detained for 12 months, and may, after such review, recommend to the Director that any child or young person shall be released on conditional parole licence.

(2) The Director, on the advice of the Parole Board mentioned in subsection (3) and notwithstanding any order made by any court, shall have power to order the release on parole licence of any child or young person who has been detained in an approved school or an approved home for 12 months, at any time before the completion of his full period of detention and on such conditions as may be stated by him in the order.

Parole Board.

(3) The Minister shall appoint a Parole Board not exceeding 12 persons in number, which shall advise and make recommendations to the Director on such cases as may be referred to it by him. Members of the Parole Board shall hold office for such period as may be stated in their notice of appointment, which shall be published in the *Gazette*.

(4) Any child or young person released from an approved school or an approved home on conditional parole licence by order of the Director, who breaks the conditions of his parole licence, shall be brought before the Director, who shall have power to order the return of the child or young person to the approved school or approved home from which he was released, to be detained there for the unexpired portion of his original period of detention, except where the child or young person concerned, by reason of any act or omission committed while on licence, renders himself liable to prosecution for any offence, in which case he shall be brought before a Juvenile Court.

Offences in Relation to Approved Schools

93.—(1) Any person committed to the care or custody of any approved school or approved home who — Breaches of rules and school discipline.

(a) wilfully neglects or wilfully refuses to conform to the rules thereof; or

(b) is guilty of wilful insubordination against the discipline thereof,

shall for every offence be punished in the manner prescribed in those rules.

(2) Where a person who has been committed to any approved school or approved home proves himself, in the opinion of the manager of such school or home, to be of so unruly or depraved a character as to render his detention in the approved school or approved home undesirable, the manager may make a report of the circumstances of the case in writing to the Director.

(3) On receipt of such report, the Director may order that that person be brought before a Juvenile Court, and the Court may, if it thinks fit, deal with that person under section 59.

94. Any person detained under this Act in any approved school or approved home or committed to the care or custody of any person, society or institution, or detained in any hospital or place specified by the Director of Medical Services under section 8 (2) of the Infectious Diseases Act who escapes therefrom at any time before the expiration of his period of detention, may be arrested without a warrant and brought before a Juvenile Court, and shall, notwithstanding section 60, be liable to be further detained in that school or home or returned to the custody of that person, society or institution or further detained in that hospital or place for 6 months, but not in any case after he attains the age of 19 years and 6 months. Escape from approved school. Cap. 137.

95. Any person who —

(a) knowingly assists, directly or indirectly, any person legally detained in any approved school or approved home or committed to the care or custody of any person, society or institution or detained in any hospital or place specified by the Director of Medical Services under section 8 (2) Penalties for assisting or inducing children to escape and for harbouring or concealing escaped children.

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of the Infectious Diseases Act to escape therefrom;

- (b) induces any such person so to escape; or
- (c) knowing that any such person ordered to be detained or committed as aforesaid has escaped from any such approved school or approved home, or from the care or custody of such person, society or institution or from any such hospital or place, harbours or conceals, or assists in harbouring or concealing that person, or causes or induces him not to return to such school or home, person or society or institution, or hospital or place,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 6 months or to both.

Evidence of orders of Minister.

96. A copy under the hand of the Director shall be evidence of any order, authority or direction given by the Minister under the provisions of this Act.

Presumption.

97. The production of the warrant or other document, in pursuance of which a child or young person is directed to be sent to an approved school or an approved home or committed to the care or custody of a person, society or institution or directed to be sent to any hospital or a place specified by the Director of Medical Services under section 8 (2) of the Infectious Diseases Act, with a statement endorsed thereon or annexed thereto purporting to be signed by the manager to the effect that the child or young person named therein was duly received into and is at the date of the signing thereof detained in such school or home or by such person, or by the secretary of such society or institution or by the manager of such hospital or place to the effect that such child or young person was duly taken into the custody or care of such person, society or institution and is at the date of signing thereof still in their care or custody, or has been otherwise dealt with according to law, shall in all proceedings relating to that child or young person be prima facie evidence of the identity and of the lawful detention or disposal of the child or young person named in that warrant or other document.

98. A copy of the rules of an approved school or approved home appointed or established under the provisions of this Act or of a society, institution, hospital or place, purporting to be signed by the Director shall be evidence of such rules in all legal proceedings whatsoever.

PART VI

EXPENSES AND CONTRIBUTIONS

99. For the purposes of this Part, “approved school” means any approved school or approved home appointed or established under section 73 or 81, unless there is something repugnant in the subject or context.

100. The Minister for Finance may order the payment from the Consolidated Fund of such sums of money and upon such conditions as he thinks fit towards all or any of the following purposes:

- (a) the alteration, enlargement or rebuilding of an approved school;
- (b) the maintenance, education and training of the persons therein detained;
- (c) the establishment or building of premises intended to be an approved school;
- (d) the purchase of any land required for the use of an existing approved school;
- (e) the purchase of any land required for the building of an approved school.

101. Where an order has been made by a Juvenile Court under any of the provisions of this Act committing a child or young person to the care of a fit person, or sending him to a place of safety, a place of detention, or an approved school, it shall be the duty of a parent or guardian or other person having the custody of the child or young person at the time of the commission of the offence to make contributions in respect of his maintenance.

102.—(1) When an order has been made by a Juvenile Court committing a child or young person to the care of a fit person or sending him to a place of safety, a place of detention, a hostel, or an approved school, the Juvenile Court which makes the order may, at the same time or

subsequently, make an order (referred to in this section as a contribution order) on the parent or guardian or other person having the custody of the child or young person requiring him to contribute such weekly or monthly sum as the Juvenile Court, having regard to his means, thinks fit.

(2) An order made under subsection (1) may be made against a parent or guardian or other person having the custody of the child or young person, who, having been required to attend, has failed to do so; but save as aforesaid, no such order shall be made without giving the parent or guardian or other person having the custody of the child or young person an opportunity to be heard.

(3) A contribution order shall remain in force, in the case of a child or young person committed to the care of a fit person, so long as the order for his committal is in force, and in the case of a child or young person ordered to be sent to a place of safety, a place of detention, or an approved school, until he ceases to be under the care of the person in charge for the time being of such place of safety, place of detention or approved school:

Provided that no contribution shall be payable under a contribution order in respect of any period during which a person ordered to be sent to a place of safety, a place of detention or an approved school is on parole licence or released under the supervision of a probation officer.

- (4) A contribution order made under this section —
- (a) may be varied, revoked or suspended by the Court; and
 - (b) shall not be so varied as to increase any contribution payable thereunder without giving the person making the contribution an opportunity to be heard.

(5) If any person wilfully neglects to comply with a contribution order made under this section, the Court may, for every breach of the order, by warrant, direct the amount due to be levied in the manner by law provided for levying fines imposed by Magistrates, or may sentence the person to imprisonment for a term not exceeding one month for each month's contribution remaining unpaid.

PART VII

YOUNG OFFENDERS SECTIONS

103.—(1) The Minister may, by notification in the *Gazette*, order that a section of any prison shall be used for the reception, education and disciplinary and vocational training of persons sent there under the provisions of this Act.

Minister may establish Young Offenders Sections.

(2) Any such section of any prison shall be known as a Young Offenders Section, and shall be under the management and control of the Director of Prisons.

(3) The Director of Prisons may, subject to the approval of the Minister, make all necessary rules and orders not repugnant to this Act for the regulation and management of Young Offenders Sections.

PART VIII

MISCELLANEOUS

104. For the purposes of this Act a person shall be deemed to have already reached any specified age when he has since his birth completed that number of years of life reckoned according to the Gregorian calendar.

Definition of age.

105. All the powers which may be exercised under this Act by a Juvenile Court in respect of a child or young person may in like manner be exercised by any other court by or before which a child or young person is found guilty of an offence, or by or before which a person has been found guilty of any offence involving bodily injury to a child or young person.

Powers of Juvenile Court conferred on other courts when dealing with juvenile offenders.

106. Nothing in this Act shall affect the powers of the Supreme Court and all the powers which may be exercised under this Act by a Juvenile Court in respect of a child or young person may in like manner be exercised by the Supreme Court; and, in addition, the Supreme Court shall have power to order the detention in a Young Offenders Section, up to but not after his attainment of the age of 19 years, of any person who has attained the age of 16 years but has not attained the age of 19 years at the date of making the order.

Powers of Juvenile Court conferred on Supreme Court; special power in respect of persons of 16 years and under 19 years.

Rules.

107.—(1) The Minister may make rules —

- (a) for carrying this Act into effect;
- (b) for prescribing forms to be used; and
- (c) for imposing a fine or imprisonment or both for any contravention of any rule made under this Act but so that the fine shall not exceed \$500 or the imprisonment shall not exceed 6 months.

(2) All such rules shall be published in the *Gazette*.

Rules of
Court.**108.** Rules of Court may be made by the Chief Justice for regulating the procedure and practice in Juvenile Courts.