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CHILDREN AND YOUNG PERSONS ACT
(CHAPTER 38)

CHILDREN AND YOUNG PERSONS
(VOLUNTARY CARE AGREEMENT)
REGULATIONS 2011

ARRANGEMENT OF REGULATIONS

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In exercise of the powers conferred by section 88(2) of the Children and Young Persons Act, MG (NS) Chan Chun Sing, Minister of State, charged with the responsibility of the Minister for Community Development, Youth and Sports, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Children and Young Persons (Voluntary Care Agreement) Regulations 2011 and shall come into operation on 20th July 2011.

Definition

2. In these Regulations, “significant person”, in relation to a child or young person, means a family member, caregiver or other person —

- (a) who is closely involved in the life of the child or young person;
- (b) who has a close relationship with the child or young person;

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- (c) who plays a significant role in the life and care of the child or young person; or
 - (d) who, being related to the child or young person, is willing to be closely involved in the welfare of the child or young person in the event that the parent or guardian cannot be found despite all reasonable efforts to locate them.

Requirements of voluntary care agreement

3.—(1) A voluntary care agreement must be in a form approved by the Director and signed by —

- (a) the Director, or any public officer authorised by the Director to sign the agreement on his behalf; and
- (b) the parent or guardian of the child or young person.

(2) A voluntary care agreement must state the following matters:

- (a) the name of the parent or guardian who will be entering into the voluntary care agreement with the Director;
- (b) the concerns for the welfare of the child or young person which have led to the voluntary care agreement being made;
- (c) the arrangements as to where or with whom the child or young person will reside during the period stated in the voluntary care agreement;
- (d) the period of the voluntary care agreement; and
- (e) the proposed date or dates for reviewing the voluntary care agreement.

(3) A voluntary care agreement may include all or any of the following matters:

- (a) the nature of and the arrangements for contact between the child or young person and any significant person relating to the child or young person;
- (b) the goal or goals to be achieved by implementing the voluntary care agreement, which should be discussed with the parent or guardian and the child or young person;
- (c) the support or services to be provided to the parent or guardian to meet the welfare of the child or young person and promote the well-being of the child or young person;
- (d) the supervision plan for the child or young person and matters for which the parent or guardian will be responsible;

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- (e) the type of decisions relating to the child or young person for which the Director must be consulted;
 - (f) where arrangements have been made for the child or young person to reside otherwise than with the parent or guardian, the type of decisions relating to the child or young person for which the parent or guardian must be consulted.

Period of voluntary care agreement

4. Subject to any extension under regulation 5, a voluntary care agreement shall have effect for a period stated in the voluntary care agreement but shall not exceed a period of 12 months.

Review and extension of voluntary care agreement

5.—(1) A voluntary care agreement must be reviewed by the Director before the expiry date stated in the voluntary care agreement.

(2) Any review of a voluntary care agreement shall take place in consultation with the parent or guardian of the child or young person or any significant person.

(3) Upon review, a voluntary care agreement may be extended by mutual agreement between the Director and the parent or guardian of the child or young person.

(4) The Director shall not extend a voluntary care agreement unless he is satisfied that the extension would be in the best interest of the child or young person, having regard to the progress made under the voluntary care agreement and the developmental needs of the child or young person.

(5) A voluntary care agreement may be extended more than once, but any agreement to extend the voluntary care agreement must take place before the child or young person turns 16 years of age.

Ending voluntary care agreement

6.—(1) Either party to a voluntary care agreement may terminate the agreement at any time by giving at least 2 days' written notice to the other party.

(2) A voluntary care agreement in respect of a child or young person terminates automatically if an order under section 44, 49 or 50 of the Act is made in respect of the child or young person.

Voluntary care agreement not to affect statutory powers

7. For the avoidance of doubt, neither these Regulations nor the existence of a voluntary care agreement shall affect the exercise of the Director's or the Juvenile Court's powers under the Act.

Made this 18th day of July 2011.

CHAN HENG KEE
Permanent Secretary,
Ministry of Community Development,
Youth and Sports,
Singapore.

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