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The following Act was passed by Parliament on 10th January 2011 and assented to by the President on 25th January 2011:—

REPUBLIC OF SINGAPORE

No. 3 of 2011.

I assent.

(LS)

S R NATHAN,
President.
25th January 2011.

An Act to amend the Children and Young Persons Act (Chapter 38 of the 2001 Revised Edition) and to make consequential amendments to the Criminal Procedure Code 2010 (Act 15 of 2010) and the Private Education Act 2009 (Act 21 of 2009).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Children and Young Persons (Amendment) Act 2011 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of long title

2. The long title to the Children and Young Persons Act (referred to in this Act as the principal Act) is amended by inserting, immediately after the words “An Act”, the words “to provide for the welfare, care, protection and rehabilitation of children and young persons who are in need of such care, protection or rehabilitation, to regulate homes for children and young persons and”.

Amendment of section 2

3. Section 2(1) of the principal Act is amended —

- (a) by deleting the definitions of “approved home” and “approved school”;
- (b) by inserting, immediately after the definition of “approved welfare officer”, the following definition:

“ “assessment” means an assessment to determine either the state of the health or development of the child or young person or whether the child or young person is in need of care or protection or both;”;

- (c) by inserting, immediately after the word “intellectual,” in the definition of “development”, the word “psychological,”;
- (d) by inserting, immediately after the definition of “health”, the following definition:

“ “home for children and young persons” means any establishment the object of which is, or is held out to be, the provision of residential accommodation with board and personal care for children or young persons, for the purposes of their protection or rehabilitation or both;”;

- (e) by inserting, immediately after the definition of “juvenile”, the following definitions:

““juvenile rehabilitation centre” means any institution or part thereof appointed or established under Part VI as a juvenile rehabilitation centre;

“licence” means a licence issued under section 52B and licensee shall be construed accordingly;

“licensed home for children and young persons” means a home for children and young persons in respect of which a licence is issued under section 52B;”;

(f) by deleting the words “approved school, approved home, remand home, place of detention or place of safety” in the definition of “manager” and substituting the words “juvenile rehabilitation centre, place of safety, remand home, place of detention or place of temporary care and protection”;

(g) by inserting, immediately after the definition of “manager”, the following definition:

““place” includes any vessel, conveyance, house, building, enclosure, street, land or open space;”;

(h) by deleting the definition of “place of safety” and substituting the following definitions:

““place of safety” means any institution or part thereof appointed or established under Part VI as a place of safety;

“place of temporary care and protection” means any place or institution appointed or declared to be a place of temporary care and protection under section 27 or any other suitable place the occupier of which is willing temporarily to receive a child or young person committed under section 8A, 9 or 49;”;

(i) by deleting the definition of “visitor” and substituting the following definitions:

““Review Board” means the Review Board appointed under section 52G;

“voluntary care agreement” means a care agreement entered into between the Director and the parent or guardian of a child or young person to secure the safety and welfare of the child or young person;”.

New section 3A

4. The principal Act is amended by inserting, immediately before section 4 in Part II, the following section:

“Principles

3A. The following principles apply for the purposes of this Act:

- (a) the parents or guardian of a child or young person are primarily responsible for the care and welfare of the child or young person and they should discharge their responsibilities to promote the welfare of the child or young person; and
- (b) in all matters relating to the administration or application of this Act, the welfare and best interests of the child or young person shall be the first and paramount consideration.”.

Amendment of section 4

5. Section 4 of the principal Act is amended —

- (a) by deleting paragraph (c) and substituting the following paragraph:

“(c) the parent or guardian of the child or young person —

- (i) is unable or has neglected to provide adequate food, clothing, medical aid, lodging, care or other necessities of life for the child or young person; or

- (ii) is unfit or unable or has neglected to exercise proper supervision and control over the child or young person, and the child or young person is falling into bad association, or is exposed to moral danger, or is beyond control;”; and

- (b) by deleting the words “care and protection” in the section heading and substituting the words “care or protection”.

Amendment of section 6

6. Section 6 of the principal Act is amended by deleting the words “street, premises or” wherever they appear in subsections (1) and (2).

Amendment of section 7

7. Section 7 of the principal Act is amended —

- (a) by deleting “\$5,000” and “\$10,000” and substituting “\$10,000” and “\$20,000”, respectively; and
- (b) by deleting the words “2 years” and “4 years” and substituting the words “5 years” and “7 years”, respectively.

Amendment of section 8

8. Section 8 of the principal Act is amended —

- (a) by deleting subsection (1) and substituting the following subsections:

“(1) Where a protector —

- (a) has reasonable grounds to believe that a relevant offence has been, is being or will be committed against any child or young person or that any child or young person is in need of care or protection; and
- (b) has reason to believe that any person can —
 - (i) furnish any information regarding the commission of any relevant offence in respect of a child or young person; or
 - (ii) furnish any information which will assist him in ascertaining whether a child or young person is in need of care or protection,

the protector may exercise the powers conferred under subsection (1A).

(1A) The protector may, by order in writing —

- (a) require the person referred to in subsection (1)(b)(i) or
- (ii) to furnish such information to the protector in writing within such time as may be specified by the protector; or