

No. S 34

CHILDREN AND YOUNG PERSONS ORDER, 2006
(S 9/06)

CHILDREN AND YOUNG PERSONS (BOARDS OF VISITORS) REGULATIONS, 2010

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In exercise of the power conferred by section 102 of the Children and Young Persons Order, 2006, the Minister of Culture, Youth and Sports, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Regulations —

Citation and commencement.

1. These Regulations may be cited as the Children and Young Persons (Boards of Visitors) Regulations, 2010 and shall commence on the same date as the Children and Young Persons Order, 2006.

Interpretation.

2. In these Regulations, unless the context otherwise requires —

"Board" means a board appointed under section 75(1) of the Order;

"resident" means any child or young person for the time being detained under the Order in an approved school, approved home, remand home, place of detention or place of safety.

Constitution of Board.

3. (1) Every Board shall consist of —

(a) a Chairman;

(b) a Vice-Chairman; and

(c) such number of other members as the Minister may appoint.

(2) At least one of the members of every Board shall be a nominee of the Director.

(3) The Minister may at any time revoke the appointment of any member of a Board.

Chairman.

4. (1) The Minister shall appoint one of the members to be the Chairman.
- (2) The Chairman shall preside at all meetings.

Vice-Chairman.

5. (1) The Vice-Chairman shall be elected by the Board from amongst its members.

(2) In the absence of the Chairman, the Vice-Chairman shall preside at all meetings of the Board and may exercise all the powers and functions of the Chairman.

Secretary.

6. The Director shall appoint a secretary to each Board, except that the person appointed shall not —

- (a) be a member of the Board; or
- (b) vote at any proceedings of the Board.

Term of office of members.

7. (1) Each member shall hold office for a period of not more than 2 years from the date of his appointment and shall be eligible for re-appointment on completion of that period, unless —

- (a) he resigns during his term of office; or
- (b) his appointment is revoked by the Minister under regulation 3(3).

(2) Any member may resign at any time by giving notice in writing to the Minister.

(3) If a member dies, resigns, has his appointment revoked by the Minister under regulation 3(3) or otherwise vacates his office before the expiry of the term for which he has been appointed, the Minister may appoint any other person to fill the vacancy for so long as the member in whose place that person is appointed would have held office.

(4) A Board shall not be precluded from holding a meeting or acting in any matter merely by reason of any vacancy in its membership.

Meetings.

8. (1) A Board shall meet as often as may be required, but in any case, it shall meet at least once in every 2 months.

(2) The quorum at every meeting of a Board shall be two-thirds of the members.

(3) No business of a Board shall be transacted at any meeting unless a quorum is present.

(4) Every question coming before or arising at any meeting of a Board shall be decided by a majority of members present and voting thereon at the meeting and, in the case of an equality of votes, the Chairman or, in his absence, the Vice-Chairman shall have a casting vote.

Attendance of manager and staff of approved school, approved home etc. at meeting of Board.

9. The manager and the members of the staff of an approved school, approved home, remand home, place of detention or place of safety shall attend any meeting held by the Board appointed in respect of the approved school, approved home, remand home, place of detention or place of safety if required by the Board to do so.

Duties of members of Board.

10. (1) Not less than 2 members of each Board shall visit together at least once in 2 months each approved school, approved home, remand home, place of detention or place of safety in respect of which the Board is appointed.

(2) Any member may, whenever he thinks fit, enter the approved school, approved home, remand home, place of detention or place of safety in respect of which the Board is appointed and examine the conditions thereof in order to —

(a) ascertain, so far as is possible, whether the provisions of the Order and any regulations made thereunder governing the approved school, approved home, remand home, place of detention or place of safety are being adhered to, and shall call the attention of the manager of the approved school, approved home, remand home, place of detention or place of safety to any irregularity as may be observed in the management thereof or the treatment of the residents therein; and

(b) hear any complaint which any resident may wish to make.

(3) Any member may record any observation as he thinks fit in the book kept for that purpose by the manager of the approved school, approved home, remand home, place of detention or place of safety in respect of which the Board is appointed.

(4) Every Board shall send to the Director any comments or recommendations it may make regarding an approved school, approved home, remand home, place of detention or place of safety in respect of which it is appointed.

(5) Upon receipt of any comments or recommendations from any Board pursuant to sub-regulation (4), the Director shall take such action as may be necessary, and report to the Board as soon as possible any action that has been taken by him.

Defects in administration.

11. A Board shall bring to the notice of the Director any defect in the administration of the approved school, approved home, remand home, place of detention or place of safety, any neglect with regard to the welfare of any child or any breach or non-observance of these Regulations and of any other regulations made under the Order.

Activities.

12. (1) A Board may advise such activities as may be suitable for the children in an approved school, approved home, remand home, place of detention or place of safety according to their age and development, and may recommend and assist the Director —

(a) in the placing of the children with suitable foster-families; or

(b) in obtaining suitable training or employment for the children.

(2) For that purpose, the members shall avail themselves where necessary of any assistance that can be obtained, whether from public organisations or private individuals.

Manager of approved school, approved home, etc. to assist members of Board.

13. Every manager shall use his best endeavours to assist any member of the Board appointed in respect of an approved school, approved home, remand home, place of detention or place of safety in the exercise of his powers and the discharge of his functions under the Order or these Regulations.

BRUNEI DARUSSALAM GOVERNMENT GAZETTE

Made this 11th. day of Rabiulawal, 1431 Hijriah corresponding to the 25th. day of February, 2010.

PEHIN ORANG KAYA SETIA PAHLAWAN DATO SERI SETIA
DR. AWANG HAJI AHMAD BIN HAJI JUMAT
Minister of Culture, Youth and Sports,
Brunei Darussalam.