

No. S 35

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

CHILDREN AND YOUNG PERSONS (ADVISORY BOARDS) REGULATIONS, 2010

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement.
 2. Interpretation.
 3. Constitution of advisory board.
 4. Chairman.
 5. Vice-Chairman.
 6. Secretary.
 7. Term of office.
 8. Meetings.
 9. Attendance of Superintendent and staff of school or home at meeting of advisory board.
 10. Functions of advisory board.
 11. Interview with parents, guardian or relatives of residents.
 12. Superintendent of school or home to assist members of advisory board.
 13. Offence and penalty.
-

CHILDREN AND YOUNG PERSONS ORDER, 2006

(S 9/06)

CHILDREN AND YOUNG PERSONS (ADVISORY BOARDS) REGULATIONS, 2010

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 (Advisory Boards) 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 —

"advisory board" means an advisory board appointed under section 83(4) of the Order;

"home" means an approved home established under Part XII of the Order;

"resident" means any child or young person for the time being detained under the Order in a school or home;

"school" means an approved school established under Part XII of the Order;

"Superintendent" means the Superintendent in charge of and having the management and control of any school or home and includes any person appointed by the Director to exercise the duties of the Superintendent in his absence.

Constitution of advisory board.

3. (1) Every advisory 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 advisory board shall be a nominee of the Director.

(3) The Minister may at any time revoke the appointment of any member of an advisory board.

Chairman.

4. (1) The Minister shall appoint one of the members to be the Chairman.

(2) The Chairman shall preside at all meetings of the advisory board.

Vice-Chairman.

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

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

Secretary.

6. The Director shall appoint a Secretary to each advisory board, except that the person appointed shall not —

(a) be a member; or

(b) vote at any proceedings.

Term of office.

7. (1) Each member of an advisory board 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) A 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) An advisory 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) An advisory board shall meet as often as may be required, but in any case, at least once in every 3 months.

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

(3) No business of an advisory board shall be transacted at any meeting thereof unless a quorum is present.

(4) Every question coming before or arising at any meeting of an advisory 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 Superintendent and staff of school or home at meeting of advisory board.

9. The Superintendent and the members of the staff of a school or home shall attend any meeting held by the advisory board appointed in respect of that school or home if required by the advisory board to do so.

Functions of advisory board.

10. (1) Every advisory board shall, as often as is practicable, review the case of every resident of each school or home in respect of which it is appointed, and advise the Director as to the suitability of any resident to be released on licence under section 83 of the Order.

(2) The Superintendent of every school or home shall submit to the advisory board appointed in respect thereof, such number of copies of any record, report or other document as may be required by the advisory board for the discharge of its duties under the Order or these Regulations.

Interview with parents, guardian or relatives of residents.

11. No member shall visit or interview the parent, guardian, sibling or any other member of the family of any resident of any school or home in respect of which the advisory board is appointed without the prior approval of the advisory board.

Superintendent of school or home to assist members of advisory board.

12. The Superintendent of a school or home shall use his best endeavours to assist any member of the advisory board appointed in respect of the school or home in the exercise of his powers and the discharge of his functions under the Order or these Regulations.

Offence and penalty.

13. The manager and any member of the staff of a school or home who —

(a) refuses or fails without reasonable cause to allow any member of the advisory board appointed in respect of the school or home access to any record, report or other document relating to any resident of the school or home;

(b) refuses or fails without reasonable cause to give any information regarding any resident of the school or home as and when required by a member of the advisory board; or

(c) otherwise hinders or obstructs a member of the advisory board in the performance of his duties or the exercise of his powers,

is guilty of an offence and liable on conviction to a fine not exceeding \$1,000.

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.