

No. S 37

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

**CHILDREN AND YOUNG PERSONS (APPROVED SCHOOLS AND  
APPROVED HOMES) REGULATIONS, 2010**

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**CHILDREN AND YOUNG PERSONS (APPROVED SCHOOLS AND  
APPROVED HOMES) REGULATIONS, 2010**

In exercise of the power conferred by section 74 of the Children and Young Persons Order, 2006, the Director of Community Development, with the approval of the Minister of Culture, Youth and Sports, hereby makes the following Regulations —

**PART I**

**PRELIMINARY**

**Citation.**

1. These Regulations may be cited as the Children and Young Persons (Approved Schools and Approved Homes) 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(3) of the Order;

"Assistant Superintendent" means a person appointed under regulation 3(2);

"Assistant Warden" means a person appointed under regulation 3(2);

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

"medical officer" means a medical officer, as defined in section 2(1) of the Order, appointed by the Director-General of Medical Services as medical officer of a school or home;

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

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

"Superintendent", in relation to a school or home, means the Superintendent appointed under regulation 3(2) who is exercising jurisdiction over that school or home;

"Warden" in relation to a school or home, means the Warden appointed under regulation 3(2) who is exercising jurisdiction over that school or home.

**Administration.**

3. (1) A school or home shall be under the general charge and administration of a Warden, who shall be subject to and comply with such directions as may be given to him by the Superintendent.

(2) The Minister, with the approval of His Majesty the Sultan and Yang Di-Pertuan, shall appoint for each school or home, a Superintendent, a Warden and such number of Assistant Superintendents, Assistant Wardens and other officers as he may consider necessary.

**PART II**

**RESPONSIBILITIES OF SUPERINTENDENT AND WARDEN**

**Responsibilities of Superintendent.**

4. (1) The Superintendent shall be responsible to the Director for the proper management of the school or home under his charge, and for the reception, discipline, welfare and rehabilitation of its residents.

(2) The Superintendent shall, with the approval of the Director, determine and draw up the following —

(a) the duties of the members of the staff of the school or home under his charge;

(b) security and other safety measures; and

(c) such other standing instructions, duties, programmes and schedules as the Director may direct.

**Responsibilities of Warden.**

5. (1) The Warden shall be responsible for the maintenance of discipline in the school or home.



(2) The Warden shall also be responsible for all property in the school or home and shall keep the following records —

(a) an inventory of the furniture and tools in the school or home;

(b) a diary in which all occurrences of importance within the school or home must be recorded;

(c) a nominal record of each resident committed to the school or home, showing the date and period of his commitment, the names and addresses of his parents (if known), his distinguishing marks, general appearance, race, language, nationality, apparent age, health, height and weight;

(d) a record of the conduct and health of residents while in the school or home;

(e) a punishment book in which all punishments shall be recorded;

(f) a book for the entry of observations by members of the advisory board.

(3) In the absence of the Warden, an Assistant Warden shall have the powers and duties of the Warden.

(4) The Warden and the Assistant Warden shall not be absent from the school or home at the same time.

(5) The Assistant Warden and the subordinate staff of the school or home shall be under the orders of the Warden.

(6) The Warden may, subject to the provisions of these Regulations, inflict punishment where it appears necessary and it should be inflicted immediately.

**General duties.**

6. (1) The Warden shall exercise close and constant personal supervision of the school or home. He shall visit and inspect daily all parts of the school or home every day, and shall give special attention to a resident who is confined to his room, and to a resident who is a hospital patient.

(2) The Warden shall visit the school or home during the night. Such visits shall be made at varying intervals and at varying times and not less often than twice a fortnight.

(3) The Warden shall interview a resident as soon as possible after his reception, and prior to his discharge.

**Warden to carry out recommendations of medical officer.**

7. The Warden shall, so far as practicable, carry into effect any written recommendation made by the medical officer on grounds of health for the alteration of the discipline or treatment of any resident, or for his separation from other residents.

**Warden to inform relatives of resident.**

8. When a resident is, in the opinion of the medical officer, dangerously ill, the Warden shall whenever practicable forthwith inform the relatives of such resident.

**Warden to report cases of insanity.**

9. The Warden shall, without delay, report to the Superintendent or Assistant Superintendent any case of insanity or apparent insanity occurring among the residents, or any case in which the medical officer has submitted a report under regulations 73(1) and (2) and regulation 74(2).

**Warden to maintain school or home in proper order.**

10. The Warden shall pay attention to the ventilation, drainage and sanitary condition of the school or home, and take such measures as may be necessary for their being maintained in proper order.

**Warden to notify Coroner of death of resident.**

11. Upon the death of a resident, the Warden shall give immediate notice thereof to the Coroner having jurisdiction in respect of such death, to the Superintendent and, where practicable, to the nearest relative of the deceased.

**Inquest on resident.**

12. (1) The Warden shall supply to the Coroner the name of any resident who can give relevant evidence in an inquest about to be held into the death of a resident.

(2) After any inquest on a resident, the Warden shall report to the Superintendent the finding of the inquest and such other circumstances of importance as may arise at the inquest.

**Visitors to school or home.**

13. (1) The Superintendent and the Warden may, in the exercise of their respective discretions, allow any person to visit the school or home.

(2) No person visiting a school or home shall, without the permission of the Warden, make any sketch or take any photograph, and this permission shall not be granted unless an undertaking is given that the sketch or photograph will not be published without the authority of the Superintendent.

**Removal of visitors for misconduct.**

14. The Warden may remove from the school or home any visitor whose conduct is improper.

**Fire precautions.**

15. The Warden shall take care that proper precautions against fire are adopted, and that the appliances for the extinction of fire are at all times kept in good order and ready for use. He shall take care that instructions are given as to the steps to be taken in case of fire, and that all officers are acquainted with their duties in such an event.

**PART III**

**STAFF**

**Officers to conform to rules and regulations.**

16. (1) An officer shall conform to the rules and regulations of the school or home and shall support the Warden in the maintenance thereof.

(2) An officer shall obey the lawful instructions of the Warden.

(3) An officer shall report to the Warden any abuse or impropriety which may come to his knowledge.

**No absence without leave.**

17. No officer shall be absent from the school or home without leave of the Warden.

**Health of resident to be brought to notice of Warden.**

18. An officer shall direct the attention of the Warden to any resident, whether he complains or not, who appears to be unwell, or whose state of mind appears to be deserving of special notice and care. The Warden shall without delay bring such cases to the notice of the medical officer.

**Officers dealing with resident.**

19. (1) No officer, in dealing with a resident, shall use force unnecessarily. In any case in which the application of force to a resident is necessary, no more force than is reasonable shall be used.

(2) No officer shall deliberately act in a manner calculated to provoke a resident.

(3) No officer shall discuss his duties or any matter of discipline or of the school or home arrangements within the hearing of a resident.

(4) No officer shall deal with a resident for an improper purpose.

**Officers not to act on behalf of any resident.**

20. (1) No officer shall, without the authority of the Superintendent carry out any pecuniary or business transaction with, or on behalf of, a resident.

(2) No officer shall, without the authority of the Warden, bring in or carry out, or attempt to bring in or carry out, or knowingly allow to be brought in or carried out, to or from a resident any article whatsoever.

**Officers not to receive fees.**

21. No officer shall receive any fee, gratuity or other consideration in connection with the admission of any visitor to a school or home.

**Communication with ex-resident.**

22. No officer shall communicate with an ex-resident or with the friends or relatives of an resident or ex-resident, except with the knowledge of the Warden.

**Officers to have no dealings with contractors.**

23. No officer shall, directly or indirectly, have any interest in any contract in connection with a school or home, nor shall he receive, directly or indirectly, under any pretence whatever, any fee, gratuity or other consideration from any

contractor or from any person tendering or any other person whatever in connection with any such contract.

**Officers to submit to search.**

24. An officer of the school or home shall submit himself to be searched in the school or home if called upon to do so by the Warden.

**Officers not to communicate with press.**

25. (1) No officer shall, directly or indirectly, make any unauthorised communication to any representative of the press or to any other person on matters which have become known to him in the course of his duties.

(2) No officer shall, without the authority of the Superintendent, publish any matter, or make any public pronouncement relating to, a school or home or any resident.

**Officers' quarters.**

26. (1) An officer shall occupy such quarters as may be assigned to him; and shall vacate them, if required to do so by the Superintendent.

(2) On the termination of an officer's service, he shall vacate the quarters he has occupied when required to do so. On the death of an officer, his family shall vacate the quarters, when required to do so.

**PART IV**

**ACCOMMODATION**

**Accommodation.**

27. (1) A room or dormitory shall not be used for the accommodation of residents, unless it is certified by the Superintendent, on the advice of a medical officer, to be of such a size, and to be lit, ventilated and equipped in such a manner, as may be requisite for health.

(2) The certificate shall specify the maximum number of residents to be accommodated at any one time in such room or dormitory, and the number so specified shall not be exceeded. In special circumstances, with the authority of the Superintendent, residents may be located in tents.

**Accommodation by night.**

28. Residents may be accommodated by night in rooms or dormitories with not less than 3 residents in each room or dormitory. Each resident shall be provided with a separate bed.

**Place for sick resident.**

29. Sufficient accommodation for the reception, accommodation and treatment of a sick resident shall be provided in a school or home.

**Female resident.**

30. (1) Female residents shall be accommodated entirely separately from male residents.

(2) Where a part of a school or home which contains both male and female residents has been set apart for female residents, that part shall be in the charge of a female officer. It shall be entirely separate from the other part and shall be secured by locks, of which the keys shall be under the exclusive control of female officers.

**PART V**

**ADMISSION, DISCHARGE AND REMOVAL**

**Admission and search of resident.**

31. (1) The Warden shall, upon the delivery to him of a detention order, make all necessary arrangements for the conveyance of the resident named therein to the school or home.

(2) A resident shall be searched on admission and at such times subsequently as may be directed, and all unauthorised articles shall be taken from him.

(3) The searching of a resident shall be conducted in as seemly a manner as is consistent with the necessity of discovering any concealed article.

(4) A female resident shall be searched by only by a female officer.

**Resident's property.**

32. All money, clothing or other effects belonging to a resident which he is not allowed to retain shall be placed in the custody of the Warden, who shall keep an inventory thereof, which shall be signed by the resident.

**Particulars of resident.**

33. On admission, and from time to time as may be required, every resident shall be photographed and his name, age, height, weight, distinguishing and other measurements and particulars shall be recorded in such a manner as may be directed.

**Medical examination on admission.**

34. A resident shall, on the day of his reception or as soon as possible thereafter, be examined by the medical officer.

**Bath on reception.**

35. A resident may be required to have a bath on the day of his reception, unless it is otherwise directed in any particular case by the Warden or medical officer.

**Diseases on admission.**

36. If a resident is found to have any infectious or contagious disease or to be in a verminous condition, steps shall at once be taken to treat the disease or condition and to prevent it from spreading to other residents.

**Notification of rules.**

37. The Warden shall see a resident on reception and explain to him the rules of the school or home.

**Medical examination before transfer or discharge.**

38. A resident shall be examined by the medical officer before being discharged, or removed to another school or home. No resident shall be removed to any other school or home unless the medical officer certifies that he is fit for removal. No resident who is suffering from any acute or dangerous illness shall be discharged from the school or home until, in the opinion of the medical officer, it is safe to do so or, his sentence having expired, he refuses to stay.

**Privacy during transfer.**

39. A resident shall be exposed to public view as little as possible while being removed from, or taken to, a school or home.

**Custody outside school or home.**

40. A resident, for whose production at any place an order is issued, shall, while outside the school or home, remain in the lawful custody of the officers directed to convey him to that place.

**Children of female resident.**

41. Subject to such conditions as may be prescribed by the Superintendent, the infant child of a female resident may be received into a school or home with its mother, and may be supplied with clothing and necessaries at the expense of the Government.

**PART VI**

**PROHIBITED ARTICLES**

**Possession.**

42. No resident shall have in his possession any prohibited article. Any such article which may be found in his possession may be confiscated by the Warden.

**Conveyance of prohibited articles.**

43. No person shall, without authority, convey or throw into, or deposit in, a school or home, or convey or throw out of a school or home, or convey to any resident of a school or home, or deposit with a view to its coming into the possession of any such resident, any money, clothing, food, drug, drink, tobacco, letter, paper, book, tool or other article. Anything so conveyed, thrown or deposited without authority may be confiscated by the Warden.

**Search on entering or leaving.**

44. Any person or vehicle entering or leaving a school or home may be examined and searched. Any person suspected of bringing any prohibited article into the school or home, or of carrying out any prohibited article or any property belonging to a school or home, shall be stopped, and immediate notice thereof shall be given to the Warden.



**Liquor.**

45. No resident shall be given, or allowed to have, any intoxicating liquor.

**Tobacco.**

46. No resident shall be allowed to smoke, or to have in his possession any tobacco, except in accordance with such orders as may be given by the Warden.

**PART VII**

**CLOTHING AND BEDDING**

**Clothing outfit.**

47. A resident shall be provided with an outfit of clothing adequate for warmth and health in accordance with a scale approved by the Superintendent:

Provided that, with the authority of the Warden, other clothing may be worn in special circumstances or if recommended by the medical officer.

**Bedding scale.**

48. A resident shall be supplied with bedding adequate for warmth and health in accordance with a scale approved by the Superintendent. Additional bedding may be authorised in special circumstances on the recommendation of the medical officer.

**Excess prohibited.**

49. Except as provided in regulations 47 and 48, no resident shall, without the authority of the Warden, receive or have in his possession any clothing, bedding, or equipment, in excess of the authorised allowance.

**PART VIII**

**FOOD**

**Diet.**

50. A resident shall be provided with sufficient and varied food based on a dietary scale recommended by a dietician and approved by the Director.

**Extra food.**

51. No resident shall receive, or have in his possession, any food other than the allowance authorised by the dietary scale, except —

(a) with the authority of the Warden; or

(b) with the authority of the medical officer, if a variation of diet is desirable on medical grounds.

**Complaints about food.**

52. A resident who has any complaint to make regarding food supplied to him must make it as soon as possible after the food has been served.

**PART IX**

**HEALTH AND CLEANLINESS**

**Bath and hair cutting.**

53. A resident shall obey such directions as may be given with regards to washing, bathing, shaving and hair-cutting.

**Hair cutting of females.**

54. A girl's hair shall not be cut without her consent, unless it is verminous or dirty or when the medical officer considers it requisite on the ground of health.

**General cleanliness.**

55. A resident shall keep his room, utensils, books and any articles issued for his use and his clothing and bedding, clean and neatly arranged, as may be directed.

**Exercise.**

56. (1) A resident, if medically fit, shall be exercised regularly at physical drill and gymnastics.

(2) A resident, unless excused by the medical officer on medical grounds, shall take such other exercise as may be directed.

**PART X**

**REHABILITATION AND EDUCATION**

**Rehabilitation programme.**

57. (1) The rehabilitation programme for every resident shall, wherever possible, include —

- (a) moral or religious guidance;
- (b) education;
- (c) vocational training;
- (d) work;
- (e) physical training;
- (f) social and recreational activities; and
- (g) individual and group therapy.

(2) For the purpose of this regulation, "work" means light work, such as making his own bed, cleaning his own dormitory, or assisting in similar light work in the kitchen or about the buildings or grounds of the school or home.

**Instruction and facilities for religious observance.**

58. Instruction and facilities for religious observance shall be provided for all Muslim children.

**Classes.**

59. Provision shall be made for educational classes for the benefit of all residents.

**Library books.**

60. A library of books for the use of residents shall be provided in a school or home. A resident shall be allowed to have not more than 3 library books in his room at any one time and to exchange them as often as may be possible.

PART XI

VISITS AND COMMUNICATIONS

**Writing and receipt of letters.**

61. (1) Subject to sub-regulation (3), every resident shall be encouraged to write to his parents, guardian, relatives and friends at least once a month or, if he is unable to write, to dictate his letter to a member of the staff of the school or home.

(2) Subject to sub-regulation (3), every resident shall be allowed to receive letters from his parents, guardian, relatives and friends.

(3) No letter shall be allowed to be posted or received by a resident unless the contents thereof have been screened by the Superintendent or an officer authorised by him.

**Provision to receive visits.**

62. (1) Subject to sub-regulation (3), every resident shall be allowed to receive visits from his parents or guardian during such hours and at such reasonable intervals as the Director may determine.

(2) The Superintendent may in exceptional cases allow a resident to receive visits from such other persons as the Superintendent thinks necessary or desirable.

(3) The Superintendent may, where the circumstances so warrant, refuse to allow the parents or guardian of a resident to visit him, but in every such case the Superintendent shall record his reasons for doing so in the log book.

**Home leave.**

63. (1) Every resident may from time to time be granted leave to visit his parents or guardian for such period as the Director may determine.

(2) A resident who has been granted leave under sub-regulation (1) shall abide by the following conditions –

(a) he shall return to the school or home immediately upon the expiration of the period of leave granted to him;

(b) he shall remain indoors during such time as the Director may determine;

(c) he shall not visit such places as the Superintendent may specify as being unsuitable for him to visit;

(d) he shall not consume or have in his possession any controlled drug, intoxicating substance, tobacco or alcoholic drink; and

(e) he shall not behave in a disorderly manner during the period of leave granted to him.

**Visit by legal adviser.**

64. (1) Reasonable facilities shall be allowed to the legal adviser of any resident to see him in reference to any legal matters, in the sight but not in the hearing of an officer of the school or home.

(2) For the purpose of this regulation, "legal adviser" means the resident's counsel or solicitor, or the clerk of such counsel or solicitor.

**Visit by police officer.**

65. On production of an order from the proper police authority, a police officer may visit a resident in the school or home, in the sight and hearing of an officer of the school or home.

**PART XII**

**COMPLAINTS BY RESIDENT**

**Complaints.**

66. (1) A request by a resident to see the Warden, Superintendent, Director or a member of the advisory board appointed under section 83(4) shall be recorded by the officer to whom it is made and conveyed, without delay, to the Warden, who shall inform the Superintendent or member of the advisory board, as the case may be, of such request.

(2) The Warden shall, at a convenient hour every day, other than Friday, Sunday or public holiday, hear the application of any resident who has requested to see him with a complaint.

**PART XIII**

**GRADES**

**Resident to be divided into grades.**

67. (1) A resident may be placed in the Penal Grade by order of the Warden, if he is satisfied that such resident is exercising a bad influence or is idle or ill-conducted. No resident shall be detained in it longer than is necessary in the interests of himself or others.

(2) A resident shall not be promoted in grade, except after full consideration of the circumstances of his case by a committee composed of such officers as the Superintendent may decide. The committee may also order reversion to a lower grade if, for some reason other than an act of misconduct, they consider it desirable.

**PART XIV**

**MEDICAL OFFICER**

**General duties.**

68. The medical officer shall have the general care of the health of the residents. If practicable he shall visit the school or home daily.

**Report by medical officer.**

69. The medical officer shall report to the Superintendent or Assistant Superintendent, through the Warden, any circumstances connected with school or home or the treatment of the residents, which, at any time, appears to him to require consideration on medical grounds.

**Visits by medical officer.**

70. (1) The medical officer shall visit the school or home at such times as may be determined by the Director-General of Medical Services.

(2) The medical officer shall examine a resident as soon as possible after his admission and before discharge. On each occasion, the medical officer shall record the health of the resident and such particulars as may be determined by the Superintendent.

(3) The medical officer shall see a resident who complains of illness, and shall report his fitness to the Warden in writing. The medical officer shall visit a sick resident at such times as may be necessary. The medical officer shall attend as soon as is practicable on receiving information of the serious illness of any resident.

(4) The medical officer shall visit a resident under restraint, confined to a room or on restricted diet, and any other resident to whom his attention is specially directed.

(5) When a resident is about to be removed from the school or home, the medical officer shall examine him and certify as to his fitness to travel and on such other matters regarding him as may be required.

(6) The medical officer shall, subject to the approval of a Warden, examine at any time, the provisions made for cleanliness and sanitation and examine that they are in efficient working order. He shall report to the Warden any defect or insufficiency therein.

(7) The medical officer shall keep a record of the death of any resident, including —

(a) the time and date when the deceased was taken ill and when the illness was first notified to him;

(b) the nature of the illness;

(c) the time and date of the death; and

(d) an account of the results of any post-mortem examination made and any special remarks that appear to him to be required.

#### **Quarterly inspection.**

71. Once every 3 months, the medical officer shall inspect every part of the school or home, for the purpose of ascertaining that nothing exists therein likely to be injurious to the health of the residents, and, especially, that the ventilation is sufficiently provided for and properly maintained. The result of each inspection shall be reported to the Superintendent.

#### **Food inspection.**

72. The medical officer shall frequently inspect the residents' food both cooked and uncooked. He shall report to the Warden as to the state and quality of the food, as to any deficiency in the quantity or the quality of the water, as to the

sufficiency of clothing and bedding, and on other matters which may affect the health of the residents.

**Reports on dangers to residents' health.**

73. (1) Whenever the medical officer is of the opinion that the health of residents is likely to be injuriously affected by the discipline or treatment of a school or home, he shall report the case in writing, through the Warden, to the Superintendent, together with such recommendations as he thinks proper.

(2) Whenever the medical officer is of the opinion that the life of any resident will be endangered by continued discipline, or that any sick resident will not survive his sentence, or is totally and permanently unfit for training, he shall report his opinion and the grounds thereof in writing, through the Warden to the Superintendent.

(3) Whenever any resident appears to the medical officer to be dangerously ill, he shall give notice thereof to the Warden.

(4) The medical officer shall report in writing to the Warden the case of any resident to which he thinks it necessary, on medical grounds, to draw attention, and shall make such recommendations as he thinks necessary for the alteration of the discipline or treatment of that resident, or for the supply to him of additional articles.

**Mental health of resident.**

74. (1) The medical officer shall keep under close observation any resident whose mental condition appears to require it. If necessary, he shall take steps as he may consider proper with a view to the segregation or removal of such resident to a school or home designated for the observation of weak-minded residents, or to the certification of the resident under any law relating to mental health or disorder.

(2) The medical officer shall report through the Warden, to the Superintendent, any case of a resident whose mental health appears likely to become impaired by continued discipline or treatment.

**Contagious diseases.**

75. The medical officer shall submit to the Warden, in writing a recommendation for separating from other residents any resident suffering, or suspected of suffering, from any infectious or contagious disease, and shall immediately take steps to treat such disease.



**PART XV**

**DISCIPLINE**

**Reports on resident.**

76. A report against a resident shall be dealt with by the Warden.

**Resident may be segregated.**

77. When a resident has been reported for an offence, the Warden may order him to be kept apart from other residents, pending adjudication.

**Resident to be informed of alleged offence.**

78. A resident shall, before a report is dealt with, be informed of the offence for which he has been reported and shall be given an opportunity of hearing the facts alleged against him and of being heard in his defence.

**Offences.**

79. A resident is guilty of an offence against school or home discipline if he —

(a) disobeys an order of the Warden or of any other officer of the school or home;

(b) is idle, careless, negligent at work, or refuses to work;

(c) is indecent in language, act or gesture;

(d) escapes from the school or home or from legal custody;

(e) mutinies or incites other resident to mutiny;

(f) commits personal violence against any officer of the school or home, or any other resident;

(g) in any way offends against these regulations or the good order and discipline of the school or home;

(h) attempts to do any of the foregoing things.

**Punishment by Warden.**

80. (1) The Warden may examine any person in relation to any alleged offence against the discipline of the school or home and determine thereupon, and make one or more of the following forms of punishment —

(a) removal to the Penal Grade;

(b) deprivation of any of the following privileges for a period not exceeding one month —

(i) association;

(ii) playing games;

(c) loss of stage or grade for a period not exceeding 3 months;

(d) confinement to a room for a period not exceeding 3 days;

(e) deprivation of a mattress for a period not exceeding 7 days;

(f) performance of extra duties in and around the buildings or compound of the school or home.

(2) The Superintendent shall record in the discipline book —

(a) the reasons for his decision to impose any punishment on any resident; and

(b) the form of punishment imposed.

(3) The Superintendent shall inform the resident's parents or guardian as soon as possible of the disciplinary action that has been taken and the punishment that has been imposed.

**Corporal punishment.**

81. (1) The Superintendent and staff of the school or home shall make every effort to enforce discipline without resort to corporal punishment.

(2) No corporal punishment shall be imposed on a resident unless the Superintendent is satisfied after an inquiry that the resident is guilty of serious misconduct and that the misconduct is of such a nature as to warrant the imposition of corporal punishment.

(3) The Superintendent shall record in the discipline book the particulars and evidence of the resident's alleged misconduct, his finding on the evidence, and the grounds of his decision to impose corporal punishment.

(4) Corporal punishment shall be administered only on the following conditions —

(a) where corporal punishment is to be administered to a male resident —

- (i) it shall be administered by the Superintendent or an officer authorised by him in the presence of another officer who shall sign in the punishment book as a witness to the carrying out of the punishment;
- (ii) it shall be inflicted with a cane of a type approved by the Director;
- (iii) the number of strokes inflicted shall not exceed 12;
- (iv) the strokes may be inflicted on the resident's palm or on his buttocks over his ordinary cloth shorts; and
- (v) it shall not be administered in the presence of any other resident; and

(b) where corporal punishment is to be administered to a female resident —

- (i) it shall be administered by the Superintendent or a female officer authorised by him in the presence of another officer who shall sign in the punishment book as a witness to the carrying out of the punishment;
- (ii) it shall be inflicted with a cane of a type approved by the Director;
- (iii) the number of strokes inflicted shall not exceed 12;
- (iv) the strokes shall be inflicted on the resident's palm; and
- (v) it shall not be administered in the presence of any other resident.

(5) Corporal punishment shall not be administered to any resident who suffers from any physical or mental disability.

(6) In any case in which corporal punishment is administered, the Superintendent shall —

(a) record in the discipline book, immediately thereafter, such details of the corporal punishment as may be required by the Director; and

(b) as soon as possible thereafter report the facts and circumstances of the case to the Director.

**Prohibition of unauthorised forms of corporal punishment.**

82. (1) Except as provided under regulation 81, no member of the staff of a school or home shall subject any resident to any form of corporal punishment.

(2) For the purpose of this regulation, "corporal punishment" includes striking, cuffing, shaking or punching a resident, or subjecting him to any other form of physical violence.

**Requirement of certificate of medical officer that resident is fit to undergo punishment.**

83. Confinement to a room or corporal punishment shall in no case be ordered unless the medical officer has certified that the resident is in a fit condition of health to sustain it.

**Visit to resident sentenced to confinement.**

84. A resident confined to a room shall be visited —

(a) at least once a day by the Warden;

(b) at intervals of not more than 3 hours each day by the an officer appointed officer by the Warden.

**Duty of Superintendent upon return of resident who has escaped from school or home.**

85. Where a resident who has escaped from a school or home returns thereto, the Superintendent shall —

(a) within 7 days after the return of the resident calculate the period during which the resident was at large in accordance with section 84(2) of the Order;

(b) issue a certificate stating the period during which the resident was at large;

(c) cause a copy of the certificate issued under paragraph (b) to be furnished and explained to –

(i) the resident, who shall acknowledge it; and

(ii) the parents or guardian of the resident; and

(d) submit a copy of the certificate to the Juvenile Court.

**Punishment of resident who has been guilty of escaping from school or home.**

86. Where a resident is guilty of having escaped from a school or home, the Superintendent of the school or home may impose corporal punishment on the resident in accordance with regulation 81.

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

DAYANG HAJAH MISNAH BINTI HAJI BOLHASSAN  
Acting Director of Community Development,  
Ministry of Culture, Youth and Sports,  
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