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The following Act was passed by Parliament on 4 September 2019 and assented to by the President on 23 September 2019:—

REPUBLIC OF SINGAPORE

No. 30 of 2019.

I assent.



HALIMAH YACOB,
President.
23 September 2019.

An Act to amend the Children and Young Persons Act (Chapter 38 of the 2001 Revised Edition) and to make consequential and related amendments to certain other Acts.

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 is the Children and Young Persons (Amendment) Act 2019 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 2

2.—(1) Section 2 of the Children and Young Persons Act (called in this Act the principal Act) is amended —

- (a) by inserting, immediately after the word “both” in the definition of “assessment” in subsection (1), the words “, and includes a forensic medical examination”;
- (b) by inserting, immediately after the definition of “assessment” in subsection (1), the following definition:

““care-giver” —

- (a) in relation to a child or young person who is the subject of a voluntary care agreement, means a person to whose care the child or young person is committed under the voluntary care agreement;
- (b) in relation to a child or young person who is the subject of an order made under section 49, means —
 - (i) if the child or young person is committed to the care of a fit person — the fit person; or
 - (ii) if the child or young person is committed to a place of safety or place of temporary care and protection — the person-in-charge of the place of safety or place of temporary care and protection (as the case may be), or such employee at the place of safety or place of

temporary care and protection (as the case may be) whom the Director-General or a protector thinks is competent to provide care, protection and supervision to the child or young person;

(c) in relation to a child or young person who is the subject of an order made under section 49B(2), or section 49C (read with section 49B), means the fit person to whose care the child or young person is committed under the order; and

(d) in relation to a child or young person who is the subject of an order made under section 50, means —

(i) if the child or young person is committed to the care of a fit person — the fit person; or

(ii) if the child or young person is committed to a place of safety — the person-in-charge of the place of safety, or such employee at the place of safety whom the Director-General or a protector thinks is competent to provide care, protection and supervision to the child or young person;”;

(c) by deleting the definitions of “Director” and “fit person” in subsection (1) and substituting the following definitions:

““Director-General” means the Director-General of Social Welfare;

“emotional harm”, in relation to a child or young person, means any serious impairment to the

growth, development, or behavioural, cognitive or affective functioning, of the child or young person, and includes —

- (a) delayed mental and physical development of the child or young person;
- (b) a child or young person assessed by the Director-General, a protector or an approved welfare officer to be of danger to himself or to other persons;
- (c) a child or young person assessed by the Director-General, a protector or an approved welfare officer to be severely withdrawn, anxious or depressed; and
- (d) a child or young person diagnosed by a medical practitioner as having a mental health condition such as post-traumatic stress disorder, anxiety, depression or psychosomatic disorder;

“fit person” means —

- (a) a foster parent; or
- (b) such other person whom the court, the Director-General or a protector, having regard to the character of the person, thinks is competent to provide care, protection and supervision to a child or young person;

“foster parent”, in relation to a child or young person, means a person —

- (a) whom the Director-General or a protector, having regard to the

character of the person, thinks is competent to provide care, protection and supervision to the child or young person; and

(b) who gives an undertaking to the Director-General or protector (as the case may be) to provide care, protection and supervision to the child or young person;”;

(d) by deleting the definition of “juvenile” in subsection (1) and substituting the following definition:

““juvenile” means a person who is 10 years of age or older but below 16 years of age;”;

(e) by deleting the definition of “manager” in subsection (1) and substituting the following definition:

““person-in-charge”, in relation to a juvenile rehabilitation centre, home for children and young persons, place of detention, place of safety, place of temporary care and protection or remand home, means —

(a) a director, manager or superintendent of that centre, home or place; or

(b) any other person having the management or control of that centre, home or place;”;

(f) by deleting the words “appointed or declared” in the definition of “place of temporary care and protection” in subsection (1) and substituting the word “designated”;

(g) by deleting the words “the Director and includes any public officer or other person who is appointed or authorised by the Director” in the definition of “protector” in subsection (1) and substituting the words “any public officer or other person who is appointed or authorised by the Director-General”;