

## CHAPTER C6

**CHILDREN AND YOUNG PERSONS LAW**

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## CHAPTER C6

**CHILDREN AND YOUNG PERSONS LAW****A Law to make Provision for the Welfare of the Young and the Treatment of Young Offenders and for the Establishment of Juvenile Courts.**

[R.S.L. 1976 No. 18.]

[Commencement: 15th May, 1958]

## PART I

*Juvenile Offenders***1. Bail of juvenile arrested**

Where a person apparently under the age of seventeen years is apprehended with or without warrant, and cannot be brought forthwith before a court of summary jurisdiction, the police officer in immediate charge for the time being of the police station to which such person is brought shall inquire into the case and may—

- (a) unless the charge is one of homicide or other grave crime;
- (b) unless it is necessary in the interest of such person to remove him from association with any reputed criminal or prostitute; or
- (c) unless the officer has reason to believe that the release of such person would defeat the ends of justice,

release such person on a recognisance being entered into by him or by his parent or guardian, with or without sureties, for such an amount as will, in the opinion of the officer, secure the attendance of such person upon the hearing of the charge.

## **2. Custody of juvenile not discharged on bail after arrest**

(1) Where a person apparently under the age of seventeen years has been apprehended and is not so released as aforesaid, the police officer to whom such person is brought shall cause him to be detained in a place of detention provided under this Law until he can be brought before a court unless the police officer certify that—

- (a) it is impracticable to do so;
- (b) he is of so unruly or depraved a character that he cannot be safely so detained; or
- (c) by reason of his state of health or his mental or bodily condition it is inadvisable so to detain him.

(2) Such certificate shall be produced to the Court before which the person is brought.

## **3. Association with adults while in custody**

It shall be the duty of all police officers and prison officers to make arrangements for preventing, so far as is practicable, a juvenile while in custody from associating with an adult charged with or convicted of an offence.

## **4. Constitution of juvenile court**

(1) A juvenile court for the purpose of the hearing and determination of all matters relating to juveniles shall be constituted by a magistrate sitting with such other persons, if any, as the Chief Judge shall appoint.

(2) A court when hearing charges against juveniles shall, unless the juvenile is charged jointly with any other person not being a juvenile, sit either in a different building or room from that in which the ordinary sittings of the Court are held, or on different days or at different times from those at which the ordinary sittings are held.

(3) Where in the course of any proceedings in a juvenile court it appears to the Court that the person charged or to whom the proceedings relate is of the age of seventeen years or upwards, or where in the course of any proceedings in any court other than a juvenile court it appears that the person charged or to whom the proceedings relate is under the age of seventeen years, nothing in this section shall be construed as preventing the Court, if it thinks it undesirable to adjourn the case, from proceeding with the hearing and determination of the case.

(4) Provision shall be made for preventing persons apparently under the age of seventeen years whilst being conveyed to or from court, or whilst waiting before or after their attendance in court, from associating with adults charged with or convicted of any offence other than an offence with which the person apparently under the age of seventeen years is jointly charged or convicted.

(5) In a juvenile court no person other than the members and officers of the Court and the parties to the case, their solicitors, and other persons directly concerned in the case, shall, except by leave of such court, be allowed to attend:

Provided that *bona fide* representatives of a newspaper or news agency shall not be excluded, except by special order of the Court.

(6) No person shall publish the name, address, school, photograph or anything that is likely to lead to the identification of the child or young person before a juvenile court, save with the permission of such court or in so far as is required by the provisions of this Law.

(7) Any person who acts in contravention of subsection (6) of this section shall be guilty of an offence and liable upon conviction to a fine not exceeding one hundred thousand naira.

## **5. Remand or committal to custody**

(1) A court on remanding or committing for trial a juvenile who is not released on bail, shall, instead of committing him to prison, commit him to custody in a place of detention provided under this Law and named in the committal order to be there detained for the period for which he is remanded or until he is thence delivered in due course of law:

Provided that in the case of a young person it shall not be obligatory on the Court so to commit him if the Court certifies that he is of so unruly a character that he cannot be safely so committed, or that he is of so depraved a character that he is not a fit person to be so detained.

(2) A committal order under this section may be varied or, in the case of a young person who proves to be of so unruly a character that he cannot be safely detained in such custody, or to be of so depraved a character that he is not a fit person to be so detained, revoked by any court acting in or for the place in or for which the Court which made the order acted, and if it is revoked the young person may be committed to prison.

## **6. Procedure in juvenile court**

(1) Where a juvenile is brought before a juvenile court for any offence it shall be the duty of the Court as soon as possible to explain to him in simple language the substance of the alleged offence.

(2) Where a child is brought before a juvenile court for any offence other than homicide the case shall be finally disposed of in such court, and it shall not be necessary to ask the parent whether he consents that the child shall be dealt with in the juvenile court.

(3) After explaining the substance of the alleged offence the Court shall ask the juvenile whether he admits the offence.

(4) If the juvenile does not admit the offence the Court shall then hear the evidence of the witnesses in support thereof. At the close of the evidence in chief of each such witness, the Court shall ask the juvenile or if the Court sees fit in the case of a child, the parent or guardian of such child, whether he wishes to put any questions to the witness.

(5) If the juvenile instead of asking questions wishes to make a statement he shall be allowed to do so. It shall be the duty of the Court to put to the witnesses such questions as appear to be necessary. The Court may put to the juvenile such questions as may be necessary to explain anything in the statement of the juvenile.

(6) If it appears to the Court that a *prima facie* case is made out, the evidence of any witnesses for the defence shall be heard, and the juvenile shall be allowed to give evidence or to make any statement.

(7) If the juvenile admits the offence or the Court is satisfied that it is proved, he shall then be asked if he desires to say anything in extenuation or mitigation of the penalty or otherwise. Before deciding how to deal with him the Court shall obtain such information as to his general conduct, home surroundings, school record, and medical history, as may enable it to deal with the case in the best interests of the juvenile and may put to him any question arising out of such information. For the purpose of obtaining such information or for special medical examination or observation the Court may from time to time remand the juvenile on bail or to a place of detention.

(8) If the juvenile admits the offence or the Court is satisfied that it is proved, and the Court decides that a remand is necessary for purposes of inquiry or observation, the Court may cause an entry to be made in the Court records that the charge is proved and that the juvenile has been so remanded. The Court before which a juvenile so remanded is brought may, without further proof of the commission of the offence, make any order in respect of the juvenile which could have been made by the Court which so remanded the juvenile.

## **7. Rules of Court**

The Magistrates' Court Rules Committee may make rules for regulating the procedure in juvenile courts, the fees to be charged and the forms to be used therein and such of the provision of any written law relating to the practice and procedure in magistrates' court not inconsistent with the provisions of this Law shall have effect subject to any rules so made.

## **8. Attendance at court of parent or guardian**

Where a juvenile is charged with any offence his parent or guardian may in any case and shall if required by the Court attend at the Court before which the case is heard or determined during all the stages of the proceedings and the Court may make such orders as are necessary for the purpose of enforcing attendance.

## **9. Power to order parent or guardian to pay fine, damages or costs and to give security**

(1) Where a juvenile is charged before any court with any offence for the commission of which a fine, damages, or costs may be imposed, and the Court is of opinion that the case would be best met by the imposition of a fine, damages, or costs, whether with or without any other punishment, the Court may in any case, and shall if the offender is a child, order that the fine, damages, or costs awarded be paid by the parent or guardian of the juvenile instead of by the juvenile, unless the Court is satisfied that the parent or guardian cannot be found or that he has not conducted to the commission of the offence by neglecting to exercise due care of the juvenile.

(2) Where a juvenile is charged with any offence, the Court may order his parent or guardian to give security for his good behaviour.

(3) Where a court thinks that a charge against a juvenile is proved, the Court may make an order on the parent or guardian under this section for the payment of damages or costs or requiring him to give security for good behaviour, without proceeding to find the juvenile person guilty of the offence.

(4) An order under this section may be made against a parent or guardian who, having been required to attend, has failed to do so, but save as aforesaid, no such order shall be made without giving the parent or guardian an opportunity of being heard.

(5) Any sums imposed and ordered to be paid by a parent or guardian under this section, or on forfeiture of any such security as aforesaid, may be recovered from him by distress or imprisonment in like manner as if the order had been made on the conviction of the parent or guardian of the offence with which the juvenile was charged.

(6) A parent or guardian may appeal against an order made under this section to the High Court.

## **10. Restrictions on punishment**

(1) No child shall be ordered to be imprisoned.

(2) No young person shall be ordered to be imprisoned if in the opinion of the Court he can be suitably dealt with in any other way whether by probation, fine, corporal punishment, committal to a place of detention or to an approved institution or otherwise.

(3) A young person ordered to be imprisoned shall not be allowed to associate with adult prisoners.

## **11. Detention in the case of certain crimes committed by juveniles**

Notwithstanding anything to the contrary in this Law or in any written law, where a juvenile is found guilty of an attempt to murder, or of manslaughter, or of wounding with intent to do grievous bodily harm the Court may order the offender to be detained for such period as may be specified in the order, and where such an order is made the juvenile shall, during the

period be liable to be detained in such place and in such condition as the Governor may direct, and whilst so detained shall be deemed to be in legal custody.

## **12. Method of dealing with juvenile charged with offences**

Where a juvenile charged with any offence is tried by a court, and the Court is satisfied of his guilt, the Court may—

- (a) dismiss the charge;
- (b) discharge the offender upon his entering into a recognisance;
- (c) discharge the offender and place him under the supervision of a Probation Officer;
- (d) commit the offender by a committal order to the care of a fit person;
- (e) commit the offender by a committal order to an approved institution;
- (f) order the offender to be whipped;
- (g) order the offender or the parent or guardian of the offender to pay a fine, damages or costs;
- (h) order the parent or guardian of the offender to give security for his good behaviour;
- (i) commit the offender to custody in a place of detention provided under this Law for a period not exceeding six months;
- (j) if the offender is a young person order him to be imprisoned subject to the provisions of subsections (2) and (3) of section 10; or
- (k) deal with the matter in any other manner in which it may legally be dealt with.

## **13. Places of detention**

(1) The Commissioner or a Local Government Council with the prior approval of the Commissioner may establish remand homes.

(2) The Commissioner may make rules for the management, upkeep and inspection of such remand homes.

(3) Where a remand home is conveniently situated it shall be a place of detention for the purposes of sections 2, 5 and 12.

(4) Where no remand home is conveniently situated a juvenile ordered to be detained in custody may in the discretion of the police officer or officer of the Court, as the case may be, be detained in an approved institution, prison or police station or any other suitable place or in the care and custody of such person as the police office or court may think proper.

## **14. “Conviction” and “sentence” not to be used in relation to juveniles**

The expression “**conviction**” and “**sentence**” shall not be used in relation to a juvenile dealt with in a juvenile court and any reference in any written law to a person convicted, a conviction or a sentence shall, in the case of a juvenile, be construed as including a reference to a person found guilty of an offence, a finding of guilt or an order made upon such a finding as the case may be.

## PART II

*Probation Officers***15. Appointment of Probation Officers**

(1) The Civil Service Commission may appoint fit and proper persons of either sex to be Probation Officers or Assistant Probation Officers.

(2) An Assistant Probation Officer shall perform all or any of the duties of a Probation Officer under the direction of a Probation Officer.

(3) A Probation Officer when acting under a probation order shall be subject to the control of the Courts for the area for which he is appointed.

(4) Where a juvenile is charged with any offence other than homicide and the Court is satisfied that the charge is proved, the Court may make an order discharging the offender conditionally upon his entering into a recognisance, with or without sanctions, to be of good behaviour and to appear to be further dealt with when called upon at as may be specified in the order and to comply with such other terms as may be specified in the order. A recognisance entered into under this section shall, if the Court so orders, contain a condition that the offender be under the supervision of a Probation Officer or such person as may be named in the order during the period specified in the order and such other condition for securing such supervision as may be specified in the order, and an order requiring the insertion of such conditions as aforesaid in the recognisance is in this Law referred to as a “probation order”.

(5) The Probation Officer or other person named in a probation order may at any time be relieved of his duties, and, in any such case or in case of the death of the person so named, another person may be substituted by the Court before which the offender is bound by his recognisance to appear to be further dealt with.

(6) It shall be the duty of a Probation Officer, subject to the discretion of the Court—

- (a) to visit or receive reports from the person under supervision at such reasonable intervals as may be specified in the probation order or, subject thereto, as the Probation Officer may think fit;
- (b) to see that he observes the conditions of his recognisance;
- (c) to report to the Court as to his behaviour;
- (d) to advise, assist, and befriend him and, when necessary, to endeavour to find him suitable employment.

(7) The Court before which any person is bound by his recognisance under this Law to appear to be further dealt with may, upon the application of the Probation Officer, and after notice to the offender, vary the conditions of the recognisance and may, upon being satisfied that the conduct of that person has been such as to make it unnecessary that he should remain longer under supervision, discharge the recognisance.

(8) (a) If the Court before which an offender is bound by his recognisance to appear to be further dealt with, or any court, is satisfied by information of oath that the offender has failed to observe any of the conditions of his recognisance, it may issue a warrant for his apprehension, or may, if it thinks fit, instead of issuing a warrant in the first instance,



issue a summons to the offender and his sureties if any, requiring him or them to attend at such court and at such time as may be specified in the summons.

(b) The offender, when apprehended, shall, if not brought forthwith before the Court before which he is bound by his recognisance to appear to be further dealt with, be brought before a court.

(c) The Court before which an offender on apprehension is brought, or before which he appears in pursuance of such summons as aforesaid, may, if it is not the Court before which he is bound by his recognisance to appear to be further dealt with, remand him to custody or on bail until he can be brought before the last-mentioned court.

(d) A court before which a person is bound by his recognisance to appear to be further dealt with, on being satisfied that he has failed to observe any condition of his recognisance, may forthwith, without any further proof of his guilt, deal with him as for the original offence.

### PART III

#### *Approved Institutions*

#### **16. Establishment of approved institutions**

The Commissioner may establish institutions or may declare any school or institution to be an approved institution for the purposes of this Law.

#### **17. Committal orders**

(1) A committal order shall be in the form in the Schedule or as near thereto as the circumstances may require.

[Schedule.]

(2) A committal order shall be prepared in triplicate by the Court by which it is issued, provided that where it is proposed to commit the juvenile to a person named, the committal order shall not be prepared until it has been ascertained that such person so named in the order is willing to accept guardianship of such juvenile under the terms of the committal order. The Court shall send the committal order in triplicate to the Commissioner together with a report which shall state the Local Government Area to which the juvenile belongs, the religion of the person in whose custody the child or young person has been, the circumstance in which and the reasons why the committal order has been issued by the Court.

(3) The Commissioner may disallow or confirm a committal order. If the Commissioner disallows an order the juvenile to whom it relates shall be brought before the Court again to be otherwise dealt with under the provisions of section 12 or 24 as to the Court may seem proper. If the Commissioner confirms an order he may confirm or vary the period for which the committal order shall be in force.

(4) One copy of the committal order shall be filed by the Commissioner, another by the Court by which it was issued, and the third shall be sent with the juvenile named therein to the approved institution or person to which or to whom the juvenile is to be sent under such order.

**18. Committal order need not come into immediate operation**

The operation of a committal order may be suspended pending the completion of arrangements for the reception of the juvenile into an approved institution or on account of his ill health or for other good and sufficient reason, and in such a case the Court may remand in custody, or may order such juvenile to be committed to the care of some fit and proper person willing to undertake such custody, or may release him on bail.

**19. Limitation of age**

No committal order shall be made in respect of a person who has attained the age of seventeen years, and no such order shall remain in force after the person to whom it relates shall have attained the age of twenty years.

**20. Leave from approved institutions**

At any time during the period of a person's detention in an approved institution the manager in charge thereof may grant leave to him to be absent therefrom in the charge of such person and for such period as the manager may think fit, but during such leave he shall, for the purposes of this Law, be deemed to be under the care of the manager, who may at any time require him to return to the approved institution.

**21. Legal custody**

A juvenile whilst detained in or whilst on leave from an approved institution in accordance with the provisions of this Law, and whilst being conveyed to or from such institution, shall be deemed to be in legal custody, and if he escapes he may be apprehended without warrant and brought back thereto.

**22. Procedure in case of unruly, etc., juvenile**

If the person in charge of an approved institution is satisfied that any juvenile committed to the institution is of so unruly or depraved a character that it is undesirable that he should remain at such institution, he may cause such juvenile to be brought before a court having jurisdiction in the place where the institution is situated, or before the Court which issued the committal order, and such court may in respect of such juvenile make any order, which could have been legally made by the Court which issued the committal order under the provisions of this Law.

**23. Power to vary committal order**

The Commissioner may—

- (a) if he is satisfied that the juvenile in respect of whom a committal order is about to expire would benefit by further care or training, extend the period of the committal order subject to the provisions of this Law;
- (b) order any juvenile whose period of detention has exceeded twelve months to be discharged;
- (c) order any juvenile to be removed from one approved institution or person to another such institution or person;

- (d) authorise the person in charge of the approved institution to release any juvenile on condition that he shall be of good behaviour and live under the charge of any trustworthy and respectable person, willing to receive and take charge of him and to keep him at school or employed in some trade, occupation or calling;

Provided that in the discretion of the person in charge of the approved institution the juvenile so released may be recalled to the institution, and thereupon the original committal order shall remain in full force and effect.

#### PART IV

##### *Juveniles in need of Care and Attention*

#### **24. Power to bring before a juvenile court in certain cases**

(1) Any Magistrate, Justice of the Peace, Police Officer, Probation Officer or other person authorised by the Commissioner in this behalf having reasonable grounds for believing that a juvenile comes within any of the following descriptions—

- (a) who is an orphan or is deserted by his relatives;
- (b) who has been neglected or ill-treated by the person having the care and custody of such juvenile;
- (c) who has a parent or guardian who does not exercise proper guardianship;
- (d) who is found destitute, and has both parents or his surviving parent, undergoing imprisonment;
- (e) who is under the care of a parent or guardian who, by reason of criminal or drunken habits, is unfit to have the care of the juvenile;
- (f) who is the daughter of a father who has been convicted of an offence under section 142 of the Criminal Code or under the provisions of the Punishment of Incest Law in respect of any of his daughters;  
[Cap. C14. Cap. P22.]
- (g) who is found wandering and has no home or settled place of abode or visible means of subsistence;
- (h) who is found begging or receiving alms, whether or not there is any pretence of singing, playing, performing, offering anything for sale or otherwise, or is found in any street, premises, or place for the purpose of so begging or receiving alms;
- (i) who accompanies any person when that person is begging or receiving alms, whether or not there is any pretence of singing, playing performing, offering anything for sale, or otherwise;
- (j) who frequents the company of any reputed thief or common or reputed prostitute;
- (k) who is lodging or residing in a house or the part of a house used by any prostitute for the purpose of prostitution, or is otherwise living in circumstances calculated to cause, encourage or favour the seduction or prostitution of the juvenile;

- (l) in relation to whom an offence under the appropriate provisions of the Criminal Code has been committed or attempted;  
[Cap. C14.]
  - (m) who having been born or brought within Bayelsa State would but for the provisions of the law relating to the legal status of slavery be a slave; or
  - (n) who is otherwise exposed to moral danger,
- may bring that juvenile before a juvenile court.

(2) The Court if satisfied that the juvenile comes within any of the description contained in subsection (1) may—

- (a) issue a committal order—
  - (i) sending him to an approved institution; or
  - (ii) committing him to the care of any fit person whether a relative or not, who is willing to undertake the care of him;
- (b) order his parent or guardian to enter into a recognisance to exercise proper care and guardianship; or
- (c) without making any other order, or in addition to making an order under either paragraph (a) or (b), make an order placing him under the supervision of a Probation Officer or of some other person appointed by the Court until he attains such age as is specified in such order, which shall not exceed twenty years.

(3) For the purposes of paragraph (n) of subsection (1), but without prejudice to the generality of the words thereof, the fact that a juvenile is found destitute, or is found wandering without any settled place of abode and without visible means of subsistence, or is found begging or receiving alms, whether or not there is any pretence of singing, playing, performing or offering anything for sale, or is found loitering for the purpose of so begging or receiving alms, shall be evidence that he is exposed to moral danger.

(4) Any court before which a person is convicted of having committed in respect of a juvenile any offence referred to in paragraph (/) or paragraph (1) of subsection (1), may direct that the juvenile be brought before a juvenile court with a view to that court making such order under that subsection as may be proper, or, if satisfied that the material before it is sufficient to enable it properly to exercise jurisdiction, may, notwithstanding anything in Part I, itself make any order which the juvenile court might make.

## **25. Interference with working of committal order**

Any person who—

- (a) knowingly assists or induces or persistently attempts to induce a juvenile to run away from a person to whose care he has been committed under the provisions of this Law, or from an approved institution or place of detention at which he has been committed as aforesaid;
- (b) without lawful authority takes away a juvenile from such a person, institution or place; or
- (c) knowingly harbours or conceals a juvenile who has so run away or has been so taken away or who prevents him from returning shall be guilty of an offence and liable upon conviction to a term of imprisonment not exceeding six months or to a fine not exceeding two hundred thousand naira.

**26. Where parent or guardian unable to exercise control**

Where the parent or guardian of a juvenile proves to a juvenile court that he is unable to control the juvenile, the Court, if satisfied—

- (a) that it is expedient so to deal with the juvenile; and
- (b) that the parent or guardian understands the results which will follow from and consents to, the making of the order,

may make a committal order in respect of such juvenile, or may order him to be placed under the supervision of a Probation Officer or of some other person appointed by the Court until he attains such age as is specified in such order which shall not exceed twenty years.

**PART V***Contribution by Parent or Guardian towards Maintenance of Juvenile***27. Court may order contributions**

(1) Whenever a juvenile has under sections 12,15 (8), 24 or 26 been committed to an approved institution or to the care of an individual and the Court is satisfied that the need for such an order has arisen from neglect on the part of any person who in the opinion of the Court is or has been or ought to have been exercising the powers of a parent or a guardian over the child or young person, the Court may order any such person to make contributions in respect of him.

(2) When making any such order the Court shall have regard to the means of the person ordered to contribute and no person shall be ordered to contribute a sum exceeding twenty thousand naira per month.

(3) If any person neglects to comply with any such order the Court may for every breach of the order direct the amount to be levied in the manner by law provided for levying fines imposed by a court in a criminal proceeding, and in addition the Court may sentence such person to imprisonment for a term of three months.

(4) A court having jurisdiction over the place in which the person or persons liable to contribute may be, may, at any time, on the application of such person or persons or on the application of a Probation Officer or any other person appointed by the Commissioner in that behalf, and on proof of a change of circumstances of the person or persons so required to contribute, increase, reduce or rescind any order in such manner as to the Court may seem just.

**PART VI***Determination of Age***28. Presumption or determination of age**

Where a person, whether charged with an offence or not is brought before any court otherwise than for the purpose of giving evidence, and it appears to the Court that he is a juvenile, the Court shall make due inquiry as to the age of that person, and for that purpose shall require the production of a birth certificate or other direct evidence as to the date of birth and, in the absence of such certificate or evidence, a certificate signed by a medical officer in the service of the Government giving his opinion as to such age, and the age presumed or declared by the Court to be the age of the person so brought before it shall, for the purposes of this Law, be deemed to be the true age of that person and, where it appears to the Court that the person so brought before it is of the age of seventeen years or upwards, that person shall for the purposes of this Law be deemed not to be a juvenile.

## PART VII

*Possession and Custody of Juveniles***29. Prohibition against dealing in juveniles**

(1) It shall be an offence—

- (a) to barter or sell a juvenile;
- (b) to place a juvenile in moral danger or to place him in danger of exploitation;
- (c) (i) to give a child into the custody, possession, control or guardianship of any person other than a grandparent or the descendant of a grandparent of such juvenile whether or not for pecuniary or other benefit;
- (ii) not being a grandparent or the descendant of a grandparent of a juvenile, to acquire the custody, possession or guardianship of such juvenile whether or not for pecuniary or other benefit:

Provided that it shall be a defence to a charge brought under the provisions of this paragraph, the onus of proving which shall be upon the accused, to show that the giving or acquisition was for the benefit of the juvenile, and that the juvenile is not placed in moral danger or in danger of exploitation by reason of such giving or acquisition or that the giving or acquisition is in accordance with local customary law so far as such local customary law is not repugnant to natural justice, morality or humanity or inconsistent with any written law.

(2) The Commissioner may by order, notwithstanding any local customary law to the contrary, declare that in any area in Bayelsa State described in such order that no person shall give or acquire the custody, possession, control or guardianship of any juvenile or of any female of any specified age below the age of seventeen years, or shall remove any such female from such area, save in accordance with rules made by the Commissioner, and such rules may be made either generally or made in respect of any particular area in Bayelsa State.

(3) No proceedings shall be taken in respect of an offence against the provision of subsection (1) without the written consent of the Attorney-General, who may delegate his powers under this subsection to a State counsel.

(4) Any person contravening any provision of this section or of any rules made thereunder shall be guilty of an offence and liable upon conviction to a term of imprisonment not exceeding seven years.

(5) In this section—

“**moral danger**” includes slavery, bondage and exposure to destitution, prostitution or immorality of any kind;

“**exploitation**” includes making unreasonable or excessive use of the services of a child or young person or using the services of a child or young person for monetary profit.

## PART VIII

*Neglect of Children***30. Ill-treatment and neglect of children**

Any person who has attained the age of seventeen years, and who has the custody, charge or care of any child or young person who has not yet attained the age of fourteen years, and who—

- (a) wilfully assaults, ill-treats, neglects, abandons, or exposes him or causes or procures him to be assaulted, ill-treated, neglected, abandoned or exposed in a manner likely to cause him unnecessary suffering or injury to health (including

injury to or loss of sight or hearing or limb or organ of the body or any mental derangement);

- (b) exposes him to the risk of burning by allowing him to be in any place near an open fire without any protection or guard against the risk of his being burnt or scalded or without taking any reasonable precautions against that risk;
- (c) leaves him at night unattended by any person over the age of seventeen; or
- (d) leaves him unattended by any person over the age of seventeen in a motor vehicle,

shall be guilty of an offence and liable on conviction to a fine not exceeding five hundred thousand naira or to a term of imprisonment not exceeding two years.

### **31. Prohibition of juveniles being used in begging and in hawking at night**

Any person who causes or allows any juvenile to be used for the purposes of begging or for the purposes of trading or hawking between the hour of 8 p.m. and sunrise shall be guilty of an offence and liable on conviction to a fine not exceeding five hundred thousand naira or to a term of imprisonment not exceeding two years.

## **PART IX**

### *Power to make Regulations*

### **32. Regulations**

The Commissioner may make regulations generally for the carrying into effect of this Law and without prejudice to the generality hereof may make regulations for—

- (a) regulating the management, control, inspection, discipline and interior economy of approved institutions;
- (b) providing for the inspection of persons committed to the custody of approved institutions and of individuals;
- (c) prescribing the disposal of contributions made under section 27;
- (d) prohibiting the employment of children or young persons in any particular trade, occupation, business or calling.

## **PART X**

### *Preliminary*

### **33. Interpretation**

In this Law, except where the context otherwise requires—

**“approved institution”** means an institution established, and any place or institution declared to be an approved institution under section 16;

**“authorised officer”** means a person appointed by the Commissioner for the purposes of this Law and includes a Probation Officer;

**“child”** means any person who has not yet attained the age of fourteen years;

**“Commissioner”** means the Commissioner for the time being charged with responsibility for social welfare matters;

**“guardian”** in relation to a child or young person includes any person who in the opinion of the Court having cognisance of any matter in which a child or young person is concerned, has for the time being the charge of or control over such child or young person;

**“juvenile”** includes a child and a young person;

**“Juvenile Court”** means a court constituted under section 4;

**“Probation Officer”** includes Assistant Probation Officer;

**“whipped”** and **“corporal punishment”** means whipped with a light rod or cane or birch or whip, which shall be of patterns approved by the Commissioner;

**“young person”** means a person who has attained the age of fourteen years but who has not attained the age of seventeen years.

**34. Short title**

This Law may be cited as the Children and Young Persons Law.

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## SCHEDULE

*Form of Committal Order*

In the ..... Court of Bayelsa State.  
 The ..... Court .....

\*Let the boy or girl known by the name of .....  
 whose description appears below be taken to .....  
 and be there detained in the custody and care of—

.....(the person in charge of the said institution or the name of the said person)  
 subject to the provisions of the Children and Young Persons Law.

This Committal Order shall remain in force from the date thereof up to and inclusive of the  
 ..... day of .....

## DESCRIPTION

Name ..... Sex ..... Age .....

Local Government .....

Name and address of father .....

Name and address of mother .....

Description of child or young person .....

Reason for issue of committal order .....

DATED this ..... Day of ....., .....

Judge.....Division.

Magistrate.....District.

Confirmed this..... Day of ....., 20.....

.....  
*Commissioner*

\*Delete as required.

## CHAPTER C6

**CHILDREN AND YOUNG PERSONS LAW**

## SUBSIDIARY LEGISLATION

*List of Subsidiary Legislation*

1. Juvenile Court Rules.
2. Children and Young Persons (Approved Institutions) Regulations.
3. Children and Young Persons (Establishment of Remand Homes) Rules.
4. Children and Young Persons (Remand Homes) Rules.
5. Children and Young Persons (Street Trading) Regulations.
6. Children and Young Persons (Supervision of Individual) Regulations.
7. Children and Young Persons (Disposal of Contributions) Regulations.
8. Children and Young Persons (Restriction on Removal of Female) Rules.

**JUVENILE COURT RULES**

[E.N.L.N. 105 of 1962.]

*made under section 7***ARRANGEMENT OF RULES****PART I***The Panel***RULE**

1. Appointment to panel.
2. Constitution of court.

**PART II***Trial of Offenders*

3. Application of Part II.
4. Assistance in conduct of defence.
5. Procedure where offence is admitted or proved.
- 6.

**PART III***Care and Protection Cases and other Applications*

7. Application of Part III.
8. Notice to parent or guardian.
9. Securing attendance of juvenile.
10. Persons who may oppose application.
11. Application to be explained to juvenile.
12. Evidence in support of application.
13. Where *prima facie* case made out.
14. Dispensing with attendance of child under 5.
15. Procedure where court satisfied order may be made.
16. Order to be explained to juvenile.
17. Restricted application of rule 10.
18. Unruly and depraved juveniles.
19. Application under section 26 of the Law.

**PART IV***General*

20. Supervision order; conditional release.
21. Notice of replacement of Probation Officer.
22. Power to vary or revoke committal order.
23. Form of security for good behaviour.
24. Contributions: Person liable, entitled to be heard.

## RULE

- 25. Contributions: Service of order.
- 26. Service of documents.
- 27. Enforcing attendance of parent or guardian.
- 28. Endorsement of warrant of committal.
- 29. Forms.
- 30. Fees.

## PART V

*Preliminary*

- 31. Interpretation.
- 32. Short title.

## SCHEDULES

## FIRST SCHEDULE

*Forms*

## SECOND SCHEDULE

*Fees*

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**JUVENILE COURT RULES**

## PART I

*The Panel***1. Appointment to panel**

The Chief Judge may from time to time appoint persons to sit with a magistrate for the purpose of constituting a court in any magisterial district where the Law applies and such persons so appointed shall be the panel for the district.

**2. Constitution of court**

Where a panel has been appointed—

- (a) the Court shall be constituted by a magistrate sitting with such persons from the panel, not being more than two in number, as the magistrate may select from time to time:  
Provided that if at any sitting of a court the only member of the Court present is the magistrate, and he thinks it inexpedient in the interests of justice to adjourn the proceeding, he may sit alone;
- (b) in selecting persons from the panel to sit with him upon a court, the magistrate shall, so far as is practicable, ensure that at least one member of the Court shall be a woman;

- (c) the magistrate shall be the Chairman of the Court;
- (d) upon every issue of law which falls to be decided by the Court the decision of the magistrate shall be the decision of the Court;
- (e) upon every question of law which falls to be decided by the Court the decision of the magistrate shall be the decision of the Court;
- (f) in deciding every such issue or question as aforesaid no member of the Court shall be heard who has not been present during the whole of the antecedent hearing.

## PART II

### *Trial of Offenders*

#### **3. Application of Part II**

This Part shall apply in the case of a child or young person brought before a court charged with an offence.

#### **4. Assistance in conduct of defence**

(1) The Court shall, except where the child or young person is legally represented, allow his parent or guardian, if present, to assist him in conducting his defence, including the cross-examination of witnesses for the prosecution.

(2) Where the parent or guardian cannot be found or cannot in the opinion of the Court reasonably be required to attend, the Court may allow any relative or other responsible person to take the place of the parent or guardian for the purposes of this Part of these rules.

#### **5. Procedure where offence is admitted or proved**

Where the child or young person admits the offence or the Court is satisfied that it is proved, the Court, before deciding how to deal with the child or young person—

- (a) shall take into consideration any report which may be furnished by an authorised officer;
- (b) may receive any written report of an authorised officer or medical practitioner, and consider the same without reading it aloud:

Provided that—

- (i) the child or young person shall be told the substance of any part of the report bearing on his character or conduct which the Court considers to be material to the manner in which he should be dealt with;
- (ii) the parent or guardian, if present, shall be told the substance of any part of the report which the Court considers to be material as aforesaid and which has reference to his character or conduct or the character, conduct, home surroundings, or health of the child or young person; and

- (iii) if the child or young person or his parent or guardian, having been told the substance of any part of such report, desires to produce evidence with reference thereto, the Court, if it thinks the evidence material, shall adjourn the proceedings for the production of further evidence and shall, if necessary, require the attendance at the adjourned hearing of the person who made the report;
  - (c) may require the parents or guardian of the child or young person, if present, to withdraw from the Court if, acting in pursuance of this rule, it considers it necessary in the interests of the child or young person to do so; and
  - (d) shall finally, unless it thinks it undesirable to do so, inform the parent or guardian, if present, of the manner in which it proposes to deal with the child or young person, and allow the parent or guardian to make representations.
- 6.** When the Court has decided how to deal with the child or young person, it shall explain to him the effect of the order to be made and whether and in what circumstances and in what manner he may be further dealt with by the Court.

### PART III

#### *Care and Protection Cases and Other Applications*

#### **7. Application of Part III**

This Part shall, subject to the exceptions in rules 17,18 and 19, apply in the case—

- (a) of a child or young person brought or to be brought before the Court under Part 4 of the Law; and
- (b) in the case of a child or young person appearing or brought or to be brought before a court—
  - (i) under section 22 of the Law;
  - (ii) in accordance with, or after the breach or, a recognisance entered into under the Law or these rules;
  - (iii) for the purposes of an application under rule 22 of these rules; or
  - (iv) otherwise to be further dealt with in respect of charge or of an application under Part 4 of the Law after the termination in accordance with section 12 or section 24 (2) or section 26 of the Law of the original proceedings.

#### **8. Notice to parent or guardian**

Where a child or young person is to be brought before the Court and an application is to be made to the Court for an order in respect of the child or young person, the person intending to make the application shall, unless he is himself the parent or guardian of the child or young person, serve a notice on such parent or guardian, if he can be found, specifying the grounds upon which the child or young person is to be brought before the Court, and the time and place at which the Court will sit; and in any case shall send a notice to the Registrar.

**9. Securing attendance of juvenile**

A summons or warrant may if necessary be issued to secure the attendance of the child or young person before the Court and the provisions of Part VII of the Criminal Procedure Law shall apply as if the application were by way of complaint for the purpose of instituting proceedings under that Law and the child or young person were the defendant in such proceedings.

[Cap. C15.]

**10. Persons who may oppose application**

(1) The Court shall, except where the child or young person is legally represented, allow his parent or guardian, if present, to conduct the case in opposition to the application.

(2) Where the parent or guardian cannot be found, or cannot in the opinion of the Court reasonably be required to attend, the Court may allow any relative or other responsible person to take the place of the parent or guardian for the purposes of this part of these rules.

**11. Application to be explained to juvenile**

Before proceeding with the hearing the Court shall explain to the child or young person the reason for his presence, and the substance of any application concerning him which may have been made.

**12. Evidence in support of application**

(1) The Court shall then proceed to hear the evidence tendered in support of the application.

(2) Where the nature of the case, or the evidence to be given, is such that in the opinion of the Court it is in the interests of the child or young person that the evidence, other than any evidence relating to the character or conduct of the child or young person, should not be given in his presence, the Court may hear any part of that evidence in his absence; and in that event his parent or guardian, if present, shall be permitted to remain in court during the absence of the child or young person.

(3) The Court may exclude the parent or guardian of the child or young person while he gives evidence or makes a statement, if the Court is satisfied that in the circumstances it is proper to do so:

Provided that the Court shall inform the parent or guardian of the substance of any allegation made by the child or young person, and shall give him an opportunity of meeting it by calling evidence or otherwise.

**13. Where *prima facie* case made out**

If it appears to the Court after hearing the evidence in support of the application that a *prima facie* case is made out, it shall tell the child or young person and his parent or guardian if present, that they may give evidence or make a statement, and call witnesses.

#### **14. Dispensing with attendance of child under 5**

Where a child brought before the Court appears to the Court to be under the age of five years, the Court may direct that the child need not attend at any adjourned hearing of the application unless or until required by the Court to do so.

#### **15. Procedure where court satisfied order may be made**

Where the Court is satisfied that an order may be made under section 15 (8) (d) or section 24 or section 26 of the Law or rule 20 or rule 22, or is about to decide what form of order, if any, ought to be made under section 22 of the Law, the Court, before deciding how to deal with the child or young person—

- (a) shall obtain such information as to the general conduct, home surroundings, school record and medical history of the child or young person as may enable it to deal with the case in his best interest; and shall, if such information is not fully available, consider the desirability of adjourning the case for such inquiry as may be necessary;
- (b) shall take into consideration any report which may be furnished by an authorised officer;
- (c) may receive any written report of an authorised officer or medical practitioner and consider the same without reading it aloud:

Provided that—

- (i) the child or young person shall be told the substance of any part of the report bearing on his character or conduct which the Court considers to be material to the manner in which he should be dealt with;
- (ii) the parent or guardian, if present, shall be told the substance of any part of the report which the Court considers to be material as aforesaid and which has reference to his character or conduct, or the character, conduct, home surroundings, or health of the child or young person; and
- (iii) if the child or young person or his parent or guardian, having been told the substance of any part of such report, desires to produce evidence with reference thereto, the Court, if it thinks the evidence material, shall adjourn the proceedings for the production of further evidence and shall, if necessary, require the attendance at the adjourned hearing of the person who made the report;
- (d) may require the parent or guardian of the child or young person, if present, to withdraw from the Court if acting in pursuance of this rule it considers it necessary in the interests of the child or young person to do so; and
- (e) shall finally, unless it thinks it undesirable to do so, inform the parent or guardian, if present of the manner in which it proposes to deal with the child or young person, and allow the parent or guardian to make representations.

**16. Order to be explained to juvenile**

When the Court has decided how to deal with the child or young person, it shall explain to him the effect of the order to be made and whether and in what circumstances and in what manner he may be further dealt with by the Court.

**17. Restricted application of rule 10**

In the application of this part to the case of a child or young person brought before a court under section 15 (8) (d) of the Law or rule 20 or rule 22, rule 10 shall not apply where the parent or guardian is the applicant.

**18. Unruly and depraved juveniles**

In the application of this Part to the case of a child or young person brought before a court under section 22 of the law the following modifications shall have effect—

- (a) rules 12 and 13 shall not apply; and
- (b) the certificate of the person in charge of the approved institution to which the child or young person has been committed shall be conclusive evidence that the child or young person is of so unruly or depraved a character that it is undesirable that he should remain at such institution.

**19. Application under section 26 of the Law**

In the application of this Part of these rules to the case of a child or young person brought before a court under section 26 of the Law, the following modifications shall have effect—

- (a) rules 8 and 10 shall not apply;
- (b) so much of rule 13 as relates to the parent or guardian shall not apply; and
- (c) before the application is heard the Registrar shall give notice thereof to the Probation Officer for the area of the district of the Court unless he is satisfied that the Probation Officer has already been informed.

**PART IV***General***20. Supervision order; conditional release**

A supervision order may direct the release of the child or young person, and the suspension of any other order which the Court makes at the same time, conditionally upon the child or young person entering into a recognisance of the description and containing the conditions mentioned in section 15 (4) of the Law, save that the condition requiring the child or young person to be of good behaviour may, where he is not charged with an offence, be omitted if the Court thinks fit; and such recognisance shall also contain a condition that the child recognisance shall also contain a condition that the child or young person shall appear before the Court to be further dealt with when so directed by the person under whose supervision he is placed; and thereupon the provisions of subsections (4) and (8) of section 15 of the Law shall, *mutatis mutandis*, apply whether the child or young person is an offender or not, and the Court before which the child or young person appears under the recognisance may, without further



proof of the facts on which the supervision order was grounded, deal with him in any manner in which he might have been dealt with at the time of making the supervision order:

Provided that the Court shall not deal with the child or young person under paragraph (f), (g), (i) or (j) of section 12 of the Law; and provided further that where at the time of making the supervision order an order under paragraph (f), (g), (i) or (j) of section 12 of the Law was made and suspended, the Court may direct that it shall cease to be suspended.

## **21. Notice of replacement of Probation Officer**

Where an order is made under section 15 (5) of the Law substituting one Probation Officer for another notice thereof shall be served on the child or young person on probation or under supervision.

## **22. Power to vary or revoke committal order**

A committal order committing a child or young person to the care of a fit person may, on the application of any person, be varied or revoked—

- (a) by the Court which made it; or
- (b) by the Court of the magisterial district where the child or young person is residing;

and the Court by which the committal order is revoked may, without further proof of the facts on which the supervision order was grounded, deal with the child or young person in any manner in which he might have been dealt with at the time of making the committal order:

Provided that the Court shall not deal with the child or young person under paragraph (f), (g), (i) or (j) of section 12 of the Law.

## **23. Form of security for good behaviour**

The security which a court may, under paragraph (h) of section 12 or section 9 (2) or (3) of the Law, require a parent or guardian to give for the good behaviour of a child or young person shall be given by way of recognisance, with or without sureties.

## **24. Contributions: Person liable, entitled to be heard**

Before making an order under section 29 of the Law for the payment of contributions in respect of a child committed to an approved institution or to the care of an individual, the Court shall give the person liable to make such contributions an opportunity of being heard, and may issue a summons to enforce his attendance for that purpose.

## **25. Contributions: Service of order**

An order made under section 27 of the Law for the payment of contributions in respect of a child committed to an approved institution or to the care of an individual shall be served on the person on whom it is made.

## **26. Service of documents**

Any order, notice, or other document, save a summons under subsection (8) of section 15 of the Law, required by the Law or these rules to be served on any person, may, where no other mode of service is prescribed, be served by any police officer by delivering a copy thereof to such person, or by leaving the same at that person's last known place of abode with some other

person for him, or by sending the same by registered post to him at his last known place of abode.

### **27. Enforcing attendance of parent or guardian**

Where a child or young person is charged with an offence a summons or warrant may be issued by the Court to enforce the attendance of a parent or guardian in accordance with section 8 of the Law, and the provisions of Part..... of the Criminal Procedure Law shall apply as if a complaint were made upon which a summons or warrant should be issued against a defendant and the parent or guardian were such defendant, and a summons to the child or young person may include a summons to the parent or guardian to enforce his attendance for the said purpose.

[Cap. C15.]

### **28. Endorsement of warrant of committal**

(1) Where a young person is committed to prison—

(a) on remand or committal for trial under section 5 of Law; or

(b) upon the suspension of a committal order under section 18 of the Law,

the Court shall endorse on the warrant of committal a certificate as required by section 5 (1) of the Law, which shall also state his apparent age and the fact that he is a young person.

(2) Where a young person is committed to prison upon a finding of guilt in respect of an offence or in default of payment of a fine, damages, or costs, the Court shall endorse on the warrant of committal a certificate that the young person cannot be suitably dealt with in any way other than by imprisonment.

### **29. Forms**

The forms in the First Schedule, or forms to the like effect, may be used in the cases to which they refer, with such variations as circumstances may require.

[First Schedule.]

### **30. Fees**

The fees prescribed in the Second Schedule shall, unless remitted or waived, be payable by the party prosecuting a proceeding or asking for a service as thereon provided in respect of the proceedings or services to which they relate.

[Second Schedule.]

## PART V

*Preliminary***31. Interpretation**

In this rule, except where the context otherwise requires—

“**the Court**” means a juvenile court;

“**Registrar**” means Registrar of the Court;

“**supervision order**” means an order made under section 12(c) or section 24 (2) (c) of the Law, or under section 26 of the Law not being a committal order.

**32. Short title**

These rules may be cited as the Juvenile Court Rules.

## FIRST SCHEDULE

[Rule 29.]

*General Title*

FORM A

## IN THE JUVENILE COURT MAGISTERIAL DISTRICT

Case No.....  
Between ..... Complainant/Applicant  
and ..... Defendant/Respondent

FORM B

[Rule 27.]

*Warrant for Arrest of Child or Young Person*

(General Title - Form A)

Complaint on oath has been made on the .....  
day of ..... , ..... by ..... CD .....  
that ..... AB, a child/young person on the ..... day of ..... , .....  
at ..... in the Magisterial District aforesaid did/has  
been/is\* .....  
You are therefore hereby commanded to bring the said AB before the juvenile court aforesaid  
sitting at ..... forthwith to answer the said complaint.  
DATED this ..... day of ..... ,20 .....

.....  
*Magistrate*

\*State the substance of the offence or description as mentioned in section 24.

## FORM C

[Section 5. Cap. C6.]

(General Title - Form A)

To ..... and to the person/officer in charge of the Remand Home (or Approved Institution) (or Prison) at ..... hereinafter called the place of detention.

AB hereinafter called the defendant, being a child/young person brought before the aforesaid juvenile court sitting at ..... charged with having\* .....

You, the said Police Officer, are hereby commanded to convey the defendant to the place of detention, and there to deliver him/her to the person/officer in charge thereof, together with this warrant, and you, the person/officer in charge of the said place of detention, to receive him/her into your custody, and unless he/she shall has been bailed in the meantime, keep him/her until the ..... day of ....., 20 ..... and on that day you, the said Police Officer, are required to convey him/her before the aforesaid juvenile court sitting at ..... at the hour of ..... in the ..... noon, to be further dealt with according to law, unless otherwise ordered in the meantime.

DATED this ..... day of ....., 20 .....

.....  
Magistrate

\*State the substance of the offence.

## FORM D

[Section 8. Cap. C6.]

*Summons for Attendance of Parent or Guardian*

(General Title - Form A)

To CD of ..... AB, a child/young person of whom you are stated to be the parent/guardian is charged for that he on ..... the day of ..... 20 ..... , ..... at ..... in the ..... Magisterial District aforesaid, did\* .....

You are therefore summoned to appear before the juvenile court sitting at ..... on ..... the ..... day of ..... , 20 ..... at the hour of ..... in the ..... noon, and during all the stages of the proceedings.

DATED this ..... day of ..... 20 .....

.....  
Magistrate

\*State the substance of the offence.

## FORM E

[Rule 8.]

*Notice to Parent or Guardian: Care or Protection*

(General Title - Form A)

To CD of ..... the parent/guardian of AB, a child/young person,  
 take notice that AB, a child/young person is to be brought before the aforesaid juvenile court sitting  
 at .....  
 on ..... the ..... day of ..... ,20.....at the hour  
 of .....in the .....noon, by virtue of the provisions of section  
 .....of the Children and Young Persons Law on the ground that\* .....  
 And that you are warned to attend the said court during all the stages of the proceedings.  
 DATED this ..... day of ..... 20 .....

.....

*Police Officer/Authorised Official*

NOTE: A copy of this notice is to be sent to the Registrar of the Juvenile Court.

\*State the ground of application.

## FORM F

*Summons to Parent to Contribute*

(General Title - Form A)

To ..... of .....  
 Complaint has been made this day by .....  
 that you are the father/stepfather/mother/stepmother (or a person cohabiting with the mother) of AB,  
 a child/young person (or a person in whose care and custody AB, a child/young person, has been  
 residing for two years immediately prior to the ..... day of.....,  
 20 .....), and that by your neglect need arose for a committal order in respect of the said AB,  
 and that on the (said) ..... day of ..... ,20 ..... a committal order was  
 accordingly made whereby the said AB was committed to .....  
 an Approved Institution (or to the care of CD).  
 You are therefore summoned to appear before the Juvenile Court sitting at .....  
 on ..... the ..... day of ..... 20....., at the hour  
 of .....noon, to show cause why an order should not be made requiring you to contribute  
 such monthly sum as the Court, having regard to your means, thinks fit.  
 DATED this ..... day of ..... ,20 .....

.....

*Magistrate*

## FORM G

[Section 18. Cap. 26.]

*Disposal Pending Operation of Committal Order*

(General Title - Form A)

To ..... and to the person/officer in charge of the Remand Home (or Approved Institution or Prison) at ..... (or to CD of ..... ) AB a child/young person having been ordered by ..... sitting at ..... on the ..... day of ..... , 20 ..... , to be sent to an Approved Institution, and the operation of such committal order being postponed:

It is ordered that AB be taken to the Remand Home (or Approved Institution) (or Prison) (or to the custody of the said CD) at ..... and be there (or by him/her) detained until he/she is sent to an Approved Institution in pursuance of the committal order:

You the said Police Officer are therefore commanded to convey the said AB to the said Remand Home (or Approved Institution) (or Prison) (or address of CD) and there to deliver him/her to the person in charge thereof (or to the said CD) together with this warrant and you, the person/officer in charge of the said Remand Home (or Approved Institution) (or Prison) (or the said CD) to receive him/her into custody and detain him/her as aforesaid.

DATED this ..... day of ..... , 20 .....

.....  
Magistrate

## FORM H

*Recognisance under Probation Order or Supervision Order*

(General Title - Form A)

The undersigned Principal Party to this recognisance hereby binds himself to perform the following obligations at all times during a period of ..... from the date hereof:

To be of good behaviour;

To be and remain under the supervision of AB (or the Probation Officer) from time to time for the ..... Area;

To appear before the juvenile court at .....

To be further dealt with at any time when called upon by the Court (or when so directed by the said AB (or Probation Officer); And such further conditions as the case may require).

And the said Principal Party together with the undersigned surety (or sureties) hereby acknowledges himself (acknowledge themselves) bound to forfeit to the Governor the sum(s) following: the said Principal Party the sum of ₦ : : and the said surety (or sureties) the sum of ₦ : : (each) in case the said Principal Party fails to perform the above obligations or any part thereof.

Principal Party .....

Surety .....

TAKEN before me at .....

this ..... day of ..... 20 .....

.....  
Magistrate

.....  
Sworn Interpreter

## FORM I

*Notice of Change of Probation Officer*  
(General Title – Form A)

Take notice that ..... has been substituted by (or with the approval of) the aforesaid court to perform the duties of Probation Officer in your case in place of ..... and that the name of the said ..... is substituted for that of the said ..... as from this date wherever the name of the said ..... occurs in the order made by the aforesaid court in your case on the day of ..... and in the recognisance entered into by you thereupon.

DATED this ..... day of ....., 20 .....

.....  
*Magistrate*

To:.....

## SECOND SCHEDULE

*Fees*

[Rule 30.]

	₨	k
On every summons.....	1000	00
On every warrant of arrest (unless issued by direction of the Court.....	2000	00
On every application (to include filing fee).....	1000	00
On every subpoena.....	500	00
On every filing bond .....	nil.	
In respect of other matters or services the same fees shall be paid as are payable in respect of such matters or services in Magistrates' Courts.		

**CHILDREN AND YOUNG PERSONS**  
**(APPROVED INSTITUTIONS) REGULATIONS**  
[Section 32.]

## ARRANGEMENT OF REGULATIONS

## REGULATION

1. Visiting committee.
2. Access to visiting committee.
3. Report to Commissioner.
4. Premises used for remand home.
5. Reports of deaths and dangerous illness.
6. Visits.
7. Books.
8. Absconding inmates.
9. Application of rules to inmates detained for safety.
10. Suspension of rules.
11. Interpretation.
12. Short title.

**CHILDREN AND YOUNG PERSONS  
(APPROVED INSTITUTIONS) REGULATIONS**

**1. Visiting committee**

(1) The Commissioner shall appoint a visiting committee in respect of each approved institution and in the case of a remand home he shall appoint a sufficient number of women members to the committee to ensure continual supervision by women members.

(2) The visiting committee shall visit the approved institution at least once in every three months and at least two visits in a year shall be made without notice to the head of the institution or any member of the staff thereof.

(3) The head of the institution shall keep a book in which shall be recorded the signed comments of the members of the visiting committee and that book shall be open to inspection by an official visitor.

**2. Access to visiting committee**

(1) An inmate shall have the right of access to the visiting committee.

(2) The visiting committee shall record and investigate a complaint made by an inmate and may direct that its interview with that inmate shall be in the absence of the head of the institution and members of his staff.

**3. Report to Commissioner**

The visiting committee may make a report directly to the Commissioner if it considers it expedient so to do.

**4. Premises used for remand home**

(1) A local government shall not establish an approved institution unless and until the buildings and premises have been approved by the Commissioner after consultation with a medical officer of health.

(2) An approved institution shall not be established in premises part of which is used as a police station or police barracks save with the prior approval of the Commissioner.

**5. Reports of deaths and dangerous illness**

(1) Notwithstanding any law, the head of the institution shall in every case of dangerous illness or death send a written report to—

- (a) the parents or guardians of the inmate concerned;
- (b) the Commissioner; and
- (c) the Magistrate.

(2) In addition all cases of death shall be immediately reported to the coroner.

**6. Visits**

Reasonable facilities shall be provided for the inmates—

- (a) to receive visits from their relatives and friends; and
- (b) to send or receive letters.

**7. Books**

The head of the institution shall keep the following books which shall be open to inspection by the Commissioner, an official visitor and the visiting committee—



- (a) a register of admissions and discharges;
- (b) a daily register in such form as may be required showing the presence or absence of an inmate; and
- (c) a log book in which shall be entered events of importance connected with the approved institution, and punishments.

## 8. Absconding inmates

(1) Where an inmate absconds, the head of the institution shall immediately notify the police and the magistrate.

(2) If an absconding inmate be not apprehended before the expiration of the period for which he is detained or committed, as the case may be, the head of the institution shall inform the Commissioner and make the relevant entries in the log book.

## 9. Application of rules to inmates detained for safety

Where under any law an inmate is detained in or committed to, as the case may be, an approved institution as a place of safety these regulations shall apply to him in the same way as if he had been committed to custody in the approved institution.

## 10. Suspension of rules

Where the Commissioner is satisfied with regard to a particular approved institution that owing to the small number of its inmates, the nature of its premises or other special circumstances, it is desirable so to do, he may from time to time by notice in writing to the head of the institution suspend the application of these rules to that approved institution for such time and subject to such conditions as he may specify in the notice.

## 11. Interpretation

In these regulations, except where the context otherwise requires—

**“head of the institution”** means in respect of a remand home the warden, and in respect of an approved school, the principal;

**“inmate”** means a juvenile in an approved institution;

**“official visitor”** includes an administrative officer, a medical officer, a magistrate or Justice of the Peace, the Commissioner of Police or other superior police officer duly authorised by him in writing and any person authorised in writing by the Commissioner;

**“visiting committee”** means a committee appointed by the Commissioner under regulation 1.

**12. Short title**

These regulations may be cited as the Children and Young Persons (Approved Institutions) Regulations.

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**CHILDREN AND YOUNG PERSONS  
ESTABLISHMENT OF REMAND HOMES**

The following remand home was established under section 15 of the former Children and Young Persons Ordinance, Chapter 31, Laws of Nigeria 1948 - Old Military Barracks, Calabar.

[Government Notice 777 of 1946.]

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**CHILDREN AND YOUNG PERSONS  
(REMAND HOMES) RULES**  
*made under section 13*

ARRANGEMENT OF RULES

PART I

*Staff*

RULE

1. Commissioner to approve the person in charge of a remand home.
2. Staff to include persons with educational qualifications.
3. Offences by subordinate officer.
4. Inquiries into charge against subordinate officer.
5. Punishments to be recorded.
6. Returns.

PART II

*Inspection*

7. Inspection.
8. Separate accommodation for boys and girls.
9. Beds.
10. Food and clothing.
11. Medical examinations.
12. Health precautions.
13. Recreation.
14. Religious exercises.

PART III  
*Discipline*

RULE

15. Warden responsible for discipline.
16. Methods of punishment.
17. Corporal punishment for boys.
18. Corporal punishment for girls.
19. Infliction of corporal punishment.
20. Other punishments prohibited.
21. Punishment book to be kept.

PART IV  
*Visiting Committee*

22. Visiting committee.
23. Inmates to have access to visiting committee.

PART V  
*Miscellaneous*

24. Report to Commissioner or local government.
25. Commissioner to approve establishment of remand homes by local government.
26. Deaths and dangerous illness to be reported.
27. Visits.
28. Books to be kept.
29. Accounts and audit.
30. Inmates absconding.
31. Application of rules to inmates detained for safety.
32. Suspension of rules.
33. Interpretation.
34. Short title.

**CHILDREN AND YOUNG PERSONS  
(REMAND HOMES) RULES**

PART I  
*Staff*

**1. Commissioner to approve the person in charge of a remand home**

The person in charge of a remand home, hereinafter in these rules referred to as the warden, shall be approved by the Commissioner as a fit and proper person to be the principal of a remand home.

**2. Staff to include persons with educational qualifications**

The staff of a remand home shall include such number of persons possessing adequate educational qualifications and experience in social work as the Commissioner may require in respect of any particular remand home.

**3. Offences by subordinate officer**

Any subordinate officer who—

- (a) strikes or uses or offers any violence against or uses threatening or insubordinate language towards his superior officer;
- (b) wilfully disobeys any lawful command of his superior officer;
- (c) commits the offence of being drunk on duty;
- (d) without leave from his superior officer, absents himself from duty;
- (e) being on duty is found asleep;
- (f) pawns, sells, loses by neglect, makes away with, or wilfully or negligently damages any tools, clothing, material, equipment or necessities, issued for the use of an approved institution; or
- (g) is guilty of any other act, conduct, disorder or neglect to the prejudice of good order and discipline,

shall be guilty of an offence against discipline and shall be liable to punishment in accordance with the provisions of rule 4.

**4. Inquiries into charge against subordinate officer**

The warden or any person so authorised in writing by the Civil Service Commission or to the Local Government Service Commission may enquire into the truth of any such charge and if his decision is against the accused, may impose any one or more of the following punishments—

- (a) extra duty;
- (b) a fine, the maximum for which shall not exceed one-quarter of a month's pay;
- (c) stoppage of pay where there has been neglect of, or injury to, Government property or absence without leave:  
Provided that the total of such stoppages shall not exceed three months' pay of the offender and that no total sum in excess of one-third of the pay of the offender shall be deducted in any one month;
- (d) reduction in rank in cases when that punishment is approved by the Civil Service Commission or Local Government Service Commission;
- (e) in cases of continued neglect of duty or offences against discipline, the stoppage or withholding of any increment;
- (f) dismissal or termination of appointment subject to the approval of the Civil Service Commission or Local Government Service Commission.

**5. Punishments to be recorded**

All punishment awarded under this Part shall be entered in a register kept for that purpose and will be duly recorded upon the record of service sheet of the offender.

**6. Returns**

A monthly return of all such punishments shall be rendered to the Civil Service Commission or Local Government Service Commission.

**PART II***Inspection***7. Inspection**

Remand homes shall be open to inspection at all times by any official visitor.

**8. Separate accommodation for boys and girls**

Where accommodation is provided in a remand home for boys and girls, arrangements shall be made, so far as practicable, for the separation of boys from girls except while under supervision and, in any case, the sleeping accommodation for boys shall be separate from that for girls.

**9. Beds**

Each inmate shall sleep in a separate bed.

**10. Food and clothing**

The inmate shall be supplied with sufficient and varied food and suitable clothing.

**11. Medical examinations**

(1) Each inmate shall be thoroughly cleansed on admission and shall be medically examined by a doctor as soon as possible after his admission to the remand home, and in the case of a boy known to be awaiting removal to an approved institution, immediately before such removal, and at any other time that may be considered necessary by a medical officer or the warden.

(2) Such examinations shall include any steps necessary to ascertain whether venereal disease is present in cases where reason exists to suspect its presence, and may take place either at the remand home, or, if so desired by a medical officer, at a suitable clinic.

**12. Health precautions**

(1) Arrangements shall be made for a medical officer to attend the remand home, and such medical officer shall conform to the instructions of the Chief Medical Officer of the Ministry of Health.

(2) Any inmate known or suspected to be suffering from an infectious disease in a remand home shall, so far as is practicable, be isolated from the other inmates and where such infectious disease occurs in a remand home, inmate subsequently admitted shall, so

far as is practicable, be kept separate for the necessary period from those who have been in contact with the disease.

### **13. Recreation**

Reasonable occupation and recreation for the inmates shall be provided.

### **14. Religious exercises**

(1) Arrangements may be made for the attendance of the inmates at a religious service in the remand home or at a place of public worship.

(2) Inmates may be visited at convenient times by a minister of the religious persuasion to which they belong.

## **PART III**

### *Discipline*

### **15. Warden responsible for discipline**

The warden shall be responsible for the discipline which shall be maintained by his personal influence.

### **16. Methods of punishment**

When punishment is necessary for the maintenance of discipline, one of the following methods shall be adopted—

- (a) temporary loss of recreation or privileges;
- (b) reduction in quality or quantity of food, provided that no inmate shall be deprived of two meals in succession or suffer reduction in quality or quantity on more than one day without the approval of a medical officer;
- (c) separation from other inmates, subject to the following conditions—
  - (i) no inmate under the age of twelve shall be kept in separation; and
  - (ii) some form of occupation shall be given; and
  - (iii) means of communication with a member of the staff shall be provided;
- (d) corporal punishment - every effort shall be made to enforce discipline without resort to corporal punishment but where it is found necessary its application shall be in strict accordance with rules 17,18 and 19.

### **17. Corporal punishment for boys**

Corporal punishment shall be subject to the following conditions—

- (a) it shall be inflicted only with a cane or similar instrument to be approved by the Commissioner;
- (b) it shall be applied either on the hands or on the buttocks over the normal clothing;
- (c) it shall be limited to not more than six strokes on each hand, or to not more than six strokes on the buttocks.

**18. Corporal punishment for girls**

Corporal punishment may be administered to girls with a cane or similar instrument to be approved by the Commissioner and it shall be limited to not more than six strokes on each hand.

**19. Infliction of corporal punishment**

No member of the staff other than the warden shall inflict corporal punishment.

**20. Other punishments prohibited**

No form of striking, cuffing, shaking or other corporal punishment not authorised by these rules shall be inflicted by any person.

**21. Punishment book to be kept**

All punishments shall be immediately recorded in the punishment book kept for that purpose and that book shall be open for inspection at any time by an official visitor.

**PART IV***Visiting Committee***22. Visiting committee**

(1) The Commissioner or the Local Government shall appoint a visiting committee for each remand home established by them and shall appoint a sufficient number of women members to such committee to ensure continual supervision by women members.

(2) The warden shall keep a book in which shall be recorded the signed comments of the members of the visiting committee and that book shall be open to inspection by any official visitor.

**23. Inmates to have access to visiting committee**

(1) Every inmate shall have the right of access to the visiting committee which shall record and investigate any complaint made by an inmate.

(2) The visiting committee may direct that its interview with an inmate shall be in the absence of the warden and members of the staff.

**PART V***Miscellaneous***24. Report to Commissioner or local government**

The visiting committee may make a report directly to the Commissioner or local government if it considers it expedient so to do.

**25. Commissioner to approve establishment of remand homes by local government**

A local government shall not establish a remand home unless and until the buildings and premises to be used for such home have been approved by the Commissioner or Local Government after consultation with a medical officer of health and a remand home shall not be established in premises any part of which is used as a police station or police barracks save with the prior approval of the Commissioner.

**26. Deaths and dangerous illness to be reported**

In addition to the provisions of any other written law the death or dangerous illness of any inmate shall be reported by the warden to the parents or guardians of the inmate, to the Magistrate, to the Commissioner and to the local government, and in case of sudden death, to the coroner.

**27. Visits**

Reasonable facilities shall be given for the inmates to receive visits from their relatives and friends and to send or receive letters.

**28. Books to be kept**

(1) The warden shall keep a register of admissions and discharges, a daily register in such form as may be required showing the presence or absence of each inmate remanded, and a log book in which shall be entered every event of importance connected with the remand home and all punishments.

(2) These books shall be open to inspection by the Commissioner and the local government, any official visitor, and the visiting committee and shall be inspected by or on behalf of the Commissioner or the local government at regular intervals not exceeding three months.

**29. Accounts and audit**

The warden shall keep accounts to the satisfaction of the Commissioner and the local government and such accounts shall, once in each financial year, be audited by a person approved by the Commissioner or the local government for that purpose.

**30. Inmates absconding**

If an inmate absconds the police and the magistrate shall be notified immediately and if such inmate be not apprehended before the end of the period for which he is liable to be detained, the Commissioner or the local government shall be informed and the relevant entries recorded in the log book.

**31. Application of rules to inmates detained for safety**

An inmate detained in a remand home as a place of safety under the provision of any other written law shall be subject to these rules in the same way as if he had been committed to custody in the remand home.

**32. Suspension of rules**

Where the Commissioner or the local government is satisfied with regard to any particular remand home within the area of jurisdiction of the local government that owing to the small number of inmates, the nature of the premises or other special circumstances it is desirable so to do, he may from time to time by notice in writing to the warden suspend



the application of any of these rules to the remand home specified in the notice for such time and subject to such conditions as may be specified in the notice.

### 33. Interpretation

In these rules, except where the context otherwise requires—

“**inmate**” means a child or young person in a remand home;

“**official visitor**” means any administrative officer, any medical officer, the Commissioner of Police and any superior police officer duly authorised in writing by him, any magistrate or Justice of the Peace and any other person authorised in writing by the Secretary to the Local Government;

“**subordinate staff**” means members of the staff and other employees of a remand home engaged as such;

“**the warden**” means the person in charge of a remand home.

### 34. Short title

These rules may be cited as the Children and Young Persons (Remand Home) Rules.

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## CHILDREN AND YOUNG PERSONS (STREET TRADING) REGULATIONS

[Regulation 28 of 1946.]  
*made under section 32*

### ARRANGEMENT OF REGULATIONS

#### REGULATION

1. Prohibition of street trading by children and young females.
2. Prohibition against trading in certain places.
3. Offences.
4. Interpretation.
5. Short title.

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## CHILDREN AND YOUNG PERSONS (STREET TRADING) REGULATIONS

### 1. Prohibition of street trading by children and young females

(1) No child shall engage or be employed in street trading.

(2) No young female shall engage or be employed in street trading except she is so engaged or employed by her parent or person appointed to be a guardian by the Courts:

Provided that no young female shall engage or be employed in street trading except between the hours of 6.00 a.m. and 6.30 p.m.

## 2. Prohibition against trading in certain places

No child and no young female shall engage or be employed in street trading at or in the vicinity of any barrack, dock or wharf or in, at or near any place or premises selling wines, spirits, beer or native liquors.

## 3. Offences

(1) Any person who contravenes any of the provisions of these regulations shall be guilty of an offence and liable on summary conviction thereof, to a fine of one hundred thousand naira or to imprisonment for six months or to both such fine and imprisonment.

(2) Where in any proceedings for an offence against these regulations the Court is satisfied that the commission of the offence by a child or young female was occasioned or contributed to by the wilful default or neglect of a parent or guardian of such child or young female the Court may, in addition to any punishment which may be imposed upon the child or young female, order such parent or guardian to pay a fine not exceeding one hundred thousand naira, or in default of payment of such fine to imprisonment for a term not exceeding three months.

## 4. Interpretation

For the purposes of these regulations, except where the context otherwise requires—

“**child**” means any person under the age of fourteen years;

“**street trading**” includes the hawking of newspapers, matches, flowers, food and goods or articles of whatever description, playing, singing or performing for profit, shoe-making and other like occupation carried on in a street or in any public place;

“**young female**” means any girl between the age of fourteen and sixteen.

## 5. Short title

These regulations may be cited as the Children and Young Persons (Street Trading) Regulations and shall apply to any area in which the Children and Young Persons Law or any part or provisions thereof as from time to time applies.

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# CHILDREN AND YOUNG PERSONS (SUPERVISION OF INDIVIDUAL) REGULATIONS *made under section 30*

## ARRANGEMENT OF REGULATIONS

### REGULATION

1. Form of undertaking to be given by foster-parent schedule.
2. Acknowledgement of custody of foster-child.
3. Certain contracts of insurance prohibited.
4. Visits to foster-children.
5. Visits by special committees.

## REGULATION

6. Number of foster-children restricted.
7. Interpretation.
8. Short title.

## SCHEDULE

*Undertaking of Foster-Parent*

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**CHILDREN AND YOUNG PERSONS  
(SUPERVISION OF INDIVIDUAL) REGULATIONS**

**1. Form of undertaking to be given by foster-parent schedule**

Before receiving a foster-child to be boarded out with him under a committal order a foster-parent shall sign in the form in the schedule to these regulations an undertaking in duplicate, one copy of which shall be retained by the foster-parent and the other by the Registrar of the Court making the committal order.

**2. Acknowledgement of custody of foster-child**

On the delivery of the foster-child the foster-parent shall give a written acknowledgement of having received into his custody the foster-child and any articles of clothing accompanying him.

**3. Certain contracts of insurance prohibited**

A foster-parent shall not become or continue to be a part to any contract for the purpose of insuring the payment to him for his own benefit of a sum of money upon the illness or death of a foster-child boarded out with him and where an authorised officer has reason to believe that this prohibition has been contravened the foster-child shall be immediately withdrawn from the foster-parent and a report of the same made to the Court which issued the committal order.

**4. Visits to foster-children**

The Probation Officer shall arrange for every foster-child to be visited within a month of his being boarded out and thereafter as often as may be necessary but at least once in every three months.

**5. Visits by special committees**

Where a number of foster-children are boarded out in the same locality the Probation Officer shall, if practicable, appoint a committee of not less than three persons, one at least of whom shall be a woman, who shall visit by one or more of their number each foster-child in accordance with the provisions of regulation 4, and may give such other directions and powers to the committee as may be expedient for the care and supervision of foster-children.

6. Number of foster-children restricted

Not more than two foster-children shall be boarded out in the same home at the same time unless they are members of one family whom it is desirable to keep together.

7. Interpretation

In these regulations, except where the context otherwise requires—

“foster-child” means a child or young person committed to the care of an individual under a committal order;

“foster-parent” means a person with whom a child or young person is boarded out under a committal order.

8. Short title

These regulations may be cited as the Children and Young Persons (Supervision of Individual) Regulations.

SCHEDULE

*Undertaking of Foster-Parent*

Probation Officer of the ..... District .....  
Name of child or young person .....  
Name of foster-parent .....  
I, ..... of.....  
do hereby engage with the Probation Officer in consideration of my receiving the sum of.....  
per month to bring up ..... aged ..... years  
on the..... day of.....,20 ..... last, as one of my own children, and  
to provide him (her) with proper food, lodging and clothing, and to endeavour to train him  
(her) in habits of honesty, obedience, personal cleanliness and industry; to take care that he  
(she) shall receive appropriate religious instruction and attend school; and in case of his (her)  
illness, forthwith to report the illness to the above-named Probation Officer; and at all times to  
permit him (her) to be examined and the home and the clothing to be inspected by a Probation  
Officer or by any person authorised for that purpose by the Probation Officer, and I do also  
hereby engage, upon the demand of the Probation Officer, to give up possession of the child.  
\*Any other matter which may be agreed upon may her be added.  
DATED this ..... day of ..... ,20 .....  
.....

Signature (in full) of Foster-Parent                      Witness to the signature of the Foster-Parent  
Address of Witness .....

N.B: Communications to the Probation Officer to be addressed.

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**CHILDREN AND YOUNG PERSONS  
(DISPOSAL OF CONTRIBUTIONS) REGULATIONS**

[Regulation 29 of 1946.]  
*made under section 32*

ARRANGEMENT OF REGULATIONS

REGULATION

1. Payment of contribution.
  2. Allocation of contribution.
  3. Interpretation.
  4. Short title and application.
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**CHILDREN AND YOUNG PERSONS  
(DISPOSAL OF CONTRIBUTIONS) REGULATIONS**

**1. Payment of contribution**

Where a court make an order under section 29 (1) of the Law ordering any person to make contributions in respect of any child or young person committed to an approved institution or to the care of an individual under a committal order such contributions shall be paid to the Registrar of the Court concerned.

**2. Allocation of contribution**

The Court may upon the application of a Probation Officer—

- (a) upon proof that the child or young person is being maintained in an approved institution authorise the payment of all such contribution to such institutions; or
- (b) upon the production of an undertaking signed by the individual with whom such child or young person has been boarded out, authorise the payment of all such contributions to such individual.

**3. Interpretation**

In these regulations, except where the context otherwise requires—

“the Law” means the Children and Young Persons Law.

**4. Short title and application**

These regulations may be cited as the Children and Young Persons (Disposal of Contributions) Regulations and shall apply to any area where approved institutions are established or declared in consequence of the application of the Children and Young Persons Law.

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**CHILDREN AND YOUNG PERSONS  
(RESTRICTION ON REMOVAL OF FEMALES) RULES**

[Rule 4 of 1964.]

*made under section 29*

ARRANGEMENT OF RULES

RULE

1. Restriction on movement of females.
2. Duty of report.
3. Definition.
4. Short title.

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**CHILDREN AND YOUNG PERSONS  
(RESTRICTION ON REMOVAL OF FEMALES) RULES**

**1. Restriction on movement of females**

No person other than—

- (a) the lawful parent of such female;
- (b) the mother of such female;
- (c) where both parents are dead, the member of the family who by local law or custom is the guardian of such female; or
- (d) the guardian or custodian of such female appointed by the Court,

shall remove any female from an area to which these rules apply unless such person has first obtained both the consent of those relatives or person referred to in paragraph (a), (b) or (c) as the case may be, and the written approval of the secretary to the local government, or a social welfare officer.

**2. Duty of report**

(1) Where any female is removed in accordance with the provisions of rule 3 then the persons being persons not within the scope of paragraph (a), (b), (c) and (d) of rule 3 so removing the said female shall on arrival within the area to which removal has taken place forthwith report to the secretary to the local government or social welfare officer for that area and shall on that occasion and on such other occasions as the secretary to the local government or social welfare officer may direct furnish particulars as may be required.

(2) The secretary to the local government may, in his discretion, direct that such report be made to the appropriate local government.

**3. Definition**

In these rules the expression “**female**” means any female who has not attained the age of seventeen years.

**4. Short title**

These rules may be cited as the Children and Young Persons (Restriction on Removal of Females) Rules and shall apply to any area in respect of which an Order has been made under the provisions of section 31 (2) of the Children and Young Persons Law.

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