

## RULES PUBLICATION ACT, 1893.

The following Rules have been signed and declared urgent by the Lord Chancellor :—

## YOUTHFUL OFFENDERS.

THE SUMMARY JURISDICTION (CHILDREN ACT) RULES, 1909, DATED 23RD MARCH, 1909.

I. The security which a Court of Summary Jurisdiction may, under section 99 (2) of the Children Act, 1908, require a parent or guardian to give for the good behaviour of a child or young person shall be given by way of recognizance; and the forms relating to recognizances prescribed by the Summary Jurisdiction Rules, 1886, or forms to like effect, shall be applicable thereto with such variations as circumstances may require. Security for good behaviour of child or young person.

II. When an order is made by a Court of Summary Jurisdiction for a contribution to the maintenance of a child under section 75 of the Children Act, 1908, the Clerk of the Court of Summary Jurisdiction shall within three days from the date of the order send by post to the Chief Inspector of Reformatory and Industrial Schools a copy of the order. Copy of order on parent to contribute to be sent to Chief Inspector.

III. An order made under section 75 of the Children Act, 1908, on a parent or other person liable to maintain a child or young person, may be served by any Constable or School Attendance Officer or Agent of the Chief Inspector of Reformatory and Industrial Schools by delivering a copy of such order to the person on whom it is made, or by leaving the same at such person's last known place of abode with some other person for him. Service on parent of order to contribute.

IV. The time within which an application may be made to the Court against an order made under section 75 of the Children Act, 1908, on a parent or other person liable to maintain a child or young person shall be one month after service of a copy of the order. Time within which application may be made against order to contribute.

V. Where a child or young person is arrested or charged with any offence, or where an application is made to a petty sessional court for an order to send him to a certified industrial school, a summons or warrant may be issued by a court of summary jurisdiction to enforce the attendance of a parent or guardian for the purposes mentioned in Section 98 (3) of the Children Act, 1908, in the same manner as if an information were laid or complaint made upon which a summons, or warrant, could be issued against a defendant under the Summary Jurisdiction Acts or the Indictable Offences Act, 1848; 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 purposes. Summons to enforce attendance of parent or guardian.

VI. The forms in Schedule A hereto, or forms to the like effect, may be used with such variations as circumstances may require for the purposes of the Children Act, 1908, and for the purposes of the Elementary Education Act, 1876. Forms.

Forms 3, 5, 6, 7, and 8 may be used, as circumstances require, in substitution for Forms 10, 11, 12, 14, and 15 in the Schedule to the Summary Jurisdiction Rules, 1886.

Where a young person is committed to prison on remand or commitment for trial (under section 97 of the Children Act, 1908) or upon conviction of an offence or in default of payment of a fine, damages, or costs (under section 102 of the Children Act, 1908), the Court shall certify, in using Forms 10, 11, 12, or 15 in the Schedule to the Summary Jurisdiction Rules, 1886, either that "the young person is of so unruly a character that he cannot be detained in a place of detention," or that "he is of so depraved a character that he is not a fit person to be detained in a place of detention."

VII. These Rules, which shall come into operation on the 1st April, 1909, may be cited as the Summary Jurisdiction (Children Act) Rules 1909; and the Summary Jurisdiction (Youthful Offenders) Rules, 1903, made on the 14th September, 1903, are hereby annulled, except for cases committed before 1st April, 1909. Title and repeals.

LOREBURN, C.

Dated the 23rd day of March, 1909,  
and certified to be urgent.

## SCHEDULE A.

## CHILDREN ACT, 1908.

1. *Summons to Child or Young Person, or to Parent or Guardian, or to both.*

In the [county of \_\_\_\_\_] Petty Sessional Division  
of \_\_\_\_\_].

To [A.B. and] C.D.

Information has been laid this day by \_\_\_\_\_ for that  
[you], A.B., being a child or young person under 16, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_,  
at \_\_\_\_\_ in the \_\_\_\_\_ aforesaid, did \_\_\_\_\_

[And information has further been laid by \_\_\_\_\_ for that  
you, C.D., are the parent [or guardian] of the said child or young person.]