



Title	Enforcement Rules of Children and Youth Welfare Law Ch
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Content	Enforcement Rules of Children and Youth Welfare Law

Article 1

The Bye-laws are established in accordance with article 74 of Children and Youth Welfare Law ("the Law").

Article 2

The professionals of children and youth welfare to be cultivated as defined in article 11 of the Law other than those educated and fostered in the departments or sections at universities/colleges level may be selected and trained by commissioning the institutes or entities relating to the subject.

Such regular pre-service and in-service training sessions by government as required in article 11 of the Law shall be conducted at least once a year.

Article 3

The penalty fine charged for any violation of paragraph 3, article 12 of the Law shall be used to improve the children and youth welfare affairs.

Article 4

The seven (7) days specified in paragraph 1, article 13 of the Law shall be dated from the following day of the day when the baby was born, while the communication day shall be the day of communication through Internet or postmarked on mail. In case of non-Internet or mail communication, the communication day shall be the day when the competent authority receives the birth information.

Article 5

The early treatment as mentioned in the Law means the provision of necessary treatment, education, counseling, transfer to appropriate institution, placement and other service and care according to individual need of the child with retarded development under age of six and his/her family through collaboration of professional teams in social welfare, health, and education.

If fail to improve after the early treatment, the authority concerned will assist them to apply for judgment on the level of mental or physical disability pursuant to Law for Protection of Mentally and Physically Disabled.

Article 6

The child with retarded development means the child who are allegedly or expected abnormal development in respect of cognitive

development, physiological development, language and communication development, psycho-social development or self-governing skills that have been judged and confirmed by the accredited medical institutes under health authority.

The child who has been judged to be retarded developed shall be assessed at least once a year.

Article 7

The competent municipality, provincial county (city) governments shall conduct the screening program on the mental and physical development of children, where appropriate, in order to find the children with retarded development at early stage. In case of any child with alleged retarded development found, a dossier regarding the child shall be established pursuant to article 22 of the Law. Whenever necessary, the services on transfer to appropriate institutes will be provided.

Article 8

The competent municipality, provincial county (city) governments shall place the children and youth in accordance with the following principles pursuant to article 19.1.8, article 36.1 or article 41.1:

1. The relative family suitable for fostering;
2. The registered and qualified fostering family;
3. To give shelter to the registered Placement and Educational Institutes for Children and Youth;
4. To give shelter to other Placement Institutes.

Article 9

In case of the conduct or behavior of children and youth mentioned in article 26.1.1 or article 26.1.3 of the Law is found, the police authorities, schools, or municipality, or provincial county (city) authorities concerned shall admonish and prevent them from behaving in such way, and shall notify the parents, guardian(s) or caretaker(s) of the child or youth concerned of such matter, where appropriate, to reinforce teaching.

Article 10

The responsible persons of the business areas defined in article 28.1 of the Law shall post the sign specifying "Prohibition of children and youth under age of eighteen (18) to enter" at a visible place. In case of any doubt about the age of any customer, he/she shall be requested to present his/her identity card. Anyone without carrying identity card or refusing to present his/her identity card shall be declined to enter such area.

Article 11

The inappropriate persons mentioned in article 32 of the Law represent the following conditions:

1. Incompetent person;
2. Children at age of seven (7) and under age of twelve (12);
3. Person carrying epidemic disease;
4. Person with severely physical or mental disability;
5. Other person who will affect the safety of children and youth to be cared.

Article 12

The seventy-two (72) hours specified in paragraph 2, article 37 of the Law shall be counted on the time when the emergency placement of the child and youth as specified in paragraph 1 of article 36 of the Law, excluding following conditions:

1. Escorting time;
2. Traffic hour;
3. Delay caused by force majeure.

Article 13

Pursuant to paragraph 2 of article 37 of the Law, the extension period that is approved by the court after an application is filed should be three (3) months maximum each time.

Article 14

The application for a visit mentioned in paragraph 3, article 39 of the Law shall be made in writing. The municipality and provincial county (city) authorities concerned shall record the process of such meet.

Article 15

The social workers mentioned in paragraph 2, article 40 of the Law include:

1. The social worker and social administrative staff incorporated or recruited and hired by the competent authorities of the municipality, provincial county (city) governments;
2. The social workers at the social welfare entities and institutes commissioned by the competent authorities of the municipality, provincial county (city) governments;
3. The social workers at medical institutions;
4. The social workers in practice.

Article 16

The family in sound calamity mentioned in paragraph 1 of article 41 of the Law that cause to break the normal family life should be judged by the competent authority in the area of his/her residence and domicile. Where necessary, the authorities concerned may be requested to judge such situation.

Article 17

The competent authorities of the municipality and provincial county (city) governments shall undertake case study, counseling and provide family services to the child, youth placed in accordance with the Law and his/her family.

When dealing with the case of child and youth pursuant to the Law, the local competent authority shall notify the authority concerned in the area of his/her residence and domicile of providing relevant information on the case. In the event that the child and youth require to be assisted, guided or protected, where appropriate, the case shall be transferred to the authority concerned in the area of residence and domicile of the child and youth.

Article 18

In case of any disaccord between the relative family, fostering family or institutes and the child and youth placed, the competent authorities of municipality, and provincial county (city) governments shall coordinate and deal in such condition. The child and youth shall be placed to other family if he/she fails to adapt into the life of such family.

Article 19

The dossier of the child and youth mentioned in paragraph 1 of article 44 of the Law shall note the followings:

1. Profile of the child and youth, and his/her family;
2. Description of the case issue;
3. Case analysis and assessment;
4. Assessment on the treatment of such case;
5. Survey and follow-up reports on the case.

Article 20

The information that is required to identify the identity mentioned in paragraphs 1 and 3 of article 46 of the Law, shall include basic information of the child and youth, such as his/her photograph or image, voice, address, name of next kin or relationship, class and school where he/she studies.

Article 21

The purpose of business of the children and youth welfare institutes shall be under guidance and supervision of the competent authorities.

Article 22

The competent authorities shall request the children and youth welfare institutes to be punished to submit the improvement program when notifying such institutes to make improvement within specific period according to paragraph 3 of article 66 of the Law. The authorities concerned in cooperation with the competent authorities shall assess and measure such improvements.

Article 23

The authorities concerned shall conduct survey, statistics and analysis on the needs of children and youth, children and youth welfare institutes and their provision of services.

Article 24

These Bye-laws shall be effective from the date of issue.