



BERMUDA

1959 : No.

**THE JUNIOR TRAINING SCHOOLS
ACT, 1959.**

[19]

WHEREAS it is deemed expedient to make special provision for the management and control of the junior training schools in these Islands:

Be it, therefore, enacted by the Governor, Legislative Council and Assembly of the Bermudas or Somers Islands as follows:

1. In this Act, unless the context otherwise requires:

Interpretation.

“Governing Body” means the body of persons appointed under section 4 of this Act to have the control and management of the junior training schools of these Islands;

“junior training school” has the meaning assigned to it in section 52 of the Young Offenders Act, 1950;

“officer” includes any teacher or other person for the time being employed in a junior training school for purposes connected with its administration.

2. (1) As from the date of the coming into operation of this Act, the control and management of the junior training schools in these Islands shall be vested in a Governing Body appointed by the Governor-in-Council as hereinafter provided. **Transfer of management to Governing Body.**

(2) Subject to the appropriation by the Legislature of the requisite funds, the cost of management and administration of the junior training schools shall be a charge on the Public Treasury.

(3) Nothing in this section shall be construed so as to abridge or derogate from the powers and functions conferred or imposed upon the Board of Education under the provisions of the Education Act, 1954.

**Appointment
of Medical
Officers and
Chaplains.**

3. The Governor may from time to time appoint such number of Medical Officers and Chaplains for duties in connection with the administration of the junior training schools as may appear to him necessary.

**Appointment
of Governing
Body.**

4. (1) The members of the Governing Body shall be appointed by the Governor-in-Council and shall consist of not less than three and not more than five members.

(2) Each member of the Governing Body shall be appointed to hold office for such period as the Governor-in-Council thinks fit, but within such period shall hold office at the Governor's pleasure.

(3) If at any time a member of the Governing Body is by reason of ill-health, absence from these Islands or other sufficient cause unable to perform his or her duties as such, the Governor may appoint another person to act as member of the Governing Body during the incapacity of the substantive member; and any person so appointed shall while so acting be deemed for the purposes of this or any other Act to be a member of the Governing Body.

(4) There shall be a Chairman and a Deputy Chairman of the Governing Body each of whom shall be appointed by the Governor to hold office (as such) for such period as the Governor thinks fit but who within such period shall hold office during the Governor's pleasure.

**Quorum,
procedure
etc. of the
Governing
Body.**

5. (1) Except as otherwise provided in any Act, at any meeting of the Governing Body a moiety or a majority of the members of the Governing Body in these Islands on the date of such meeting shall form a quorum thereat.

(2) If at any meeting of the Governing Body the Chairman is absent, the Deputy Chairman shall preside over that meeting, and if both the Chairman and Deputy Chairman are absent the members of the Governing Body present shall elect one of their number to act as chairman at the meeting.

(3) Every question or matter to be determined by the Governing Body shall be decided by a majority of the votes of the members of the Governing Body present and voting on the question or matter:

Provided that in the event of an equal division of votes the chairman of the meeting may, if he thinks fit, give a second or casting vote.

(4) Subject to the foregoing provisions of this section, the Governing Body shall have power to regulate their own procedure.

6. Each member of the Governing Body shall be entitled to receive the sum of twenty-four shillings in respect of each meeting of the Governing Body at which he duly attends, payable quarterly out of the Public Treasury upon the certificate of the Chairman of the Governing Body.

Remuneration of members of Governing Body.

7. (1) The Governing Body shall have the general management and control of the junior training schools of these Islands, and shall have the powers and discharge the duties conferred or imposed upon them by or under the provisions of this or any other Act.

Functions of the Governing Body.

(2) Without prejudice to anything in the succeeding provisions of this Act, junior training school rules shall prescribe the functions of the Governing Body, and shall among other things require members of the Governing Body to pay visits to each junior training school and to hear and deal with complaints which may be made by persons detained therein; and such rules shall also require the Governing Body to report to the Governor-in-Council any matter which they think it expedient to report; and any member of the Governing Body may at any time enter any junior training school and shall have free access to every part thereof and to every person detained therein.

(3) Junior training school rules shall require the Governing Body to consider periodically the character, conduct and prospects of each person detained in a junior training school who is undergoing corrective training and to report to the Governor-in-Council on the advisability of his release under supervision, or as the case may be, on licence.

8. Subject to the powers conferred on the Governor-in-Council under the provisions of section 3 of this Act and subject to the appropriation by the Legislature of the requisite funds, the Governing Body may appoint such number of Headmasters, Headmistresses, teachers and other officers as may appear to them necessary.

Appointment of Headmasters and other officers.

9. All the property of and contained in the junior training schools (other than the personal property belonging to individual persons therein) shall be vested in the Governing Body who shall have the general control and management thereof for and on behalf of the Government of these Islands.

Property in junior training schools.

10. Nothing contained in this Act shall be construed so as to derogate from the powers conferred on the Governor-in-Council under section 57 of the Young Offenders Act, 1950, to make rules in respect of junior training schools.

Rules.

11. The Young Offenders Act, 1950, and the Civil Service Act, 1952, shall be amended respectively in accordance with the amendments specified in the First and Second Schedules hereto.

Amendments to No. 76 of 1950 and No. 22 of 1952.

Commence-
ment.

12. This Act shall come into operation on such day as the Governor-in-Council may by notice in the Gazette appoint.

FIRST SCHEDULE

Amendments to the Young Offenders Act, 1950

1. In subsection (1) and subsection (2) of section 30, there shall be substituted the words "nine years" for the words "ten years" wherever those words occur.

2. In paragraph (a) of subsection (1) of section 52, there shall be substituted the words "not under nine" for the words "not under ten".

3. Section 53 shall be repealed.

4. In subsection (1) of section 58, for the words "as respects training schools and persons detained in training schools" there shall be substituted the words "as respects the senior training school and persons detained therein".

5. Subsection (2) of section 58 shall be deleted and the following subsection substituted therefor —

"(2) Without prejudice to anything in the succeeding provisions of this Act, senior training school rules shall prescribe the functions of the Commissioners, and shall among other things require commissioners to pay visits to the senior training school and to hear and deal with complaints which may be made by persons detained therein; and such rules shall also require the Commissioners to report to the Governor-in-Council and also to the Warden of Prisons any matter which they think it expedient to report; and any commissioner may at any time enter the senior training school and shall have free access to every part thereof and to every person detained therein."

6. Subsection (3) of section 58 shall be deleted and the following subsection substituted therefor —

"(3) Senior training school rules shall require the Commissioners to consider periodically the character, conduct and prospects of each person detained in the senior training school who is undergoing corrective training, and to report to the Governor-in-Council and also to the Warden of Prisons on the advisability of his release under supervision, or, as the case may be, on licence."

7. In subsection (3) of section 59, the words "the Governing Body of the junior training schools" shall be substituted for the words "the Commissioners" wherever those words occur.

8. After subsection (3) of section 59, the following subsection shall be added —

“(4) In this section and in sections 60, 61, 62 and 65 of this Act, the expression “Governing Body of the junior training schools” means the body of persons appointed under the Junior Training Schools Act, 1959, to have the management and control of the junior training schools of these Islands.”.

9. In subsections (1) and (2) of section 60, in subsection (1) of section 61 and in section 62, the words “the Governing Body of the junior training schools” shall be substituted for the words “the Commissioners” wherever those words occur.

10. In subsection (1) of section 65, paragraphs (a) and (b) shall be deleted and the following paragraphs substituted therefor —

“(a) in the case of a person detained in a junior training school, by the Headmaster or Headmistress of that school or by the Governing Body of the junior training schools; or

(b) in the case of a person detained in the senior training school, by the Commissioners or by the Warden of prisons.”.

SECOND SCHEDULE

Amendment to the Civil Service Act, 1952

1. In the First Schedule under the general heading “Education”, the sub-heading “Nonsuch Training School” and all items thereunder shall be deleted.

Passed the Assembly this first day of July, 1959.

By order of the House

SPEAKER.

CONCURRED IN by the Legislative Council this

day of

1959.

PRESIDENT LEGISLATIVE COUNCIL.

ASSENTED TO this

day of

1959.

GOVERNOR.