

THE CHILDREN (ADOPTION OF) ACT

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SCHEDULES

THE CHILDREN (ADOPTION OF) ACT

[2nd January, 1958.]

Laws

75 of 1956.

Acts

2 of 1964,

42 of 1969

3rd Sch.

37 of 1974,

41 of 1975

2nd Sch.,

36 of 1976

Sch.

1 of 1979,

1st Sch.

15 of 1982,

7 of 2011

3rd Sch.

Short title.

1. This Act may be cited as the Children (Adoption of) Act.

Interpreta-
tion.

2.—(1) In this Act—

“adopter” means a person who is proposing to adopt, or who has adopted a child in pursuance of an adoption order;

“adoption order” means an order made under section 9;

“child” means a person under the age of eighteen years who has never been married;

1/1979

1st Sch.

“Court” means any court having jurisdiction to make adoption orders under this Act (and, accordingly, shall be construed in a manner consistent with paragraph (a) of subsection (2));

41/1975

2nd Sch.

“guardian” in relation to a child means a person appointed by deed or will or by a court of competent jurisdiction, to be his guardian;

“relative” in relation to any child, means a grandparent, brother, sister, uncle, aunt, whether of the full blood, of the half blood or by affinity, and includes, where an adoption is made in respect of the child or any other person, any person who would be a relative of the child within the meaning of this definition if the adopted person were the child of the adopter born in wedlock.

36/1976

Sch.

L.Nn.
149/78.
64/80.

(2) In this Act any reference—

(a) to a Resident Magistrate's Court, in so far as such reference may, apart from this subsection, relate to a Resident Magistrate's Court—

(i) for a Corporate Area parish, shall (as respects any time on or after the 13th day of November, 1978) be construed as a reference to the Family Court—Corporate Area Region; and

(ii) for a parish within the geographical jurisdiction of a Family Court established pursuant to Part II of the Judicature (Family Court) Act, shall (as respects any time on or after the date on which such Court is established) be construed as a reference to that Family Court;

(b) to a Resident Magistrate, in so far as it may, apart from this subsection, relate to a Resident Magistrate—

(i) for a Corporate Area parish, shall (as respects any time on or after the 13th day of November, 1978) be construed as a reference to a Judge of the Family Court—Corporate Area Region; and

(ii) for a parish within the geographical jurisdiction of a Family Court established pursuant to Part II of the Judicature (Family Court) Act, shall (as respects any time on or after the date on which such Court is established) be construed as a reference to a Judge of that Family Court.

(3) In subsection (2), "Corporate Area parish" means the parish of Kingston or the parish of Saint Andrew.

3.—(1) For the purposes of this Act a Board to be called the Adoption Board (in this Act hereinafter referred to as the Board) shall be established which shall consist of a chairman and not more than nine other members to be appointed by the Minister.

Establishment of Adoption Board.

(2) A member of the Board shall hold office for such period not exceeding two years, as may be specified in the instrument appointing him, so, however, that the Minister may revoke his appointment before the expiration of such period, if he considers it expedient so to do.

37/1974
S. 2 (a).

(3) At any meeting of the Board from which the chairman is absent the members present shall appoint one of their number to officiate as chairman of that meeting.

(4) The quorum of the Board shall be five.

(5) The Minister may appoint any person to act in the place of any member of the Board in case of the absence or inability to act of such member.

(6) The Board shall have power to regulate their own procedure.

(7) (a) The Board may appoint and employ at such remuneration and on such terms and conditions as it thinks fit, such officers, agents and servants as it thinks necessary for the proper carrying out of its functions under this Act:

37/1974
S. 2 (b).

Provided that no appointment to any post to which an annual salary in excess of four thousand dollars is assigned, shall be made without the prior approval of the Minister.

(b) The expenses of the Board (including the remuneration of the staff thereof) shall be defrayed out of sums provided for the purpose in the annual estimates of revenue and expenditure of the Island as approved by the House of Representatives.

Expenses of Board.

(8) The Board may appear and be represented at any stage of the proceedings in a Court by one of their officers or by any person generally or specially authorized by the Board.