
CHAPTER 130**STATUS OF CHILDREN****LIST OF AUTHORISED PAGES**

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CHAPTER 130**STATUS OF CHILDREN**

An Act to reform the law relating to children by providing for their equal status. *6 of 2002
S.I. 36/2005*

*[Assent 31st January, 2002]
[Commencement 1st February, 2002]*

**PART I
PRELIMINARY**

1. This Act may be cited as the Status of Children Act. Short title.
2. In this Act — Interpretation.
- “blood tests” means blood tests carried out and includes any test made with the object of ascertaining the inheritable characteristics of blood;
- “court” means the Supreme Court;
- “parent” in relation to a father or mother, as the circumstances require, includes an adoptive father or mother.

**PART II
EQUAL STATUS OF CHILDREN**

3. (1) Subject to the provisions of sections 6 and 16, for all the purposes of the law of The Bahamas the relationship between every person and his father and mother shall be determined irrespective of whether the father and mother are or have been married to each other, and all other relationships shall be determined accordingly. All children of equal status.
- (2) The rule of construction whereby in any instrument words of relationship signify only legitimate relationship in the absence of a contrary expression of intention is hereby abolished.

(3) Nothing in the section shall affect or limit in any way any rule of law relating to —

- (a) the domicile of any person;
- (b) the citizenship of any persons;
- (c) the provisions of the Adoption of Children Act which determine the relationship to any other person of a person who has been adopted;
- (d) the construction of the word “heir” or of any expression which is used to create an entailed interest in real or personal property.

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Kindred
relationships.

4. The parent and child relationship as determined in accordance with section 3 shall for all purposes be followed in the determination of other kindred relationships flowing therefrom.

Rule of
construction.

5. Unless a contrary intention appears, any reference in an enactment or instrument to a person or class of persons described in terms of relationships by blood or marriage to another person shall be construed to refer to or include a person who comes within the description by reason of the relationship of parent and child as determined in accordance with sections 3 and 4.

Application.

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6. Subject to subsection (3) of section 3, this Act shall apply in respect of every person, whether born before or after the commencement of this Act, and whether born in The Bahamas or not, and whether or not his father or mother has ever been domiciled in The Bahamas.

PART III

ESTABLISHMENT OF PATERNITY

Presumptions of
paternity.

7. (1) Unless the contrary is proven on a balance of probabilities, there is a presumption that a male person is, and shall be recognised in law to be, the father of a child in any one of the following circumstances —

- (a) the person was married to the mother of the child at the time of its birth;
- (b) the person was married to the mother of the child and that marriage was terminated by death or judgment of nullity within 280 days before the birth of the child, or by divorce where the decree *nisi* was granted within 280 days before the birth of the child;