

Adoption of Children (Amendment) Bill

Table of Contents

Bill No: 24/1971

Read the first time: 2nd December 1971

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of section 3

3 Amendment of section 6

4 Amendment of section 9

5 Repeal and re-enactment of section 11

6 Amendment of section 12

7 Repeal and re-enactment of Schedule

Explanatory Statement

Expenditure of Public Money

Adoption of Children (Amendment) Bill

Bill No. 24/1971

Read the first time on 2nd December 1971.

An Act to amend the Adoption of Children Act (Chapter 43 of the 1970 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows: —

Short title and commencement

1. This Act may be cited as the Adoption of Children (Amendment) Act, 1971, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 3

2. Section 3 of the Adoption of Children Act (hereinafter in this Act referred to as “the principal Act”) is hereby amended —

- (a) by deleting the colon appearing at the end of paragraph (b) of subsection (1) thereof and substituting therefor a full-stop;
- (b) by deleting the provisoes to subsection (1) thereof;
- (c) by inserting immediately after subsection (1) thereof the following new subsection: —

“(2) Notwithstanding the provisions of subsection (1) of this section, it shall be lawful for the court, if it thinks fit, to make an adoption order —

- (a) where the applicant is under the age of twenty-five years and less than twenty-one years older than the infant if —
 - (i) the applicant and the infant are within the prohibited degrees of consanguinity; or
 - (ii) in other special circumstances which justify as an exceptional measure the making of an adoption order where the applicant and the infant are not within the prohibited degrees of consanguinity;
- (b) in the case of an application by two spouses jointly where one of the spouses and the infant are within the prohibited degrees of consanguinity, notwithstanding that the other spouse is under the age of twenty-five years and less than twenty-one

- years older than the infant; and
- (c) in the case of an application by two spouses jointly where neither spouse is within the prohibited degrees of consanguinity with the infant, notwithstanding that one or both the spouses are less than twenty-one years older than the infant,”;
- (d) by deleting the proviso to subsection (3) thereof and substituting therefor the following: —

“Provided that the court may dispense with any consent required by this subsection if the court is satisfied that the person whose consent is to be dispensed with —

- (a) has abandoned, neglected, persistently ill-treated the infant or cannot be found and that reasonable notice of the application for an adoption order has been given to the parent or guardian where the parent or guardian can be found;
 - (b) is unfit by reason of any physical or mental incapacity to have the care and control of the infant; that the unfitness is likely to continue indefinitely; and that reasonable action of the application for an adoption order has been given to the parent or guardian; or
 - (c) ought, in the opinion of the court and in all the circumstances of the case to be dispensed with, notwithstanding that such person may have made suitable initial arrangements for the infant by placing the infant under the care of the authorities of a children’s home, the Protector of children, or some other person.”; and
- (e) by renumbering the existing subsections (2), (3), (4) and (5) thereof as subsections (3), (4), (5) and (6) respectively.

Amendment of section 6

3. Section 6 of the principal Act is hereby amended by inserting immediately after subsection (8) thereof the following new subsection: —

“(9) An adoption order shall not by itself affect the citizenship of the adopted child.”.

Amendment of section 9

4. Section 9 of the principal Act is hereby amended by inserting immediately after the words “High Court” appearing in the second line of subsection (1) thereof the words “including the Registrar thereof”.

Repeal and re-enactment of section 11

5. Section 11 of the principal Act is hereby repealed and the following substituted therefor: —

“Registra-tration of adopted children

11.—(1) Where an adoption order has been made, the Registrar of the court by which the adoption order was made shall forthwith send to the Registrar-General of Births and Deaths notice in the form set out in the Schedule hereto, setting out the following particulars so far as they are known to the court: —

- (a) the full name of the child before the making of the adoption order;
- (b) the full name of the child conferred by the adoption order;
- (c) the date and place of birth of the child;
- (d) the birth certificate registration number or entry number of the last preceding adoption or re-registration number;
- (e) the sex of the child;
- (f) the names of the natural or last preceding adopting parents of the child;
- (g) the name or names and the occupation and address of the adopting parent or adopting parents;
- (h) the date and country of birth, race and dialect group, nationality and citizenship, and Singapore identity card number of the adopting parent or adopting parents;
- (i) the maiden name of the adopting mother if she is or has been married;
- (j) the date of the adoption order and a description of the court by which it was made;
- (k) such other particulars as may be required by the Registrar-General.

(2) (a) Where the precise date of the infant’s birth is not proved to the satisfaction of the court, the court shall determine the probable date of his birth and the date so determined shall be specified in the order as the date of his birth.