

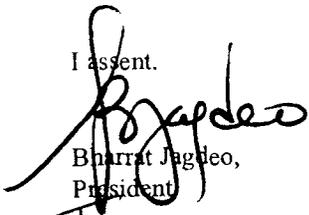


GUYANA

ACT NO. 10 OF 2011

ADOPTION OF CHILDREN (AMENDMENT) ACT 2011

I assent.


Bharrat Jagdeo,
President

July 19, 2011

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Amendment of section 3 of the Principal Act.
3. Amendment of section 4 of the Principal Act.

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4. Amendment of section 7 of the Principal Act.
5. Amendment of section 8 of the Principal Act.
6. Amendment of section 10 of the Principal Act.
7. Amendment of section 11 of the Principal Act.
8. Amendment of section 20 of the Principal Act.
9. Amendment of section 26 of the Principal Act.
10. Amendment of section 33 of the Principal Act.
11. Amendment of section 38 of the Principal Act.
12. Amendment of section 47 of the Principal Act.

AN ACT to amend the Adoption of Children Act 2009.

A.D. 2011

Enacted by the Parliament of Guyana:-

- | | |
|---|--|
| Short title.
No. 18 of 2009 | 1. This Act, which amends the Adoption of Children Act 2009, may be cited as the Adoption of Children (Amendment) Act 2011. |
| Amendment of section 3 of the Principal Act. | 2. Section 3 (8) of the Principal Act is amended by substituting for the word “rules” the word “regulations” and for the word “Rules” the word “Regulations”. |
| Amendment of section 4 of the Principal Act. | 3. Section 4 of the Principal Act is amended by substituting for the word “rules” the word “regulations”. |
| Amendment of section 7 of the Principal Act. | 4. Section 7 (3) of the Principal Act is amended by inserting before the word “other” the word “take” and by substituting for the words “Adoption of Children Rules under the repealed Adoption of Children Act” the words “prescribed regulations” . |
| Amendment of section 8 of the Principal Act. | 5. Section 8 (3) of the Principal Act is amended by inserting after the word “workers” the words “whose names shall on appointment be gazetted and”. |
| Amendment of section 10 of the Principal Act. | 6. Section 10 (2) of the Principal Act is amended by substituting therefor the following subsection –

“(2) If at any time during the period mentioned in subsection (1) –

(a) the adopter gives notice in writing to the Agency of the adopter’s intention not to adopt the child; or

(b) the Board has reason to withdraw its recommendation made under section 8 (1) for any reason provided in section 8(2), the following steps shall be taken –

(i) the Board shall indicate that recommendation to the Agency;
(ii) the Agency shall make a decision as to the care and custody of the child; |

- (iii) in making its decision, the Agency shall abide by the recommendation of the Board unless there are reasonable grounds not to do so;
- (iv) where the decision taken is to abide by the recommendation, the Agency shall give notice in writing to the adopter of that decision; and
- (v) where notice is so given, the adopter shall, within seven or less days of the date on which the notice was given as determined by the Agency, cause the child to be returned to the Agency.”.

Amendment of section 11 of the Principal Act.

7. Section 11(1) of the Principal Act is amended by substituting for the word “Board” the word “Agency”.

Amendment of section 20 of the Principal Act.

8. Section 20 (1) of the Principal Act is amended as follows –

- (a) by substituting for the opening part of paragraph (a) the following as the opening part -

“(a) in the case of a parent or guardian of a child or the man, who is or has been married to the mother of the child if the child was born during the marriage or within three hundred days after the termination of the marriage or a decree of judicial separation, that the parent, guardian or man -”;

- (b) by substituting in paragraph (b) for the words “contribute to the maintenance of ” the word “maintain”.

Amendment of section 26 of the Principal Act.

9. Section 26(2) of the Principal Act is amended by substituting for the word “Board” the word “Agency”.

Amendment of section 33 of the Principal Act.

10. Section 33 (3) of the Principal Act is amended by inserting immediately after the words “section 20 (1) and (2)” the words “of the Deceased Persons Estates’ Administration Act”.

Amendment of
section 38 of
the Principal
Act.

11. Section 38 (4) of the Principal Act is amended by inserting immediately after the word “shall” the word “not”.

Amendment of
section 47 of
the Principal
Act.

12. Section 47 (2) of the Principal Act is amended by substituting for the word “Board” the word “Agency” in paragraphs (d) and (e).

Passed by the National Assembly on 2nd June, 2011.

S.E. Isaacs,
Clerk of the National Assembly.

(BILL No. 8/2011)