

CAYMAN ISLANDS

THE ADOPTION OF CHILDREN LAW, 1967

FIRST SCHEDULE

Adoption of Children Regulations, 1967. Section 8 (3)

1. These Regulations may be cited as the Adoption of Children Regulations, 1967.

2. In these Regulations -

“Board” means the Adoption Board constituted under section 3 of the Law;

“case committee” means the committee referred to in section 8 of the Law;

“the Law” means the Adoption of Children Law, 1967.

3. Every person desirous of adopting a child shall first make application to the Board according to Form A in the First Appendix hereto and submit with such application the certificate of a registered medical practitioner according to Form D in the said Appendix as to the physical and mental health of such person:

Provided that where the adopter is the natural father or mother of the child he or she shall not be required to submit a certificate as aforesaid unless requested by the Board so to do.

4. The Board shall furnish the parent or guardian of the child with a memorandum according to Form C in the First Appendix hereto and shall not proceed further with any negotiations or arrangements for the adoption of the child unless the parent or guardian has signed and delivered to the Board a certificate (which the Board shall retain) according to Form D in the said Appendix to the effect that he has read and understood the memorandum and agrees to the terms of the last paragraph thereof.

5. The Board shall make enquiries and obtain reports on the matters set out in the Second Appendix hereto and generally on all matters appertaining to the welfare

of the child, and the report on the health of the child shall be signed by a registered medical practitioner. The case shall be considered by a case committee appointed by the Board for the purpose and consisting of not less than three members of the Board.

6. No child shall be delivered by the Board into the care and possession of an adopter until -

(a) the adopter has been interviewed, and any premises in the Islands in which the adopter intends that the child should reside permanently have been inspected by the case committee or by some person on their behalf;

(b) the case committee have considered the reports required by regulation 5 of these Regulations.

7. At least once during every month of the probationary period of three months or six months, as the case may be, prescribed by section 6 or section 10 of the Law, or, where an interim order has been made under section 12 of the Law, of the period of such order, a representative of the Board shall visit the child and also visit or otherwise make contact with the parents or guardian of the child and shall report upon the case and the result of such visits and contact to the case committee. If the case committee so recommend, the Board shall immediately remove the child from the care and possession of the adopter.

FIRST APPENDIX

FORM A

APPLICATION TO BOARD

I (or We) the undersigned desire to make application to the Adoption Board in respect of a

*Male

or child, approximately aged

Female

or the child named
now residing at

I (or We) hereby undertake that the particulars given below are true to the best of my (our) knowledge and belief.

1. Name (s)
2. Address (es)
3. Country of domicile
4. Date(s) of birth
5. Religion
6. Names and addresses of two responsible persons able to vouch the character of the adopter (s)

* Delete words which do not apply.

N.B. - Where the application is made by one or two spouses, their marriage certificate must be affixed to this form.

FORM B

Medical Examination of the Applicants

(Where a joint application is made, an examination of each applicant is required).

Matters on which information should be obtained:

Name..... Age..... Occupation.....

Address.....

A. Whether the applicant has suffered at any time from:-

- (1) Any nervous or mental disorder
- (2) Fits of any kind
- (3) Tuberculosis

B. Whether he/she is now in good health

C. Whether there is any relevant family history of mental or physical disease

D. Whether there is any detectable abnormality in the
(1) Cardio-vascular system (including blood pressure)

(2) Respiratory system (including chest X-ray if thought desirable)

(3) Genito-urinary system (including urine tests for sugar and albumen.)

(4) Alimentary system

(5) Central nervous system

(6) Skin

(7) Eyes

(8) Ears and hearing

If so, give particulars

E. General opinion of examining doctor in regard to the applicant's

(1) Physique

(2) Mental and emotional stability

(3) Psychological suitability to adopt a child

F. Whether there is any reason to expect that the applicant's health may deteriorate before the child has reached the age of independence.

Signature Date of Examination....

.....

Qualifications

FORM C

Memorandum to be furnished by Board to Parent or Guardian proposing to place child at disposition of Board

Adoption of Children Law, 1967.

If an adoption order is made in respect of your child,

all your rights and duties with regard to the child will be transferred permanently to the adopter. If you have taken out an insurance policy against funeral expenses for the child, the insurers will be able to advise you whether the policy can be transferred to the adopters, as is often the case.

It is for the adopters to apply for an adoption order, but unless there is some special reason to the contrary, the court which deals with the application will not make an order without your consent. The main grounds on which an adoption order can be made without the consent of a child's parents or guardians are that they have deserted the child or cannot be found or are out of their proper senses or otherwise incapable of giving consent. You may have to appear before the court in private to tell them whether you agree to the adoption.

FORM D

Certificate of Receipt of Memorandum to be furnished to Board by Parent or Guardian proposing to place Child at disposition of Board

To: The Adoption Board.

I hereby certify that I received from the Adoption Board a memorandum, Form C, headed "Adoption of Children Law, 1967", from which I have detached this form of acknowledgment: that I have read the memorandum and understand it and agree to the terms thereof.

Signature:

Address:

Before

Justice of the Peace

Date

SECOND APPENDIX

Part I - Particulars relating to the child

1. Name
2. Address
3. (a) Date of birth
- (b) Weight at birth (State if premature)
- (c) Present weight
- (d) Was the mother's confinement normal or instrumental?
4. Is the child a British subject?
5. If baptised, state place of baptism, and denomination.
6. Full name, address and age of child's parents.
 If dead, state date of death.
7. Parents' religion (s).
8. Has either parent any other children? If so, state age and sex of each.
9. Is there any history of insanity, tuberculosis, or other disease in the family of either parent?
10. Why is the child offered for adoption?
11. Has the child any right or interest in property? If so, give full particulars.
12. Has any insurance been effected on the life of the child?
13. If the mother is alive -
 - (a) is she married? If so, to whom?
 - (b) does she consent to the adoption?
14. If the father is alive -
 - (a) is he married? If so, to whom?
 - (b) if not, is he otherwise liable to contribute to the child's maintenance? If so, give particulars.
(If the parents are separated, state whether there is a separation order in force.)
 - (c) does he consent to the adoption?
15. If the child has guardians, state:
 - (a) their names and addresses;
 - (b) how and by whom they were appointed;
 - (c) whether they consent to adoption.

16. (a) Are any other persons liable to contribute to the support of the child?
(b) If so, do they agree to adoption?
17. If the answer to question 13 (b), 14 (c), 15 (c), or 16 (b) is in the negative the reason should be stated.
18. Was the child:-
 - (a) entirely breast fed?
 - (b) partially breast fed; or
 - (c) entirely bottle fed?
19. (a) when did the child begin to walk?
(b) when did the child begin to talk?

Part II Medical Certificate

(The medical report must be signed by a registered medical practitioner)

1. State of nutrition of the child (good, fair, poor).
2. Are there any evidences of syphilis or other venereal diseases? State laboratory tests applied and their results.
3. Is there any evidence of tuberculosis?
4. Has the child had fits? If so, state nature.
5. Is there, or has there been any affection of the skin?
6. Is there, or has there been any affection of the eyes?
Is the sight normal?
7. Has the child had any discharge from the ears, or any serious ear trouble, and can it hear well?
8. Are the nose and throat in healthy condition?
9. Is there any evidence of disease of heart or lungs?
10. Has the child normal control of bowels and bladder for its age?
11. Is the child now suffering from any infectious or contagious disease?
12. Has the child had malaria, typhoid fever, measles, chicken-pox, whooping cough, diphtheria, or mumps?
13. Has the child been vaccinated?

14. Is the child's mental and physical development normal for its age?
15. Has the child any physical deformities?
16. Are behaviour, speech and articulation normal for its age?
17. If the child has been neglected, or improperly fed, do you consider its constitution such that good nursing and proper care, would make it suitable for adoption?
18. Give particulars of any condition, not mentioned above, about which you consider an adopter should be informed.

Govt. Notice No. 153 of 1967

Date of Operation: 2nd January, 1968