

CAYMAN ISLANDS

LAW 42 of 1967

I assent,

(L.S.)

J.A. CUMBER  
*Administrator*

30th December, 1967

A Law to make provision for the Adoption of Children

( )

ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Adoption of Children Law, 1967, and shall come into operation on a day to be appointed by the Administrator by Government Notice published in the Cayman Islands.

Short title  
and commence-  
ment.

2. In this Law -

Interpretation.

“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 of this Law;

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

“Court” means the Grand Court;

“father” in relation to an illegitimate child means the natural father;

“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;

“Judge” means the Judge of the Grand Court;

“relative” in relation to a child, means a grandparent, brother, sister, aunt or uncle, whether of the full blood or half blood or by affinity, and includes -

(a) where an adoption order has been 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 lawful wedlock;

(b) where the child is illegitimate the father of the child and any person who would be a relative of the child within the meaning of this definition if the child were the legitimate child of his father and mother.

Establishment of Adoption Board.

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

(2) The term of appointment of each member shall be for a period of two years unless his appointment is revoked by the Administrator in Council before the expiration of such period.

(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 three.

(5) The Administrator may appointment 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 with the approval of the Administrator appoint and employ at such remuneration and on such terms and conditions as they think fit such officers, agents and servants as they deem necessary for the proper carrying out of the provisions of this Law.

(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 Islands as approved by the Legislative Assembly.

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 authorised by the Board.

4. (1) Subject to the provisions of section 5 of this Law if any person takes part in arranging an adoption for gain or reward or in the management or control of a body of persons other than the Board which exists wholly or in part for the purpose of making arrangements for the adoption of children, he shall, on summary conviction be liable to imprisonment for a term not exceeding six months, or to a fine not exceeding two hundred pounds, or to both such imprisonment and such fine.

Restriction on making arrangements for the adoption of children.

(2) For the purposes of this Law, a person shall be deemed to make arrangements for the adoption of a child if he, not being the parent or guardian of the child, enters into or makes any agreement or arrangement for, or for facilitating, the adoption of the child by any other person, whether the adoption is effected or is intended to be effected, in pursuance of an adoption order or otherwise, or if he initiates or takes part in any negotiations of which the purpose or effect is the conclusion of any agreement or the making of any arrangement therefor, or if he causes another so to do.

5. It shall be the duty of the Board -

(a) to make arrangements for the adoption of children and for that purpose to receive applications from parents, guardians and adopters;

Duties of Board.

(b) to do such things and make such investigations con-