

BRITISH GUIANA

REGULATIONS

Made Under

THE ADOPTION OF CHILDREN ORDINANCE, 1955,
(No. 12 of 1955).

UNDER SECTION 32 OF THE ADOPTION OF CHILDREN ORDINANCE, 1955, THE FOLLOWING REGULATIONS HAVE BEEN MADE BY THE GOVERNOR IN COUNCIL: —

1. These Regulations may be cited as the Adoption of Children Regulations, 1957.

2. In these Regulations —

“case committee” means the committee referred to in section 32(1) (b) of the Ordinance;

“medical practitioner” means a person registered to practise medicine and surgery under the Colonial Medical Service (Consolidation) Ordinance;

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

“the Ordinance” means the Adoption of Children Ordinance, 1955.

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

Form A
First
schedule.

Form B
First
schedule.

Form C
First
schedule.

4. The Board shall furnish the parent or guardian of the child with a memorandum according to Form C in the first schedule 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 schedule to the effect that he has read and understood the memorandum and agrees to the terms of the last paragraph thereof.

Form D
First
schedule.

5. The Board shall make enquiries and obtain reports on the matters set out in the second schedule 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 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.

Second
schedule.

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 Colony 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 the first month, and thereafter at least once in every two months, of the probationary period of six months prescribed by section 6 of the Ordinance, or, where an interim order has been made under section 14 of the Ordinance, 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 SCHEDULE

Reg. 3.

FORM A

THE ADOPTION OF CHILDREN ORDINANCE, 1955.
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.

FORM B

Reg. 3.

THE ADOPTION OF CHILDREN ORDINANCE, 1955.
MEDICAL PARTICULARS.

(To be completed by a duly qualified medical practitioner).

1. Name
2. Address
3. Is there evidence of infectious disease liable to be contracted by the child?
4. Does applicant suffer from fits?
5. In your opinion is the condition of the applicant's physical or mental health such that he/she should be able to undertake the responsibility and perform the duties of a parent in the event of an adoption order being granted.....

Signed

Qualification

Address

Date

(To be completed in respect of wife when application is made in the name of two spouses).

1. Name
2. Address
3. Is there evidence of infectious disease liable to be contracted by the child?
4. Is there evidence of neurosis or allied illness?

5. Does applicant suffer from fits?
6. In your opinion is the condition of the applicant's physical or mental health such that he/she should be able to undertake the responsibility and perform the duties of a parent in the event of an adoption order being granted?
- Signed
- Qualification
- Address
- Date

FORM C

Reg. 4.

THE ADOPTION OF CHILDREN ORDINANCE, 1955.
EXPLANATORY MEMORANDUM

(To be furnished by the Board to a parent or guardian proposing to place a child at the disposition of the Board with a view to the child being adopted.)

1. If the court makes an adoption order in respect of your child all your rights and duties with regard to the child will be transferred permanently to the adopters and in law the child will no longer be yours.

2. If you have taken out an insurance policy against funeral expenses for the child, the insurers will be able to advise you whether, after the adoption order is granted, the policy can be transferred to the adopters should they wish to continue it.

3. The Court cannot make an adoption order without the consent of each parent or guardian of the child unless the parent or guardian has abandoned, neglected or persistently ill-treated the child or cannot be found or is incapable of giving consent (for instance, by reason of being insane or is unreasonably withholding consent. Therefore unless one of these things applies to you the court cannot make an order without your consent.

If the natural father of an illegitimate child contributes towards the child's maintenance under an affiliation order or a voluntary agreement the court will, as a rule, require his consent also.

4. Your consent can be given in writing; but if you are the child's mother your consent must be given in the presence of a justice of the peace and cannot be given until the child is six weeks old. You cannot consent to the child being adopted by any person who may apply, and it is no good signing a blank form; the names of definite applicants must have been inserted in the form, unless they do not want you to know who they are, in which case —

- (a) the form will refer to them by a number,
- (b) you cannot withdraw your consent because you do not know their identity (though you can ask what sort of people they are), and
- (c) If you want, you may choose the religious persuasion in which the child is to be brought up.

5. The court will send you a notice of the application and after that, if you have given your consent, but change your mind and want to get the child back, you will have to apply to the court for leave to remove the child from the care of the would-be adopters.

6. You are not allowed to receive or pay any money for the adoption unless the court agrees. This does not apply to a weekly payment for the maintenance of your child before the child goes to the adopters.

7. The Board cannot arrange for your child to be sent abroad for adoption without a licence from a magistrate of the Georgetown Judicial District, and here again a licence cannot be granted without your consent except for one of the same sort of reasons as are given in paragraph 3.

8. If you reclaim the child at any time during the period of probation fixed by the court you will be liable to refund to the adopter through the Board the expenses incurred by the adopter in maintaining and educating the child.

FORM D.

Reg. 4

THE ADOPTION OF CHILDREN ORDINANCE, 1955
CERTIFICATE

(Certificate of receipt of memorandum to be furnished to Board by parent or guardian to place child at disposition of Board).

To: The Adoption Board.

I hereby certify that I received from the Adoption Board a memorandum, headed "EXPLANATORY MEMORANDUM" from which I have detached this certificate of acknowledgement: and I further certify that I have read the memorandum and understand it and agree to the terms of the last paragraph thereof.

Signature

Address

Signature

Address

Date

SECOND SCHEDULE

Reg. 5

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 are appointed:
 - (c) whether they consent to adoption
16. (a) Are any 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 DULY QUALIFIED 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 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 signs of active or healed rickets?
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.

Made in Council this 31st day of July, 1957.

IVOR O. SMITH,
 Clerk to the Executive Council.