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| Country Code:             | VC 2009 REV. Cap. 225                                                                        |
| Title:                    | ADOPTION OF CHILDREN ACT                                                                     |
| Country:                  | SAINT VINCENT AND THE GRENADINES                                                             |
| Reference:                | No. 7/1959                                                                                   |
| Date of entry into force: | July 20, 1960 (SRO 24/1960)                                                                  |
| Amendment:                | 3/1969; 4/1973; 3/1978; 26/1979; 18/1980; 38/1980; 12/1984; 13/1987; 20/1987;4/1988; 53/1993 |
| Subject:                  | Children – Law – St. Vincent and the Grenadines                                              |
| Key words:                | Adoption order; Adoption Board; Adopted Children; Affiliation Order;                         |
| <b>Notes:</b>             | <b>First Sch:</b> ADOPTION OF CHILDREN REGULATIONS                                           |
| Reference:                | No. 7/1959                                                                                   |
| Date of entry into force: | July 20, 1960 (SRO 24/1960)                                                                  |
| Amendment                 | 3/1978; 38/1980; 12/1984; 20/1987                                                            |
| <b>Notes:</b>             | <b>2<sup>nd</sup>. Sch.:</b> ADOPTION OF CHILDREN RULES                                      |
| Reference:                | No. 7/1959                                                                                   |
| Date of entry into force: | July 20, 1960 (SRO 24/1960)                                                                  |
| Amendment:                | 3/1978; SRO 38/1980; 12/1984                                                                 |
| <b>Notes:</b>             | <b>3<sup>rd</sup> Sch.:</b> ADOPTION OF CHILDREN (TRANSFER ABROAD) RULES                     |
| Reference:                | No. 7/1959                                                                                   |
| Date of entry into force: | July 20, 1960 (SRO 24/1960)                                                                  |
| Amendment:                | 3/1978; SRO 38/1980; No. 12 of 1984                                                          |

LAWS OF SAINT VINCENT AND THE GRENADINES

REVISED EDITION 1990

**CHAPTER 163**

ADOPTION OF CHILDREN ACT

- Act 7 of 1959
- amended by
- \* The Court Order, 1967
- \* Act 3 of 1969
- Act 4 of 1973
- \* Act 3 of 1978
- Act 26 of 1979
- Act 18 of 1980
- \* S.R.O. 38 of 1980
- \* Act 12 of 1984
- Act 13 of 1987
- \* Act 20 of 1987
- Act 4 of 1988

### Numbering of sections

| <i>Original number</i> | <i>Comment</i>      | <i>Present number</i> |
|------------------------|---------------------|-----------------------|
| 1                      | -                   | 1                     |
| 2                      | a 18/80, 13/87      | 2                     |
| 3                      | a 4/73, 26/79, 4/88 | 3                     |
| 4-6                    | -                   | 4-6                   |
| 6A                     | ins 26/79           | 12                    |
| 7-11                   | -                   | 7-11                  |
| 12-15                  | -                   | 13-16                 |
| 16-17                  | a 18/80             | 17-18                 |
| 18-28                  | -                   | 19-29                 |
| 29-30                  | spent omitted       | -                     |
| First Schedule         | now Booklet 1       | -                     |
| Second Schedule        | now Booklet 2       | -                     |
| Third Schedule         | now Booklet 3       | -                     |
| Fourth Schedule        | -                   | Schedule              |

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- Booklet 2. Adoption of Children Rules.
- Booklet 3. Adoption of Children (Transfer Abroad) Rules.

## CHAPTER 163

### ADOPTION OF CHILDREN

#### Arrangement of sections

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**AN ACT** to regulate and provide for the adoption of children.

Commencement: 20th July 1960  
S. R. O. 24 of 1960

**Short title.**

1. This Act may be cited as the Adoption of Children Act.

**Interpretation.**

2. In this Act, unless the context otherwise requires -

"adopter" means a person who is proposing to adopt, or who has adopted, a child, whether in pursuance of an adoption order or otherwise;

"adoption order" means an order under section 10;

"Board" means the Adoption Board constituted under section 3;

"child" means a person under the age of eighteen who has never been married;

"Court" means the High Court;

"guardian", in relation to a child, means a person appointed by deed or will in accordance with the provisions of the Law of Minors Act (**Cap. 169**) or by a court of competent jurisdiction, to be the guardian of the child;

"judge" means a judge of the Court;

"prescribed" means prescribed by rules or regulations made under the provisions of this Act;

"relative", in relation to any child, means a grandparent, brother, sister, uncle, aunt, whether of the full blood, of the half blood, or by affinity and includes, where an adoption is 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 wedlock.

**Establishment of Adoption Board.**

3. (1) For the purposes of this Act a Board, to be called the Adoption Board, shall be constituted which shall consist of seven members of whom three shall be the district magistrates who shall be ex officio members and four shall be persons appointed by the Governor-General.

(2) The term of appointment of each member shall be for a period of two years unless his appointment be sooner revoked by the Governor-General.

(3) The chairman of the Board shall be the magistrate of the First District or, in his absence, one of the other district magistrates.

Provided that in the absence of the members aforesaid at any meeting of the Board the members present may elect one amongst them to be the chairman for that meeting.

(4) The quorum of the Board shall be four of whom at least one shall be a magistrate.

(5) The Governor-General may appoint any person to act in the place of any member of the Board, save that of magistrate, in case of absence from Saint Vincent and the Grenadines or inability to act of such member.

(6) The Board shall have power to regulate its procedure.

(7) The Board may, with the approval of the Governor-General, appoint a fit and proper person to be secretary to the Board, and may determine the duties to be performed by such secretary.

(8) The expenses of the Board shall be defrayed out of such sums as may be generally or specially provided for the purpose by the House of Assembly in the annual estimates of revenue and expenditure of Saint

Vincent and the Grenadines.

(9) The Board may appear and be represented at any stage of the proceedings in a court by the secretary or by any person generally or specially authorised in writing by the Board.

#### **Restriction on making arrangements for adoption.**

4. (1) No person or body of persons, other than the Board, may make any arrangements for the adoption of a child.

(2) Any person who takes part in arranging an adoption 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, is guilty of an offence and liable to a fine of eight thousand dollars and to imprisonment for six months.

(3) For the purposes of this Act, 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 an agreement or the making of an arrangement therefor, or if he causes another to do so.

#### **Duties of the Board.**

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;
- (b) to do such things and make such investigations concerning the adoption of children for the consideration of the Court as may be prescribed under section 8.

#### **Provisions relating to arrangements made by Board.**

6. (1) Where arrangements are made by the Board for the adoption of a child, an application to the Court for an adoption order in respect of the child shall not be made by the adopter until the expiration of a period of six months from the date upon which the child is delivered into the care and possession of the adopter pursuant to the arrangements and at any time during that period -

- (a) the adopter may give notice in writing to the Board of his intention not to adopt the child; or
- (b) the Board may cause notice in writing to be given to the adopter of their intention not to allow the child to remain in the care and possession of the adopter,

and where a notice is so given, the adopter shall, within seven days of the date on which the notice was given, cause the child to be returned to the Board for the purpose of restoring the child to the parents or guardian.

(2) The Board shall appoint one or more persons whose duty shall be to keep the child under close supervision during the said period of six months in accordance with regulations made under this Act.

(3) If, at the expiration of the said period of six months, no notice has been given as aforesaid, the adopter shall, within three months from the date upon which that period so expired, apply to the Court for an adoption order in respect of the child or shall give notice in writing to the Board of his intention not to apply for such an order, and, where notice is so given or where an application for an adoption order in respect of the child is refused by the Court, the adopter shall within seven days of the date on which the notice was given or of the date

upon which the application is so refused, as the case may be, cause the child to be returned to the Board for the purpose of restoring the child to the parents or guardian.

(4) Any person who contravenes or fails to comply with any of the provisions of this section is guilty of an offence and liable to a fine of two thousand dollars and to imprisonment for four months, and the magistrate by whom the offender is convicted may order any child in respect of whom the offence is committed to be returned to his parents or guardian or to the Board.

### **Appeals by persons desirous of adopting children.**

7. Where any person has made representations to the Board with a view to the adoption of a child, and the Board are of the opinion that the adoption of the child by such person would not be in the best interests of the child, the Board shall notify such person accordingly, and such person may appeal from the decision of the Board to a judge in chambers.

### **Regulations.**

8. (1) The Governor-General may make regulations -

- (a) for regulating the conduct of negotiations entered into by or on behalf of the Board with persons having the care and possession of children who are desirous of causing children to be adopted, and in particular for securing -
  - (i) that, where the parent or guardian of a child proposes to place the child at the disposition of the Board with a view to the child being adopted, he shall be furnished with a memorandum in the prescribed form explaining in ordinary language the effect, in relation to his rights as a parent or guardian, of the making of an adoption order in respect of the child, and calling attention to the provisions of this Act and of any rules made hereunder relating to the consent of a parent or guardian to the making of such an order; and
  - (ii) that, before so placing the child at the disposition of the Board, the parent or guardian shall sign a document in the prescribed form verifying that he has read or had read and understood the said memorandum;
- (b) for requiring that the case of every child proposed to be delivered by or on behalf of the Board into the care and possession of an adopter shall be considered by a committee (to be called a "case committee") comprised of not less than two members of the Board;
- (c) for prescribing, in the case of every such child aforesaid, the inquiries which must be made and the reports which must be obtained by the Board in relation to the child and the adopter for the purpose of ensuring, so far as may be, the suitability of the child and the adopter respectively, and, in particular, for requiring that a report on the health of the child and prospective adopter signed by a duly qualified medical practitioner must be obtained by the Board;
- (d) for securing that no such child shall be delivered into the care and possession of an adopter by or on behalf of the Board until the adopter has been interviewed by the case committee or by some person on their behalf, until a representative of the committee has inspected any premises in Saint Vincent and the Grenadines in which the adopter intends that the child should reside permanently, and until the committee have considered the prescribed reports;
- (e) for making provision for the care and supervision of children who have been placed by their parents or guardians at the disposition of the Board;
- (f) generally for carrying out the purposes of this Act.

- (2) Regulations made under this section may prescribe in respect of any contravention thereof or failure to comply therewith a fine of two thousand five hundred dollars.
- (3) Until varied or revoked by regulations made by the Governor-General under subsection (1), the Adoption of Children Regulations contained in Booklet 1 shall be in force.

#### **Release of inmate of approved school.**

**9.** (1) Where the child in respect of whom an adoption order is sought is an inmate of an approved school established under section 14 of the Juveniles Act (**Cap. 168**), the managers of the school may, with the consent of the Governor-General, and notwithstanding anything contained in section 16 of that Act, sanction the unconditional release of the child from the school for the purposes of the adoption.

(2) Where a notice as provided for by section 6 of this Act is given in respect of any such child, or where an application for an adoption order in respect of any such child is refused, the adopter shall, within seven days of the date upon which the notice was given or of the date upon which the application was so refused, as the case may be, cause the child to be returned to the approved school, and the managers of the school shall receive the child into the school and there keep him for the unexpired period, if any, of the term for which he was originally sent to the school:

Provided however that any such child may again be released for adoption as aforesaid.

#### **Power to make adoption orders.**

**10.** (1) Subject to the provisions of this Act, the Court may, upon an application made in the prescribed manner by a person domiciled in Saint Vincent and the Grenadines make an order authorising the applicant to adopt a child.

(2) An adoption order may be made on the application of two spouses authorising them jointly to adopt a child.

(3) An adoption order may be made authorising the adoption of a child by the mother or father of the child, either alone or jointly with her or his spouse.

#### **Restrictions on making adoption orders.**

**11.** (1) An adoption order shall not be made in respect of a child unless the applicant or, in the case of a joint application, one of the applicants -

- (a) has attained the age of twentyfive;
- (b) has attained the age of twentyone and is a relative of the child; or
- (c) is the mother or father of the child.

(2) An adoption order shall not be made in respect of a child who is a female in favour of a sole applicant who is a male, unless the Court is satisfied that there are special circumstances which justify as an exceptional measure the making of an adoption order.

(3) Except as provided by section 10(2), an adoption order shall not be made authorising more than one person to adopt a child.

(4) Subject to the provisions of section 13, an adoption order shall not be made -

- (a) in any case, except with the consent of every person who is a parent or guardian of the child;
- (b) on the application of one of two spouses, except with the consent of the other spouse.

(5) Subject to the provisions of section 12, an adoption order shall not be made in favour of any applicant who is not resident and domiciled in Saint Vincent and the Grenadines nor in respect of a child who is not so resident.

### **Adoption by persons abroad.**

**12.** (1) Notwithstanding anything contained elsewhere in this Act, any person who is not ordinarily resident in Saint Vincent and the Grenadines may apply to the Board for the adoption of a child resident in Saint Vincent and the Grenadines as provided in this section.

(2) Every application under subsection (1) shall be made by the applicant and presented by himself or through a legal practitioner and shall in every case be accompanied by an affidavit duly sworn by the applicant.

(3) The applicant shall produce such evidence and give such undertaking as the Board may require to satisfy itself-

- (a) that the applicant is a fit person to apply for adoption of the child;
- (b) that the applicant has adequate means to maintain the child in an appropriate manner;
- (c) that the applicant may be expected to look after the interests of the child; and
- (d) on any other matter relating to the safety, interests and welfare of the child.

(4) The Board may, after making such inquiries as it may deem fit, if satisfied that the adoption of the child by the applicant is for the welfare of the child, make an order allowing the applicant to move the Court for an adoption order.

(5) Where an applicant has moved the Court for the adoption of a child in pursuance of an order made under subsection (4), the Court may call upon the Board to transmit all or any of the records relevant to the matter of the adoption and such records shall, notwithstanding anything contained in any other law, be admissible in evidence before the Court in the said proceedings and the Court may accept such record without further proof.

(6) Where an application is made to a Court for the adoption of a child in pursuance of an order made by the Board under subsection (4), the Court shall proceed in accordance with the relevant provisions of this Act.

(7) Notwithstanding anything contained in this Act, the Court may, in the matter of adoption of any child by a person not ordinarily resident in Saint Vincent and the Grenadines for transfer of the child abroad, make such exceptions or dispense with such requirement or formalities as it may deem fit, if it is satisfied that the proposed adoption for transfer abroad is for the welfare of the child and that under the circumstances of the case an expeditious disposal of the matter is called for.

### **Consent to adoption.**

**13.** (1) The Court may dispense with any consent required by section 11 (4) (a) if it is satisfied -

- (a) in the case of a parent or guardian of the child, that he has abandoned, neglected or persistently ill-treated the child;
- (b) in any case, that the person whose consent is required cannot be found or is incapable of giving his consent, or that his consent is unreasonably withheld or for any other reason such consent should be dispensed with.

(2) The Court may dispense with the consent of the spouse of an applicant for an adoption order if satisfied that the person whose consent is to be dispensed with cannot be found or is incapable of giving the consent or that the spouses have separated and are living apart and that the separation is likely to be permanent.

(3) The consent of any person to the making of an adoption order in pursuant of an application (not being the consent of the child) may be given (either unconditionally or subject to conditions with respect to the religious persuasion in which the child is to be brought up) without knowing the identity of the applicant for the order; and where consent so given by any person is subsequently withdrawn on the ground only that he does not know the identity of the applicant, his consent shall be deemed for the purposes of this section to be unreasonably withheld.

(4) While an application for an adoption order in respect of a child is pending in the Court, any parent or guardian of the child who has signified his consent to the making of an adoption order in pursuance of the application shall not be entitled, except with the leave of the Court, to remove the child from the care and possession of the applicant; and in considering whether to grant or refuse such leave the Court shall have regard to the welfare of the child.

#### **Interim orders.**

**14.** (1) Subject to the provisions of this section, the Court may, upon an application for an adoption order, postpone the determination of the application and make an interim order giving custody of the child to the applicant for a period not exceeding two years by way of a probationary period upon such terms as regards provision for the maintenance and education and supervision of the welfare of the child and otherwise as the Court may think fit.

(2) Where an interim order has been made giving the custody of a child to the applicant for a period of less than two years, the Court may, by order, extend that period, but the total period for which the custody of the child is given to the applicant under the order as amended shall not exceed two years.

(3) All such consents as are required to an adoption order shall be necessary to an interim order, but subject to a like power on the part of the Court to dispense with any such consent.

(4) An interim order shall not be deemed to be an adoption order within the meaning of this Act.

#### **Evidence of consent of parent or guardian.**

**15.** (1) Where any person whose consent to the making of an adoption order is required by section 11 (4) (a) does not attend in the proceedings for the purpose of giving it, then, subject to the provisions of subsection (3) of this section, a document signifying his consent to the making of such an order shall, if the person in whose favour the order is to be made is named in the document or (where the identity of that person is not known to the consenting party) is distinguished therein in the prescribed manner, be admissible as evidence of that consent whether the document is executed before or after the commencement of the proceedings.

(2) Where any such document is attested by a justice of the peace, commissioner of oaths or notary public, the document shall be admissible without further proof of the signature of the person by whom it is executed; and for the purposes of this subsection, a document purporting to be attested as aforesaid shall be deemed to be so attested, and to be executed and attested on the date and at the place specified therein, unless the contrary is proved.

(3) A document signifying the consent of the mother of a child shall not be admissible under this section unless-

(a) the child is at least six weeks old on the date of the execution of the document; and

(b) the document is attested on that date by a justice of the peace, commissioner of oaths or notary public.

#### **Functions of Court as to adoption orders.**

**16. (1)** The Court, before making an adoption order, shall be satisfied -

- (a) that every person whose consent is necessary under this Act, and whose consent is not dispensed with, has consented to and understands the nature and effect of the adoption order for which application is made, and in particular, in the case of any parent, understands that the effect of the adoption order will be permanently to deprive him or her of his or her parental rights;
- (b) that the order, if made, will be for the welfare of the child, due consideration being for this purpose given to the wishes of the child, having regard to the age and understanding of the child; and
- (c) that the applicant has not received or agreed to receive, and that no person has made or given or agreed to make or give to the applicant, any payment or other reward in consideration of the adoption except such as the Court may sanction.

(2) The Court in an adoption order may impose such terms and conditions as the Court may think fit, and in particular may require the adopter, by bond or otherwise, to make for the child such provision (if any) as in the opinion of the Court is just and expedient.

#### **Rights and duties of parents and capacity to marry.**

**17. (1)** Upon an adoption order being made, all rights, duties, obligations and liabilities of the parents or guardians of the child in relation to the future custody, maintenance and education of the child, including all rights to appoint a guardian and to consent or give notice of dissent to marriage, shall be extinguished, and all such rights, duties, obligations and liabilities shall vest in and be exercisable by and enforceable against the adopter as if the child were a child born to the adopter in lawful wedlock; and in respect of the matters aforesaid the child shall stand to the adopter exclusively in the position of a child born to the adopter in lawful wedlock.

(2) In any case where two spouses are the adopters, the spouses shall in respect of the matters aforesaid, and for the purpose of the jurisdiction of any court to make orders as to the custody and maintenance of and right of access to children, stand to each other and to the child in the same relation as they would have stood if the child had been born to them, and the child's relationship to them respectively shall be determined.

(3) For the purpose of the law relating to marriage, an adopter and the person whom he has been authorised to adopt under an adoption order shall be deemed to be within the prohibited degrees of consanguinity; and the provisions of this subsection shall continue to have effect notwithstanding that some person other than the adopter is authorised by a subsequent order to adopt the same child.

#### **Affiliation orders, etc.**

**18. (1)** Where an adoption order is made in respect of a child who is not born in wedlock, then, subject to the provisions of this section, any affiliation order or decree of affiliation in force with respect to the child, and any agreement whereby the father of the child has undertaken to make payments specifically for the benefit of the child, shall cease to have effect, but without prejudice to the recovery of any arrears which are due under the order, decree or agreement at the date of the adoption order.

(2) Where a child to whom any such order, decree or agreement relates is adopted by his mother, and the mother is a single woman, the order shall not cease to have effect by virtue of the foregoing subsections upon the making of the adoption order:

Provided, however, that a court of competent jurisdiction may revoke or vary, in consequence of the mother's marriage, so much of any such order or decree as provides for the payment of money.

#### **Intestacies, wills and settlements.**

**19.** (1) Where, at any time after the making of an adoption order, the adopter or the adopted person or any other person dies intestate in respect of any real or personal property (other than property subject to an entailed interest under a disposition made before the date of the adoption order), that property shall devolve in all respects as if the adopted person were the child of the adopter born in lawful wedlock and were not the child of any other person.

(2) In any disposition of real or personal property made, whether by instrument *inter vivos* or by will (including a codicil), after the date of an adoption-

- (a) any reference, whether express or implied, to a child or children of the adopter shall, unless the contrary intention appears, be construed as, or as including, a reference to the adopted person;
- (b) any reference, whether express or implied, to the child or children of the adopted person's natural parents or either of them shall, unless the contrary intention appears, be construed as not being, or as not including, a reference to the adopted person; and
- (c) any reference, whether express or implied, to a person related to the adopted person in any degree shall, unless the contrary intention appears, be construed as a reference to the person who would be related to him in that degree if he were the child of the adopter born in lawful wedlock and were not the child of any other person.

#### **Provisions supplementary to section 19.**

**20.** (1) For the purposes of the devolution of any property in accordance with the provisions of section 19, and for the purposes of the construction of any such disposition as is mentioned in that section, an adopted person shall be deemed to be related to any other person being the child or adopted child of the adopter or, in the case of a joint adoption, of either of the adopters-

- (a) where he or she was adopted by two spouses jointly, and that other person is the child or adopted child of both of them, as brother or sister of the whole blood;
- (b) in any other case, as brother or sister of the half-blood.

(2) Notwithstanding any rule of law, a disposition made by will or codicil executed before the date of an adoption order shall not be treated for the purposes of section 19 as made after that date by reason only that the will or codicil is confirmed by a codicil executed after that date.

(3) Notwithstanding anything in section 19, trustees or personal representatives may convey or distribute any real or personal property to or among the persons entitled thereto without having ascertained that no adoption order has been made by virtue of which any person is or may be entitled to any interest therein, and shall not be liable to any such person of whose claim they have not had notice at the time of the conveyance or distribution; but nothing in this subsection shall prejudice the right of any such person to follow the property, or any property representing it, into the hands of any person, other than a purchaser, who may have received it.

(4) Where an adoption order is made in respect of a person who has been previously adopted, the previous adoption shall be disregarded for the purposes of section 19 in relation to the devolution of any property on the death of a person dying intestate after the date of the subsequent adoption order and in relation to any disposition of property made after that date.

#### **Power to make subsequent order in respect of child already subject to an order.**

**21.** An adoption order, or an interim order, may be made in respect of a child who has already been the subject of an adoption order, and, upon any application for such further adoption order or interim order, the adopter or adopters under the adoption order last previously made shall, if living, be deemed to be the parent or parents of the child for all the purposes of this Act.

### **Jurisdiction and procedure.**

**22.** (1) The Court having jurisdiction to make adoption orders under this Act shall be the High Court.

(2) Rules directing the manner in which applications to the Court are to be made, for regulating appeals under section 7, and dealing generally with all the matters of procedure and incidental matters arising out of this Act, and for carrying this Act into effect shall be made by the Chief Justice. Such rules may provide for applications for adoption orders being heard and determined otherwise than in open court.

(3) Until varied or revoked by rules made under the provisions of subsection (2), the Adoption of Children Rules contained in Booklet 2 shall be in force.

### **Restriction on advertisements.**

**23.** (1) No advertisement shall be published indicating that-

- (a) the parent or guardian of a child is desirous of causing the child to be adopted; or
- (b) a person is desirous of adopting a child, or any person, not being the Board, is willing to make arrangements for the adoption of a child.

(2) Any person who causes to be published, or knowingly publishes, an advertisement, in contravention of the provisions of this section is guilty of an offence and liable to a fine of two thousand dollars.

### **Provisions as to existing *de facto* adoptions.**

**24.** Whereon the 20th July, 1960, any child is in the custody of, and being brought up, maintained and educated by any person or two spouses jointly as his, her or their own child under any *de facto* adoption, and has for a period of not less than two years before been in such custody, and been so brought up, maintained and educated, the Court may, upon the application of such person or spouses, and notwithstanding that the applicant is male and the child a female, make an adoption order authorising him, her or them to adopt the child without requiring the consent of any parent or guardian of the child to be obtained, upon being satisfied, after inquiry by the Board, that in all the circumstances of the case it is just and equitable and for the welfare of the child that no such consent should be required and that an adoption order should be made.

### **Restriction on sending children abroad for adoption.**

**25.** (1) No person shall, in connection with any arrangements made for the adoption of a child who is a Commonwealth citizen, permit, cause or procure the care and possession of the child to be transferred to a person who is not a Commonwealth citizen or the guardian or a relative of the child and who is resident outside Saint Vincent and the Grenadines.

(2) No person shall, in connection with any such arrangements as aforesaid, permit, cause or procure the possession of such a child to be transferred to a person who is a Commonwealth citizen resident outside Saint Vincent and the Grenadines and who is not the guardian or a relative of the child unless a licence has been granted in respect of the child under section 26.

(3) Any person who contravenes the provisions of this section is guilty, of an offence and liable to a fine of two thousand dollars and to imprisonment for four months.

(4) In any proceedings under this section a report by a competent authority, or a deposition made before a competent authority and authenticated under the signature of that authority, shall be admissible in evidence, and it shall not be necessary to prove the signature or official character of the person who appears to have signed any

such report or deposition.

#### **Licence to send child abroad for adoption.**

**26.** (1) A judge may grant a licence in the form appearing in the Adoption of Children (Transfer Abroad) Rules (**Booklet 3**), and subject to such conditions and restrictions as he thinks fit, authorising the care and possession of a child for whose adoption arrangements have been made to be transferred to a Commonwealth citizen resident outside Saint Vincent and the Grenadines; but, subject to the provisions of this section, no such licence shall be granted unless the judge-

- (a) is satisfied that the application is made by or with the consent of every person who is a parent or guardian of the child in question, or who has the actual custody of the child, or who is liable to contribute to the support of the child; and
- (b) is satisfied by a report of a Saint Vincent and the Grenadines consular officer, or any other person who appears to the judge to be trustworthy, that the person to whom the care and possession of the child is proposed to be transferred is a suitable person to be entrusted therewith, and that the transfer is likely to be for the welfare of the child, due consideration being for this purpose given to the wishes of the child, having regard to the age and understanding of the child.

(2) The judge may dispense with any consent required by subsection (1) (a) if satisfied that the person whose consent is to be dispensed with has abandoned or deserted the child, or cannot be found, or is incapable of giving such consent, or, being a person liable to contribute to the support of the child, either has persistently neglected or refused to contribute to such support or is a person whose consent ought, in the opinion of the judge and in all the circumstances of the case, to be dispensed with.

(3) Where a judge grants a licence under this section, he may authorise the making or receipt by any person of any payments in consideration, of the transfer of the care and possession of the child in respect of whom the licence is granted.

(4) Rules with respect to the application for and grant of licences are set out in the Adoption of Children (Transfer Abroad) Rules, and such rules may be added to, varied or revoked by rules made under or by virtue of section 22 (2).

(5) In any proceedings under this section a report by a Saint Vincent and the Grenadines consular officer or a deposition made before a Saint Vincent and the Grenadines consular officer and authenticated under the signature of that officer shall be admissible in evidence, and it shall not be necessary to prove the signature or official character of the person who appears to have signed any such report or deposition.

#### **Adopted Children Register.**

**27.** (1) The Registrar General appointed under the provisions of the Registration of Births and Deaths Act (**Cap. 179**) shall establish and maintain at his office a register to be called the Adopted Children Register, in which shall be made such entries as may be directed to be made therein by adoption orders, but no other entries.

(2) Every adoption order shall contain a direction to the Registrar General to make in the Adopted Children Register an entry recording the adoption in the form set out in the Schedule.

(3) For the purposes of compliance with the requirements of subsection (2) -

- (a) where the precise date of the child'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;
- (b) where the name or surname which the child is to bear after the adoption differs from his original

name or surname the new name or surname shall be specified in the order instead of the original name,

and where the country of birth of the child is not proved to the satisfaction of the Court, the particulars of that country may be omitted from the order and from the entry in the Adopted Children Register.

(4) The Court shall cause every adoption order to be communicated to the Registrar General, and upon the receipt of such communication the Registrar General shall cause compliance to be made with the directions contained in such order in regard both to marking any entry in the Register of Births with the word "adopted" and in regard to making the appropriate entry in the Adopted Children Register.

(5) A certified copy of any entry in the Adopted Children Register, if purporting to be signed by the Registrar General, shall, without any further or other proof of such entry where the entry is made in accordance with subsection (4), be received not only as evidence of the adoption to which the same relates but also as evidence of the date of the birth of the adopted child to which the same relates in all respects as though the same were a certified copy of an entry in the Register of Births.

(6) The Registrar General shall cause an index of the Adopted Children Register to be made and kept in his office, and every person shall be entitled to search such index and to have a certified copy of any entry in the Adopted Children Register in all respects upon, and subject to the same terms conditions and regulations as to payment of fees and otherwise as are applicable under the Registration of Births and Deaths Act, in respect of searches in indices relating to births and deaths kept in the office of the Registrar General, and in respect of the supply from such office of certified copies of entries in the registers of births, deaths and marriages.

(7) The Registrar General shall, in addition to the Adopted Children Register and the index thereof, keep such other registers and books, and make such entries therein as may be necessary, to record and make traceable the connection between an entry in the Register of Births which has been marked "adopted" pursuant to this Act and any corresponding entry in the Adopted Children Register, but such last-mentioned registers and books shall not be nor shall any index thereof be open to public inspection or search, nor, except under an order of a judge, shall the Registrar General furnish any person with any information contained in or with any copy or extract from any such registers or books.

### **Amendment of orders and rectification of Registers.**

**28.** (1) The Court may, on the application of the adopter or of the adopted person, amend the adoption order by the correction of any error in the particulars contained therein; and where an adoption order is so amended, the Court shall cause the amendment to be communicated to the Registrar General; and any necessary correction of, or addition to, the Register of Births or to the Adopted Children Register shall be made accordingly.

(2) Where an adoption order is quashed or an appeal against an adoption order allowed, the Court shall give directions to the Registrar General to cancel any marking of an entry in the Register of Births and any entry in the Adopted Children Register which was effected in pursuance of the order.

(3) A copy or extract of an entry in any register, being an entry the marking of which is cancelled under this section, shall be deemed to be an accurate copy if, and only if, both the marking and the cancellation are omitted therefrom.

(4) Without prejudice to subsection (1), the Court may, if satisfied on the application of the adopter or of the adopted person that within one year beginning with the date of the adoption order any new name has been given to the adopted person (whether in baptism or otherwise), or taken by him, either in lieu of or in addition to a name specified in the particulars required to be entered in the Adopted Children Register in pursuance of the order, amend the order by substituting or adding that name in those particulars, as the case may require.

(5) Where an adoption order is made in respect of an infant who has previously been the subject of an adoption order, the subsequent order shall contain a direction to the Registrar General to cause the previous entry

in the Adopted Children Register to be marked with the word "Re-adopted".

**Legitimation following adoption.**

**29.** (1) Where any person adopted by his father or mother alone has subsequently become a legitimated person on the marriage of his father and mother (whether before, on or after the 20th July, 1960) the Court may, on the application of any of the parties concerned, revoke the adoption order.

(2) Where an adoption order is revoked under this section the Court shall cause the revocation to be communicated to the Registrar General who shall cause to be cancelled-

(a) the entry in the Adopted Children Register relating to the adopted person; and

(b) the marking with the word "Adopted" of any entry relating to him in the Register of Births, and section 28 (3) shall have effect as if the reference to that section included a reference to this subsection.

**Section 27**

**SCHEDULE**  
**Adopted Children Register**

|                                                                                                                                             |     |
|---------------------------------------------------------------------------------------------------------------------------------------------|-----|
| No. of entry.                                                                                                                               | (1) |
| Date of entry.                                                                                                                              | (2) |
| Name of adopted child.<br>(Enter name as stated in adoption order.)                                                                         | (3) |
| Sex of adopted child.<br>(Enter sex as stated in adoption order.)                                                                           | (4) |
| Name and surname, address and occupation of<br>adopter or adopters.<br>(Enter name, address and occupation as<br>stated in adoption order.) | (5) |
| Date of birth of child and country of birth.                                                                                                | (6) |
| Date of adoption order.<br>(Entry to be made as appearing in the adoption order.)                                                           | (7) |
| Signature of officer deputed by Registrar General<br>to attest the entry.                                                                   | (8) |

LAWS OF SAINT VINCENT AND THE GRENADINES

REVISED EDITION 1990

**CHAPTER 163**

ADOPTION OF CHILDREN REGULATIONS      Booklet 1

First Schedule to Act 7 of 1959

amended by

- \* Act 3 of 1978
- \* S. R. O. 38 of 1980
- \* Act 12 of 1984
- \* Act 20 of 1987

### Numbering of regulations

| <i>Original number</i> | <i>Comment</i> | <i>Present number</i> |
|------------------------|----------------|-----------------------|
| 1-8                    | -              | 1-8                   |
| First-Second Appendix  | -              | First-Second Schedule |

## ADOPTION OF CHILDREN REGULATIONS

### Arrangement of regulations

1. Citation
2. Interpretation.
3. Application form and certificate of health.
4. Memorandum and agreement.
5. Duty of Board to make inquiries.
6. Interviewing of adopters and inspection of premises.
7. Monthly visit and report.
8. Penalty.  
First Schedule.  
Second Schedule

Commencement: 20th July 1960  
S. R. O. 24 of 1960

**1. Citation.** These Regulations may be cited as the Adoption of Children Regulations.

**2. Interpretation.** In these Regulations

"case committee" means the committee referred to in section 8 of the Act.

**3. Application form and certificate of health.** Every person desirous of adopting a child shall first make application to the Board in Form A in the First Schedule and submit with such application the certificate of a registered medical practitioner in Form B in the Schedule as to the physical and mental health of such person.

**4. Memorandum and agreement.** The Board shall furnish the parent or guardian of the child with a memorandum in Form C in the First Schedule 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) in Form D to the effect that he has read and understood the memorandum and agrees to the terms of the last paragraph thereof.

**5. Duty of Board to make inquiries.** The Board shall make inquiries and obtain reports on the matters set out in the Second Schedule 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 two members of the Board.

**6. Interviewing of adopters and inspection of premises.** 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 Saint Vincent and the Grenadines 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.

**7. Monthly visit and report.** At least once during every month of the probationary period of six months prescribed by section 6 of the Act or, where an interim order has been made under section 14 of the Act, 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.

**8. Penalty.** Any person who contravenes or fails to comply with any of the provisions of these Regulations is guilty of an offence and liable to a fine of one thousand dollars and, in the case of a second or subsequent conviction, to a fine of two thousand dollars.

**Rule 3**

**FIRST SCHEDULE**

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

***\*Delete words which do not apply.***

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 for the character of the adopter(s)

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

---

**FORM B**

**Rule 3**

*Medical Examination of the Applicant*

*(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

---

**Rule 4**

**FORM C**

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

**Adoption of Children Act (Cap. 163)**

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.

---

**Rule 4**

**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 Act (Cap. 163)", from which I have detached this form of acknowledgement: that I have read the memorandum and understood it and agree to the terms thereof.

Signature:

Address:

Before

Justice of the peace

Commissioner of oaths, or

Notary public.

Date.

## SECOND SCHEDULE

## Rule 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 Commonwealth citizen?
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. Parent's 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 maintainance? 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 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.
-

LAWS OF SAINT VINCENT AND THE GRENADINES

REVISED EDITION 1990

**CHAPTER 163**

ADOPTION OF CHILDREN RULES

Booklet 2

Second Schedule to Act 7 of 1959

amended by

\* Act 3 of 1978

\* S. R. O. 38 of 1980

\* Act 12 of 1984

# Numbering of rules

| <i>Original number</i> | <i>Comment</i> | <i>Present number</i> |
|------------------------|----------------|-----------------------|
| 1-20                   | -              | 1-20                  |
| Appendix               | -              | Schedule              |

## ADOPTION OF CHILDREN RULES

### Arrangement of rules

1. Citation.
  2. Interpretation.
  3. Procedure for applying for adoption order.
  4. Second application.
  5. Parties on whom notice to be served.
  6. Proceedings to be *in camera*.
  7. Attendance of parties.
  8. Separate examination of parties.
  9. Notice of adjournment.
  10. Form of order.
  11. Further hearing of application after interim order.
  12. Order as to costs.
  13. Copy of order to be sent to Registrar General and applicant.
  14. Rules of court to apply.
  15. Board to supply reasons for decision.
  16. Notice of appeal.
  17. Respondents to be served with notice of appeal.
  18. Duties of Registrar after filing of notice of appeal.
  19. Registrar to ask Board for documents in appeal.
  20. Appeal to be by way of rehearing.
- Schedule.

Commencement: 20th July 1960  
S. R. O. 24 of 1960

**1. Citation.** These Rules may be cited as the Adoption of Children Rules.

**2. Interpretation.** In these Rules -

"applicant" means the person or persons making an application for an adoption, order under the.: Act.

**3. Procedure for applying for adoption order.** (1) Every application for an adoption order shall be made on originating summons to the Court and shall be intituled in the matter of the child and in the matter of the Act, and there shall be presented to the Court a written statement in duplicate in Form A in the Schedule accompanied by a statement of particulars in Form B in the Schedule and (except where the applicant is the mother or father of the child) written consent in Form D in the Schedule.

(2) Except in a case where the applicant has made a previous application to the Court in respect of the same child, or the Court specially requires the attendance of the applicant, the attendance in person of the applicant shall not be necessary for the purpose of lodging the aforesaid statement and documents.

(3) The Board shall lodge in the Court, on every application for an order, the certificate of the parent or guardian of the child referred to in regulation 4 of the Adoption of Children Regulations, Booklet 1, and a statement with respect to the identity of the child in Form C in the Schedule.

(4) If any person proposing to apply to the Court for an adoption order desires that his identity shall be kept confidential he may, before taking out the appropriate summons, apply to the Registrar of the Court for a serial number to be assigned to him for the purposes of the proposed application and such a number shall be assigned to him accordingly.

(5) Unless it appears from the application, or is otherwise shown to the satisfaction of the Court, that the applicant does not desire that his identity should be kept confidential, the proceedings shall be conducted with a view to securing that he is not seen by or made known to any individual being a respondent (other than the child or spouse of the applicant); and in particular the Court shall direct that the applicant (unless his attendance is dispensed with under rule 7) shall attend and be heard and examined separately and apart from any such respondent.

**4. Second application.** If it appears to the Court that the applicant has made a previous application under the Act in respect of the same child, the Court shall not entertain the application unless satisfied that there has been a substantial change in the circumstances.

**5. Parties on whom notices to be served.** (1) The Court shall appoint some person to be guardian *ad litem* of the child in respect of whom the application is made.

(2) The following persons shall be made respondents, namely, the child in respect of whom the application is made, every person who is a parent or guardian of the child or has the actual custody of the child or is liable to contribute to the support of the child, and where the applicant has a spouse who is not also an applicant, the spouse of the applicant.

(3) The Court shall fix a time for the hearing of the application and shall issue a notice in Form E in the Schedule addressed to the respondents and shall direct the Board to cause such notice to be served on each of them:

Provided that, where the child is in actual custody of any person, such notice need not be served on the child, but may require such person to produce the child to the Court, unless the Court is satisfied by a report from the Board that special circumstances exist which render it inexpedient or unnecessary that the child shall personally attend before the Court.

(4) Any notice under these Rules shall be served upon any respondent to whom it is addressed, either by delivering a copy to him personally or by leaving a copy with some person for him at his last known or usual place of abode or by sending a copy by registered post to him at his last known or usual place of abode, whether such place of abode is in Saint Vincent and the Grenadines or elsewhere.

**6. Proceedings to be *in camera*.** All proceedings under the Act shall be made, heard and determined *in camera*.

**7. Attendance of parties.** (1) Subject to the provisions of this rule, an adoption order or an interim order shall not be made except after the personal attendance before the Court of the applicant and the parent or guardian of

the child, notwithstanding in the case of the parent or guardian, that written consent has been obtained or that the Court is asked to dispense with consent.

(2) The Court may waive the requirement under sub-rule (1) in the case of the parent or guardian of the child, if satisfied that any such person cannot be found or is incapable of giving consent or if for any reason the Court thinks it is right or desirable that this requirement should be waived.

(3) In any case where the Court dispenses with the personal attendance of any person, the written consent of that person, verified by a declaration purporting to be made before and signed by a justice of the peace, commissioner for oaths or notary public, shall be *prima facie* evidence of such consent.

(4) In the case of a joint application for an adoption order or an interim order, the Court may, if it thinks fit, dispense with the personal attendance of one spouse if his or her application be verified by a declaration purporting to be made before and signed by a justice of the peace, commissioner for oaths or notary public.

**8. Separate examination of parties.** Subject to the provisions of this rule and of rule 7 (4) and 11 (3) (b), the Court may direct that the applicant or any respondent shall attend and be heard and examined separately and apart from the other parties to the application:

Provided that no such direction shall be given unless -

- (a) the Court is satisfied that the giving of the direction is desirable and will not prejudice the determination of any question involved; and
- (b) the consent of the applicant or respondent to whom it is proposed that the direction shall be given, and of all other parties to the application, is first obtained.

**9. Notice of adjournment.** On any adjournment of the hearing, the Court may issue to any respondent not in attendance a notice of the time and place to which the hearing is adjourned and may direct the Board to cause it to be served.

**10. Form of order.** (1) An adoption order or an interim order shall be drawn up in Form F or Form G in the Schedule, as the case may require.

(2) No copy or duplicate of such order shall be given to or served upon any person other than the applicant and the Registrar of the Court except by special direction of the Court.

(3) An interim order shall include such provision for the maintenance and education of the child and such terms as regards the exercise of supervision by the Board or otherwise as the Court may think fit.

**11. Further hearing of application after interim order.** (1) Where the determination of an application has been postponed and an interim order has been made, the applicant shall, at least two months before the expiration of the order, apply to the Court to proceed with the determination of the application and it shall thereupon be lawful for the Court to fix a time for the further hearing of the application and to issue a notice in the Form H in the Schedule, addressed to the respondents and to direct the Board to cause such notice to be served on each of them:

Provided that where the child is in the actual custody of the applicant the notice need not be served on the child.

(2) Subject to the provisions of this rule, where the applicant so applies, an adoption order shall not be made unless the applicant, the child and a representative of the Board have attended the further hearing.

- (3) (a) The Court may waive the requirements under sub rule (2) in the case of the child if satisfied by a report from the Board that special circumstances exist which render it inexpedient or unnecessary that the child shall personally attend before the Court;
- (b) in the case of a joint application, the Court may, if it thinks fit, dispense with the personal attendance of one spouse, if his or her application be verified by a declaration purporting to be made before and signed by a justice of the peace, commissioner of oaths or notary public.

**12. Order as to costs.** On the making of an interim order or on the determination of the application, the Court may make such an order as to costs as it may think just and in particular may order the applicant to pay the out-of-pocket expenses incurred by the guardian *ad litem* or incurred in attending the Court by any other of the respondents, or such part thereof as the Court thinks proper, and such costs or expenses shall be recoverable summarily as a civil debt.

**13. Copy of order to be sent to Registrar General and applicant.** (1) Upon the making of an adoption order, the Registrar shall, within seven days from the date thereof, send a duplicate or a certified copy of the order to the Registrar General and shall also, subject to the payment by the applicant of any fee required by law, deliver or send a duplicate or certified copy to the applicant.

(2) The duplicate or certified copy, if sent by post, shall be sent by registered post.

**14. Rules of court to apply.** Subject to the foregoing rules, the Rules of the Supreme Court shall apply in respect of all proceedings under the Act as if the application were a complaint and the respondents were defendants and the notice under rule 5 were a summons.

**15. Board to supply reasons for decision.** The Board shall, if so required by any person entitled under the Act to appeal (hereinafter called the "appellant"), deliver to him and file in their proceedings a statement of the reasons for their decision.

**16. Notice of appeal.** The appellant who desires to appeal against a decision of the Board shall, within fourteen days after the receipt by him of the notification of the Board's decision, file with the Registrar at the Registry of the High Court a notice in writing to that effect in Form I in the Schedule (hereinafter called a "notice of appeal") stating therein -

- (a) the ground of his appeal;
- (b) his address for service;
- (c) the names and addresses of the persons intended to be served.

**17. Respondents to be served with notice of appeal.** In every notice of appeal the persons referred to in rule 5 (2), except the appellant, shall be named as respondents, each of whom shall be served with a copy of the said notice by the appellant within fourteen days after the receipt by him of the notification of the Board's decision.

**18. Duties of Registrar after filing of notice of appeal.** On the filing of a notice of appeal, the Registrar shall -

- (a) enter the appeal in the register of appeals of the Court and fix a day for the hearing of the appeal by a judge in chambers, and
- (b) serve on the appellant and on each of the respondents a notice in Form J in the Schedule by delivering it or posting the same to them at their respective addresses.

**19. Registrar to ask Board for documents in appeal.** Forthwith upon the serving of the notice of appeal, or as soon as may be, thereafter, the Registrar shall request the Board to furnish him immediately -

- (a) the reasons for the Board's decision;
- (b) all the relevant reports and correspondence, and answers to the enquiries on the matters set out in the Second Schedule to the Adoption of Children Regulations or copies thereof;
- (c) any other information on which the Board based its decision,

and the appellant, should he desire to do so, may obtain copies of the same from the Registrar on payment of the fees prescribed by the Rules of the Supreme Court for office copies of documents in the Registry.

**20. Appeal to be by way of rehearing.** Every appeal shall be by way of rehearing, and the Rules of the Supreme Court shall apply thereto unless it is otherwise provided in these Rules.

---

## SCHEDULE

### FORM A

### Rule 3

#### APPLICATION FOR AN ADOPTION ORDER IN RESPECT OF A

CHILD NAMED  
AS CASE No.

KNOWN TO THE ADOPTION BOARD

To the

Court

I (or We,) the undersigned  
resident at  
hereby state:

1. I am (or We are) desirous of being authorized under the provisions of the Adoption of Children Act (Cap. 163) to adopt a child of the sex, resident at in Saint Vincent and the Grenadines hereinafter called "the child".

2. The child has been in my (or our) care and has been brought up, maintained and educated by me (or us) since

3. We are married to each other;  
(or I am unmarried)  
(or I am married to  
consent to the making of the order is appended hereto).

whose written

4. I am (or We are) domiciled in Saint Vincent and the Grenadines.

5. I (or We) have not received or agreed to receive, and no person has made or given or agreed to make or give to me (or us), any payment or other reward in consideration of the adoption (except as follows:  
).

6. I (or We) have made no previous application under the said Act in respect of the child to any Court (other than the application made to the Court at on the day of, 19 which was dealt with as follows, viz.: ).

7. The particulars furnished in this application and in the attached form are true and complete and I am a (or We are) fit and proper person(s) to maintain and bring up the child suitably.

In witness whereof I (or We) have signed this statement on the day of 19 .

Signature of Applicant(s)  
(giving full Christian names).

---

**Rule 3**

**FORM B**

**PARTICULARS TO BE FURNISHED WITH APPLICATION  
FOR ADOPTION ORDER**

Name in full

Address

Occupation

Date of birth

Age last birthday

Relationship (if any) to the child

These particulars are to be furnished by both male and female applicant if the application is being made by two spouses.

---

**Rule 3**

**FORM C**

**STATEMENT TO BE LODGED IN COURT BY BOARD ON EVERY  
APPLICATION FOR AN ADOPTION ORDER**

Statement by Adoption Board of identity of child now named known to the Adoption Board as  
Case No.

To the Court:

1. I, \_\_\_\_\_ being a member of the Adoption Board of Saint Vincent and the  
Grenadines hereby certify that the child above named Adoption Board Case No. \_\_\_\_\_, is  
the child formerly known as \_\_\_\_\_

2. The father of the child is \_\_\_\_\_ now resident at \_\_\_\_\_ whose  
written consent to the making of an adoption order is appended hereto; and the mother of the child is  
now resident at \_\_\_\_\_ whose written consent to the making of  
the adoption order is appended hereto.

3. The child was born on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ and is identical with  
the child to whom the attached certified copy of an entry in the Register of Births relates.

4. The child is a Commonwealth citizen and has never been married.

\*5. The guardian(s) of the child is (or are) \_\_\_\_\_ of  
whose written consent(s) to the making of an adoption order is (or are) appended hereto.

\*6. The child *is* in the actual custody of \_\_\_\_\_ of  
whose written consent to the making of an adoption order is appended hereto.

\*7. \_\_\_\_\_ of \_\_\_\_\_ is (or are) liable to contribute to the  
support of the child and his (or their) written consent(s) to the making of an adoption order is (or are) appended  
hereto.

Signature of member of Adoption Board.

Dated

*\*Delete whichever is not applicable.*

\_\_\_\_\_

**FORM D**

**CONSENT OF PARENT OR GUARDIAN OF CHILD**

**Rule 3**

Consent to an Adoption Order in respect of a child formerly named and known to the Adoption Board as Case No.

An application to Court being made for an order authorising the adoption, under the provisions of the Adoption of Children Act (Cap. 163), of the said child.

I (We) the undersigned \_\_\_\_\_ of  
being -

**Delete all but one of these descriptions, except in the case of father and mother consenting jointly.**

- (a) the father of the child.
- (b) the mother of the child
- (c) a guardian of the child
- (d) a person (acting on behalf of a body) having the actual custody of the child
- (e) a person (acting on behalf of a body) being liable to contribute to the support of the child
- (f) the spouse of the applicant
- (g) serial number

hereby state that I (we) understand the nature and effect of the adoption order for which application is made and that in particular I (we) understand that the effect of the order will be permanently to deprive me (us) of my (our) parental rights and I (we) hereby consent to the making of an adoption order in favour of the applicant (on condition that the religious persuasion in which the child is brought up is \_\_\_\_\_).

In witness whereof I (we) have signed this consent on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

(Signature)

(Signature)

(Address)

(Description)

Signed in the presence of:

(Signature)

(Address)

(Description)

\_\_\_\_\_

**Rule 5****FORM E**

Notice of an application for an Adoption Order in respect of a child named [See Note (1)]

(formerly [See Note (2)] ), known to the Adoption Board as Case No.

In the Court.

To of  
and of  
and of , etc.

TAKE NOTICE:

**[See Note (3)]**

(1) That an application has been made by for an order under the Adoption of Children Act (Cap. 163), authorising him to adopt the said child, being a child of the sex, aged years, resident at

(2) That the said application will be heard before the Court sitting at on the day of 19 at the hour of in the noon and that you are severally required to attend before the Court (and in the case of to produce the said child before the Court)

Dated the day of 19

Notes:

- (1) Insert name or names by which the child is known.
  - (2) Delete where there is no change of name, Where there is a change of name insert former names, including surname.
  - (3) Where the application is made by two spouses jointly the form should be modified; and where under a serial number, the serial number should be inserted.
-

**Rule 10****FORM F**

Adoption Order in respect of a child named **[See Note (1)]**

(formerly **[See Note (2)]** ), before the Court sitting at , the  
day of 19

Application has been made by (hereinafter called the male applicant), a person not under the age of 25 years, by occupation , resident at in Saint Vincent and the Grenadines and domiciled in Saint Vincent and the Grenadines (and by his wife (hereinafter called the female applicant) being the mother of the child or a person not under the age of twentyfive years) (and the applicant or one of the applicants being the mother/father of the child) (by serial number ) that he (or she) is (or they are) desirous of being authorised under the Adoption of Children Act (Cap. 163), to adopt **[See Note (3)]** a child of the sex, aged years, resident at in Saint Vincent and the Grenadines a Commonwealth citizen who has never been married, the child of (and of his wife, (herein called the child),

**Delete the words which are not applicable.**

AND the male (and female) applicant(s) being (respectively) not less than twentyfive years old;  
(and the male (and female) applicant(s) has (have) attained the age of twentyone years and is (are) a relative(s) of the child);

(and the male applicant being the putative father of the child); (and the female applicant being the mother of the child);

and all the consents required by the Act having been obtained or dispensed with;

It is adjudged that the statements made in the application are true;

(and the following payment or reward is sanctioned, viz.: ),

and it is ordered that the applicant(s) be authorised to adopt the child);

(and as regards costs it is ordered that ),

and it is directed that the Registrar General shall make an entry recording this adoption in the Adopted Children Register in accordance with the particulars set out in the Schedule and shall enter the date of birth of the child in column 6 of the said Register as the day of 19 .

**See Note (4)**

and it having been proved to the satisfaction of the Court that the child was born on the date last mentioned and is identical with to whom an entry numbered and made on the day of 19 in the Register of Births for the Registrar's district of relates, it is further directed that the Registrar General, in addition to making in the Adopted Children Register the entry of the date of birth directed above, shall cause the aforesaid entry in the Register of Births to be marked with the word "Adopted".

**THE SCHEDULE TO FORM F**

| <b>Name of adopted child (See Note 3)</b> | <b>Sex of adopted child</b> | <b>Name and surname address &amp; occupation of adopter or adopters</b> | <b>Date of birth of child</b> | <b>Date of adoption order.</b> |
|-------------------------------------------|-----------------------------|-------------------------------------------------------------------------|-------------------------------|--------------------------------|
|                                           |                             |                                                                         |                               |                                |

Notes: -

(1) Insert name or names, including surname, by which the child is to be known.

(2) Delete where there is no change of name. Where there is a change of name, insert former name including surname.

(3) Insert christian name or names by which the child is to be known. The surname should not be stated here.

(4) Where no entry to the child is found in the Register of Births this paragraph should be deleted.

(5) An adoption order, or copy, sent to the Registrar General is required to be drawn up on paper of fullscap folio size, thirteen inches by eight inches, and to have a margin to be left blank, not less than one inch wide on the left side of the face of the order, and a similar margin in the right side of the reverse if any.

---

**Rule 10****FORM G**

Interim Order in respect of a child named [See Note (1)]

(formerly [See Note (2)])

Before the \_\_\_\_\_ Court sitting at \_\_\_\_\_ the  
day of \_\_\_\_\_ 19\_\_\_\_

**Delete words which are not applicable.**

Application has been made by \_\_\_\_\_ (hereinafter called the male applicant) a person  
not under the age of twentyfive years, by occupation \_\_\_\_\_ resident at \_\_\_\_\_  
in Saint Vincent and the Grenadines and domiciled therein (and by \_\_\_\_\_ his wife, hereinafter  
called the female applicant, being the mother of the child or a person not under the age of twentyfive years) (and  
the applicant or one of the applicants being the mother/father of the child (by serial number \_\_\_\_\_)  
that he (or she) is (or they) are desirous of being authorised under the Adoption of Children Act (Cap. 163) to  
adopt [see note (3)] \_\_\_\_\_ a child of the \_\_\_\_\_ sex, aged \_\_\_\_\_ years, resident at \_\_\_\_\_

\_\_\_\_\_ in Saint Vincent and the Grenadines a Commonwealth citizen who has  
never been married, the child of \_\_\_\_\_ and of \_\_\_\_\_ his wife, herein  
called the child:

And the male (and female) applicant(s) being not less than twentyfive years old:

**Delete words which are not applicable.**

(And the male (and female) applicant(s) has (have) attained the age of twentyone years and is (are) a relative of  
the child);

(and the male applicant being putative father of the child);

(and the female applicant being the mother of the child);

and all the consents required by the Act having been obtained or dispensed with;

It is adjudged that the statements made in the application are true;

And the determination of the application is postponed and it is ordered that the custody of the child be given to  
the applicant(s) for a period not exceeding two years, viz, until the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

, by way of a probationary period upon the following terms, viz.,

and that the applicant(s) shall at least two months before the date apply for a determination of the application:  
(and as regards costs it is ordered that \_\_\_\_\_).

Notes:-

(1) Insert the name or names, including surname, by which the child is to be known.

(2) Delete where there is no change of name. Where there is change of name, insert former name including  
surname.

(3) Insert christian name or names by which the child is to be known. The surname should not be stated here.

\_\_\_\_\_

**FORM H**

**Rule 11**

Notice of further hearing of an application for an Adoption Order in respect of a child named [See Note (1)]  
(formerly [See Note (2)] )

Before the Court sitting at the  
day of , 19

To of  
and of  
and of , etc.

**TAKE NOTICE:**

- (a) That an application was made by [See Note (3)] for an order under the Adoption of Children Act (Cap. 163), authorising him to adopt the said child, being a child of the sex, then aged years.
- (b) That the determination of the said application was postponed and an interim order was made by the Court sitting at on the day of
- (c) That the said application will be further heard before sitting at , on the day of 19 and that it is open to you to attend before the Court.

Dated this day of , 19

**Notes:-**

- (1) Insert name or names, including surname by which the child is to be known.
- (2) Delete where there is no change of name. Where there is change of name, insert former name, including surname.
- (3) Where the application was made by two spouses jointly the form should be modified.

\_\_\_\_\_

**Rule 16****FORM I**

In the Matter of the Appeal of (an adopter or parent or guardian as the case may be) against a decision of the Adoption Board

and

In the Matter of the Adoption of Children Act (Cap. 163).

I, \_\_\_\_\_ being aggrieved at the decision of the Board dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the adoption of a male/female child by \_\_\_\_\_ would not be in the best interest of the child, do hereby appeal against such decision on the following grounds:-

(here set out reasons for appeal).

I request you to enter my appeal for hearing.  
The name and address of the respondent is:-  
My address for service is:

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

(Signed)  
Appellant.

To:

(Name and address of Respondent)

\_\_\_\_\_

**Rule 18****FORM J**

In the Matter of the Appeal of (an adopter or parent or guardian as the case may be) against a decision of the Adoption Board

and

In the Matter of the Adoption of Children Act (Cap. 163).

TAKE NOTICE that the appeal in this matter from the decision of Adoption Board dated the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ will be heard by a judge in chambers on \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ at the hour of \_\_\_\_\_ in the forenoon, and that if you do not attend at the time and place abovementioned, such order will be made as the judge thinks fit.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Registrar.

\_\_\_\_\_

LAWS OF SAINT VINCENT AND THE GRENADINES

REVISED EDITION 1990

**CHAPTER 163**

ADOPTION OF CHILDREN ACT  
(TRANSFER ABROAD) RULES

Booklet 3

Third Schedule to Act 7 of 1959

amended by

\* Act 3 of 1978

\* S. R. O. 38 of 1980

\* Act 12 of 1984

# Numbering of rules

| <i>Original number</i> | <i>Comment</i> | <i>Present number</i> |
|------------------------|----------------|-----------------------|
| 1-11                   | -              | 1-11                  |
| Appendix               | -              | Schedule              |

**CHAPTER 163**  
**ADOPTION OF CHILDREN (TRANSFER ABOARD) RULES**

Arrangement of rules

1. Citation.
  2. Application for licence.
  3. Notice of application.
  4. Copy of notice.
  5. Hearing.
  6. Service of notice.
  7. Notice for production.
  8. Service of documents and proof of service.
  9. Parties may attend and be heard.
  10. Court may require parties to be sworn.
  11. Form of licence.
- Schedule.

Commencement: 20th July 1960  
S. R. O. 24 of 1960

**1. Citation.** These Rules may be cited as the Adoption of Children (Transfer Abroad) Rules.

**2. Application for licence.** An application for a licence under section 26 of the Act authorising the care and possession of a child, being a Commonwealth citizen, for whose adoption arrangements have been made to be transferred to a Commonwealth citizen resident outside Saint Vincent and the Grenadines may be made by a parent or guardian of the child or by the Board.

**3. Notice of application.** Notice of application shall be given to the Court in Form I in the Schedule.

**4. Copy of notice.** The Court shall cause a copy of the notice to be sent to a competent authority or to some other person abroad who appears to the Court to be trustworthy and shall request the authority or person to report whether the person to whom the care and possession of the child is proposed to be transferred is a suitable person to be entrusted therewith.

**5. Hearing.** Upon receipt of a report from a competent authority or other person referred to in rule 4, the Court shall fix a time for the hearing of the application and shall send to the applicant a notice in Form 2 in the Schedule.

**6. Service of notices.** A copy of the notices referred to in rules 3 and 5 shall be served by the applicant upon the child, the Board and upon every person who is a parent or guardian of the child or who has the actual custody of the child, or who is liable to contribute to the support of the child:

Provided that the Court may dispense with the service required by this rule of a copy of the notices-

- (a) upon any person, other than the child, if it is satisfied that that person cannot be found; and
- (b) upon the child if it thinks fit having regard to the age and understanding of the child.

**7. Notice for production.** The Court may issue a notice in Form 3 in the Schedule requiring any person who has the actual custody of the child to produce the child at the hearing of the application and the applicant, unless he himself has the actual custody of the child, shall serve the notice upon that person.

**8. Service of documents and proof of service.** (1) The service of any document under rule 6 or 7 may be effected by delivering it to the person to be served or by sending it by registered post to him at his last known or usual place of abode.

(2) The service of any such document may be proved by the production of a declaration in Form 4 in the Schedule or in a form to the like effect purporting to be made before a justice of the peace, commissioner for oaths or notary public.

**9. Parties may attend and be heard.** (1) The persons upon whom a copy of the notices referred to in rule 6 is required by that rule to be served may attend at the hearing of the application and shall be entitled to be heard.

(2) The consent of a person to the making of the application, if given in writing, maybe proved by the production of a declaration in Form 5 in the Schedule or in a form to the like effect purporting to be made and signed by that person before a justice of the peace, commissioner for oaths or notary public.

**10. Court may require parties to be sworn.** The Court may require any person attending for the purpose of making or opposing the application or giving evidence in the matter to be sworn.

**11. Form of licence.** Any licence granted under section 26 of the Act shall be in Form 6 in the Schedule.

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## SCHEDULE

### FORM 1

### Rule 3

*Form of notice of an application for a licence  
under section 26 of the Adoption of Children Act (Cap.163)*

To The \_\_\_\_\_ of the High Court.

I hereby give notice that I intend to apply for a licence under section 26 of the Adoption of Children Act (Cap. 163), in respect of a male (female) child named \_\_\_\_\_ aged \_\_\_\_\_ years, born on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

The child is a Commonwealth citizen and is the subject of arrangements for his, (her) adoption as follows (here set out the arrangements).

**\*If the father or mother is dead the fact should be stated.**

\*The father of the child is \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ subject, aged \_\_\_\_\_ years.

\*The mother of the child is \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ subject, aged \_\_\_\_\_ years.

**†Strike out this paragraph if it does not apply.**

†The guardian of the child is \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ subject, aged \_\_\_\_\_ years.

The child is at present in the actual custody of \_\_\_\_\_ of \_\_\_\_\_

**‡If no persons are liable write “none”. If anyone is liable state reason for the liability.**

‡The following persons are liable to contribute to the support of the child.

1. \_\_\_\_\_ of \_\_\_\_\_
2. \_\_\_\_\_ of \_\_\_\_\_

The person to whom the care and possession of the child is proposed reason for the to be transferred is \_\_\_\_\_ a Commonwealth citizen, resident at \_\_\_\_\_

**§Give full particulars. If there are no arrangements write “none”.**

§The following financial arrangements have been made (or are contemplated) in consideration of the transfer of the care and possession of the child (here set out the arrangements).

**¶Insert capacity, guardian or person concerned in making arrangements for the adoption.**

¶My full name, address and nationality are:-

and I am making this application as

Signature of applicant  
Date

\_\_\_\_\_

**Rule 5****FORM 2***Form of notice of hearing*

To the applicant for a licence under section 26 of the Adoption of Children Act (Cap.163) (to the child to whom the application relates); and to any person who is a parent or guardian of the child, or who has the actual custody of the child, or who is liable to contribute to the support of the child and to the Board:

Take notice that an application by \_\_\_\_\_  
for a licence under section 26 of the Adoption of Children Act (Cap.163), authorising the care and possession of  
\_\_\_\_\_ for whose adoption arrangements have been made to be transferred to  
\_\_\_\_\_ a Commonwealth citizen resident outside Saint Vincent and the Grenadines at  
\_\_\_\_\_ will be heard at \_\_\_\_\_ Court on  
\_\_\_\_\_ day, the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ at the hour of \_\_\_\_\_ in the  
fore(after)noon, and further take notice that you may attend the hearing of the said application, and may, if you  
wish, either support or oppose the granting of a licence.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

Signature of Registrar

---

**Rule 7****FORM 3***Form of notice requiring production of child at  
the hearing of an application*

To the person having the actual custody of the child in respect of whom an application for a licence under section 26 of the Adoption of Children Act (Cap.163), is to be made:

Take notice that you are required to produce \_\_\_\_\_ a child in your custody,  
at the hearing at \_\_\_\_\_ Court on \_\_\_\_\_ day, the \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_, at the hour of \_\_\_\_\_ in the fore(after)noon in respect of an application by  
\_\_\_\_\_ for a licence under section 26 of the Adoption of Children Act (Cap.163), authorising  
the care and possession of the said child for whose adoption arrangements have been made to be transferred to  
\_\_\_\_\_ a Commonwealth citizen resident outside Saint Vincent and the Grenadines  
at \_\_\_\_\_

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

Signature of Registrar

---

**FORM 4****Rule 8***Form of declaration of service*

I, \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_,  
 hereby declare that I did on the \_\_\_\_\_ day of \_\_\_\_\_,  
 19\_\_\_\_, serve \_\_\_\_\_ of \_\_\_\_\_  
 with a copy of the notice of application for a licence under section 26 of the Adoption of Children Act (Cap. 163),  
 in respect of the child named \_\_\_\_\_, and  
 of the notice of hearing of the said application at \_\_\_\_\_ Court on the \_\_\_\_\_ day of \_\_\_\_\_  
 19\_\_\_\_, at the hour of \_\_\_\_\_ in the fore(after)noon (\*and a notice requiring the production of the said child at  
 the said hearing) by- [**\*Strike out these words if they do not apply.**]

(i) delivering the said documents(s) to personally,

(ii) sending the said document(s) by registered post to \_\_\_\_\_ at \_\_\_\_\_,  
 being his (her) last known usual place of abode.

Declared before me the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Justice of the Peace,  
 Commissioner for Oaths, or  
 Notary Public

---

**FORM 5****Rule 9***Form of consent to the making of an application*

[**\*\*Strike out the words which do not apply.**]

I, \_\_\_\_\_ of \_\_\_\_\_  
 being\*\* the father, mother, guardian, person having the actual custody, a person liable to contribute to the  
 support, of the child named with \_\_\_\_\_ respect to whom the application is to be made at  
 \_\_\_\_\_ Court by \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
 for the grant of a licence under section 26 of the Adoption of Children Act (Cap. 163), authorising the care and  
 possession of the said child for whose adoption arrangements have been made to be transferred to  
 \_\_\_\_\_ a Commonwealth citizen, resident outside Saint Vincent and the Grenadines  
 at \_\_\_\_\_ do hereby declare that I consent to the making of the said  
 application.

In witness whereof I have signed this consent on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Signature .....

Before .....

Justice of the Peace,  
 Commissioner for Oaths, or  
 Notary Public.

---

## Rule 11

**FORM 6**

*Form of licence*

WHEREAS application has been made this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_ of \_\_\_\_\_, for a licence under section 26 of the Adoption of Children Act (Cap. 163), to authorise the care and possession of \_\_\_\_\_, a child aged \_\_\_\_\_ years, born as far as can be ascertained on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, to be transferred to \_\_\_\_\_ a Commonwealth citizen resident outside Saint Vincent and the Grenadines, that is to say, at \_\_\_\_\_

AND WHEREAS I, the undersigned, have heard the said application and am satisfied that all the consents required by the said section have been given or dispensed with, and am further satisfied by the report of \_\_\_\_\_ that the aforesaid \_\_\_\_\_ is a suitable person to be entrusted with the care and possession of the said child, and that the transfer is likely to be for the welfare of the said child:

AND WHEREAS I am further satisfied that the aforesaid application is made in connection with arrangements which have been made for the adoption of the said child by

NOW, THEREFORE I, the undersigned, do hereby grant, subject to the conditions and restrictions set out in the Schedule hereto, this licence authorising the care and possession of the said \_\_\_\_\_  
to be transferred to the said \_\_\_\_\_ and I do hereby authorise the making and receipt  
of payments as follows-

Judge of the High Court.