

STATES OF JERSEY

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DRAFT ADOPTION (AMENDMENT No. 5)(JERSEY) LAW 2002 (APPOINTED DAY) ACT 200

**Lodged au Greffe on 5th July 2005
by the Health and Social Services Committee**

STATES GREFFE



Jersey

DRAFT ADOPTION (AMENDMENT No. 5)(JERSEY) LAW 2002 (APPOINTED DAY) ACT 200

REPORT

If adopted, the Act will bring into force the Adoption (Amendment No. 5) (Jersey) Law 2002, which was debated and approved by the States on 26th February 2002, sanctioned by Order of Her Majesty in Council on 20th November 2002 and registered in the Royal Court on 13th December 2002.

Members will recall that this Adoption Law amendment is intended to make the process of adopting from overseas a much simpler process for local residents, especially in cases where they are adopting from a country that is a signatory to 'The Convention on Protection of Children and Co-operation in respect of Inter-Country Adoption' (The Hague Convention). As more and more countries seek to standardise and unify their processes through signing the Convention, so these countries will not be prepared to deal with countries outside of the Convention – these amendments enable Jersey to become a signatory. The amendments also allow the Royal Court to make adoption orders in favour of a person who is domiciled in the British Islands, not just in Jersey. This will help local residents who are normally domiciled in the U.K. but are here on temporary contracts of employment and wish to adopt a child placed with them. The third major change will be to introduce new requirements when a child has been adopted without parental consent.

The Adoption Law amendment also makes amendments to the Adoption (Jersey) Law 1961, required as a consequence of the enactment of the Children Law.

The States is asked to approve the Appointed Day Act so that the Adoption (Amendment No. 5) (Jersey) Law 2002 may come into force on 1st August.

Financial and manpower statement

There are no financial or manpower implications for the States arising from this draft Act.

Explanatory Note

This Act would bring the Adoption (Amendment No. 5) (Jersey) Law 2002 into force on 1st August 2005. The 2002 Law makes provision for inter-country adoptions and amendments consequential on the enactment of the Children (Jersey) Law 2002, which comes into force on the same day.



Jersey

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Made

[date to be inserted]

Coming into force

[date to be inserted]

THE STATES, in pursuance of Article 33 of the Adoption (Amendment No. 5) (Jersey) Law 2002,^[1]
have made the following Act –

1 Commencement of Adoption (Amendment No. 5) (Jersey) Law 2002

The Adoption (Amendment No. 5) (Jersey) Law 2002 shall come into force on 1st August 2005.

2 Citation

This Act may be cited as the Adoption (Amendment No. 5) (Jersey) Law 2002 (Appointed Day) Act 200.

^[1] *Recueil des Lois, Volume 2002, page 1269.*