

THE STATUS OF CHILDREN ACT

Acts  
36 of 1976,  
6 of 1993  
S. 8.

[1st November, 1976.]

*Preliminary*

1. This Act may be cited as the Status of Children Act. Short title.

2.—(1) In this Act—

Interpreta-  
tion.

“child” includes a child born out of wedlock;

“marriage” includes a void marriage;

“Registrar-General” means the Registrar-General under the Registration (Births and Deaths) Act and includes any person for the time being discharging the duties of that office;

“trustee” includes guardians, committees of lunatics, as well as all persons who are trustees within the meaning of the Trustee Act.

(2) For the purposes of sections 11 to 15 inclusive—

“blood samples” means blood taken for the purpose of blood tests;

“blood tests” means blood tests carried out and includes any test made with the object of ascertaining the inheritable characteristics of blood;

“excluded” means excluded subject to the occurrence of mutation.

*Status of Children*

3.—(1) Subject to subsection (4) and to the provisions of sections 4 and 7, for all the purposes of the law of Jamaica the relationship between every person and his father and mother shall be determined irrespective of

All  
children of  
equal status.

whether the father and mother are or have been married to each other, and all other relationships shall be determined accordingly.

(2) The rule of construction whereby in any instrument words of relationship signify only legitimate relationship in the absence of a contrary expression of intention is hereby abolished.

(3) Subject to subsection (4), this section shall apply in respect of every person, whether born before or after the 1st day of November, 1976, and whether born in Jamaica or not, and whether or not his father or mother has ever been domiciled in Jamaica.

(4) Nothing in this section shall affect or limit in any way any rule of law relating to—

- (a) the domicile of any person;
- (b) the provisions of the Children (Adoption of) Act which determine the relationship to any other person of a person who has been adopted;
- (c) the construction of the word “heir” or of any expression which is used to create an entailed interest in real or personal property.

4.—(1) All dispositions made before the 1st day of November, 1976, shall be governed by the enactments and rules of law which would have applied to them if this Act had not been passed.

(2) Where any disposition to which subsection (1) applies creates a special power of appointment, nothing in this Act shall extend the class of person in whose favour the appointment may be made, or cause the exercise of the power to be construed so as to include any person who is not a member of that class.

Transitional provisions re wills, and other instruments and intestacies.