

Island of Guernsey

Ordinance of the States **XI**

1979

Made 30th May, 1979.
Coming Into Operation ... 1st June, 1979.

The Adoption (Designation of Overseas Adoptions) Ordinance, 1979

THE STATES, in exercise of the powers conferred upon them by sections five and twelve of the Adoption (Guernsey) Law, 1970(a), and in pursuance of their Resolution of the twenty-eighth day of March, nineteen hundred and seventy-nine, hereby order:—

1. (1) An adoption of an infant is hereby specified as an overseas adoption if it is an adoption effected in a place in relation to which this section applies and under the law in force in that place. Designation of overseas adoptions.

(2) As respects any adoption effected before the date on which this Ordinance comes into force, this section applies in relation to any place which, at that date, forms part of a country or territory described in Part I or Part II of the Schedule to this Ordinance and as respects any adoption effected on or after that date, this section applies in relation to any

(a) Ordres en Conseil Vol. XXII, p. 380.

place which, at the time the adoption is effected, forms part of a country or territory which at that time is a country or territory described in Part I or Part II of the said Schedule to this Ordinance.

(3) In this section the expressions—

“infant” means a person who at the time of the application for adoption was made had not attained the age of eighteen years and had not been married;

“law” does not include customary or common law.

Evidence of overseas adoptions.

2. (1) Evidence that an overseas adoption has been effected may be given by the production of a document purporting to be—

- (a) a certified copy of an entry made, in accordance with the law of the country or territory concerned, in a public register relating to the recording of adoptions and showing that the adoption has been effected; or
- (b) a certificate that the adoption has been effected, signed or purporting to be signed by a person authorised by the law of the country or territory concerned to sign such a certificate, or a certified copy of such certificate.

(2). Where a document produced by virtue of the provisions of the last preceding subsection is not in the English language, the Registrar shall in addition require the production of a translation of the document in the English language certified as correct by an official or sworn translator or by a diplomatic or consular agent of the country or territory concerned or certified as correct in such other manner as may be sufficient according to the law of the

Island before satisfying himself of the matters specified in subsections (2) and (3) of section nine of the Law.

(3) Nothing in this section shall be construed as precluding proof in such other manner as may be sufficient according to the law of the Island that an overseas adoption has been effected.

3. (1) In this Ordinance, except where the context otherwise requires, the expression "the Law" means the Adoption (Guernsey) Law, 1970, and any other expressions have the same meanings as in the Law. Inter-pretation.

(2) Any reference in this Ordinance to any other enactment shall, except where the context otherwise requires, be construed as including a reference to that enactment as amended, repealed or replaced, extended or applied by or under any other enactment including this Ordinance.

4. This Ordinance may be cited as the Adoption Citation. (Designation of Overseas Adoptions) Ordinance, 1979.

5. This Ordinance shall come into force on the first day of June, nineteen hundred and seventy-nine. Commence-ment.

SCHEDULE

Section one

PART I

COMMONWEALTH COUNTRIES AND UNITED
KINGDOM DEPENDENT TERRITORIES

Australia	Malaysia
Bahamas	Malta
Barbados	Mauritius
Bermuda	Montserrat
Botswana	New Zealand
British Honduras	Nigeria
British Virgin Islands	Pitcairn
Canada	Rhodesia
Cayman Islands	St Christopher (St Kitts), Nevis and Anguilla
The Republic of Cyprus	St. Vincent
Dominica	Seychelles
Fiji	Singapore
Ghana	Sri Lanka
Gibraltar	Swaziland
Guyana	Tanzania
Hong Kong	Tonga
Jamaica	Trinidad and Tobago
Kenya	Uganda
Lesotho	Zambia
Malawi	

PART II

OTHER COUNTRIES AND TERRITORIES

Austria
 Belgium
 Denmark (including Greenland and the Faroes)
 Finland
 France (including Reunion, Martinique, Guadeloupe
 and French Guyana)
 The Federal Republic of Germany and Land Berlin
 (West Berlin)
 Greece
 Iceland
 The Republic of Ireland
 Israel
 Italy
 Luxembourg

The Netherlands (including Surinam and the Antilles)
Norway
Portugal (including the Azores and Madeira)
South Africa and South West Africa
Spain (including the Balearic Islands and the Canary
Islands)
Sweden
Switzerland
Turkey
The United States of America
Yugoslavia

R. H. VIDELO,
Her Majesty's Greffier.