



CHILDREN (AMENDMENT) ACT, 2016

(Act 14 of 2016)

I assent

A handwritten signature in black ink, appearing to read "Michel".

J. A. Michel
President

4th July, 2016



AN ACT to amend the Children Act (Cap 28).

ENACTED by the President and the National Assembly.

1. This Act may be cited as the Children (Amendment) Act, 2016. Short title

Amendment
of Cap 28
as last
amended by
Act 7 of 2005

2. The Children Act is hereby amended as follows —

- (a) by repealing section 77 and substituting therefor the following section —

“77.(1) There shall be a Family Tribunal consisting of a Chairperson, two Vice-Chairpersons and five other members, as the President may appoint.

(2) The President shall appoint the Chairperson and Vice-Chairperson and Members of the Tribunal in consultation with the Chief Justice.

(3) The Chairperson and at least one of the Vice-Chairperson shall be legal practitioners of at least 3 years standing.

(4) The President shall publish the names of persons appointed as the Chairperson, Vice-Chairperson and members of the Tribunal in the *Gazette*.

(5) The Tribunal shall be under the administrative control of the Judiciary.

(6) The Chief Justice may make rules to regulate the practice and procedure of the Tribunal.”;

- (b) in section 78, —

- (i) by adding after subsection (5) the following subsection —

“(5A) Notwithstanding any written law, no fee shall be payable by any of the parties to any proceedings in

a Tribunal under this Act or any other written law.”;

- (ii) by repealing in subsection (6), the word “Minister” and substituting therefor the words “Chief Justice”;

- (iii) by repealing sub section (8) and substituting therefor the following subsections —

“(8) The Chief Justice shall provide the Tribunal with suitable accommodation and facilities for the purpose of performing its functions.

(8A) The Tribunal shall hold its sittings in such place and at such times as directed by the Chief Justice by notice published in the *Gazette*.”;

- (iv) by deleting in sub section (9), the words “to attend before him and” and substituting therefor the words “to attend before a member of the Tribunal who consents to act as a mediator and such member shall”;

- (c) by deleting subsection 78A(5);

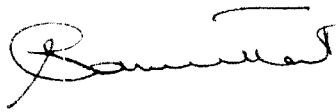
- (d) in section 78B, by repealing subsections (1) and (2) and substituting therefor the following subsections —

“(1) Any person aggrieved by a decision of the Tribunal may appeal to the Supreme Court subject to the same conditions as appears from a decision of the Magistrates' Court.

(2) There shall be appeal to the Court of Appeal against the decision of the Supreme Court on question of law and fact or of law.”;

- (e) in section 83 by repealing the words “Subject to regulations under section 107(k)” and substituting therefor the words “Subject to the rules made under section 77(6)”;
- (f) in section 107 by repealing paragraph (k).

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 21st June, 2016.



Ms. Shelda Commettant
Clerk to the National Assembly