

No. 99

2nd Session, 15th Legislature, Alberta
13 Elizabeth II

BILL 99

A Bill to amend The Child Welfare Act

HON. MR. HALMRAST

Explanatory Note

1. This Bill amends chapter 39 of the Revised Statutes to clarify the powers and duties of a judge on an application for an order of adoption.

Section 79, subsection (1) presently reads:

79. (1) Where the child is a ward of the Government, an order of adoption shall not be made unless the Commission certifies in writing

- (a) that the child has lived with the proposed adopter for at least one year immediately prior to the day of the petition, and that during that period the conduct of the proposed adopter and the conditions under which the child has lived have been such as to justify the making of the order, or**
- (b) that the proposed adopter is to the knowledge of the Commission a fit and proper person to have the care and custody of the child, and that for reasons set out in the certificate the period of residence may be dispensed with.**

2. Commencement of Act.

BILL

No. 99 of 1965

An Act to amend The Child Welfare Act

(Assented to _____, 1965)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Child Welfare Act* is amended as to section 79 by striking out subsection (1) and by substituting the following:

79. (1) Where the child is a ward of the Government, an order of adoption shall not be made unless the Commission, in writing, certifies that the proposed adopter is in the opinion of the Commission a fit and proper person to have the care and custody of the child and, subject to subsection (1), also certifies

- (a) that the child has been in the custody of the proposed adopter for at least one year immediately prior to the day of the petition, or
- (b) that the child has not been in the custody of the proposed adopter for one year and that a one year period of custody is dispensed with on either of the following grounds
 - (i) that a period of custody has been partially completed and the proposed adopter has decided to live outside the Province, or is now living outside the Province, or
 - (ii) that the proposed adopter does not live in the Province and will take the child to live outside the Province if the order is granted.

(1a) Where a proposed adopter does not come within the descriptions in clause (a) or in clause (b) of subsection (1), a judge may, if he considers there are proper or sufficient reasons for so doing, make an order of adoption notwithstanding the absence of a certificate complying with either clause (a) or (b) of subsection (1).

2. This Act comes into force on the day upon which it is assented to.

No. 99

SECOND SESSION

FIFTEENTH LEGISLATURE

13 ELIZABETH II

1965

BILL

An Act to amend The Child Welfare
Act

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. HALMRAST
