

REPRINT

ADOPTION ACT 2004

As in force at: 5 February 2024

STATUS: CURRENT For details see Endnotes

AN ACT TO MAKE PROVISIONS FOR THE ADOPTION OF CHILDREN IN SOLOMON ISLANDS.

ADOPTION ACT 2004

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PART I PRELIMINARY

1 Short title and commencement

This Act may be cited as the *Adoption Act 2004*, and shall come into operation on such date as the Minister may appoint by notice published in the *Gazette*.

2 Interpretation

(1) In this Act, unless the context otherwise requires:

“**adoption order**” has the meaning assigned to it by section 3 of this Act;

“**court**” means the High Court having jurisdiction to make adoption orders;

“**father**” in relation to an illegitimate child, means the natural father;

“**guardian**”, in relation to a child, means a person appointed by a court of competent jurisdiction to be the guardian of the child or a person who has right to custody of the child in custom, as the case may be;

“**child**” means a person under eighteen years of age, but does not include a person who is or has been married;

“**interim order**” means an order made under section 10;

“**local authority**” means the Provincial Executive or Honiara Municipal Authority, as the case may be;

“**prescribed**” means prescribed by regulations made by the Minister;

“**relative**”, in relation to a child, means a grandparent, brother, sister,

uncle or aunt, whether of the full blood or half blood or by affinity, and includes:

- (a) Where an adoption order has been made in respect of the child or any other person under any law any person who would be a relative of the child within the meaning of this definition if the adopted person were the child of the adopter born in lawful wedlock; and
 - (b) where the child is illegitimate, the father of the child within the meaning of this definition if the child were the legitimate child of his mother and father.
- (2) For the purpose of this Act, a person shall be deemed to make arrangements for the adoption of a child or to take part in arrangements for the placing of a child in the care or possession of another person, if (as the case may be):
- (a) he enters into or makes any agreement for, or for facilitating, the adoption of the child by any other person, whether the adoption is effected, or is intended to be effected, pursuant of an adoption order or otherwise; or
 - (b) he enters into or makes any agreement or arrangement for, or facilitates, the placing of the child in the care or possession of that other person,

or if he initiates or takes part in any negotiations of which the purpose or effect is the conclusion of any agreement or the making of any arrangement therefor, or if he causes another to do so.

“social welfare officer” means a social welfare officer engaged by the Ministry responsible for social welfare matters.

PART II ADOPTION ORDERS

Making of adoption orders

3 Power to make adoption order

- (1) Subject to the provisions of this Act, the High Court may, upon an application made in the prescribed manner by a person domiciled in

Solomon Islands, make an order (in this Act referred to as an “adoption order”) authorizing the applicant to adopt a child.

- (2) An adoption order may be made on the application of two spouses authorising them jointly to adopt a child; but an adoption order shall not in any other case be made authorising more than one person to adopt a child.
- (3) An adoption order may be made authorising the adoption of a child by the mother or father of the child, either alone or jointly with her or his spouses.
- (4) An adoption order may be made in respect of a child who has already been the subject of an adoption order under the *Adoption Act 1958* of the United Kingdom; and in relation to an application for an adoption order in respect of such a child, the adopter or adopters under the previous or last previous adoption order shall be deemed to be parent or parents of the child for all the purposes of this Act.
- (5) An adoption order shall not be made in Solomon Islands unless the applicant and the child reside in Solomon Islands, subject however to Part VII of this Act.

4 Age and sex of applicant

- (1) Subject to subsection (2) of this section, an adoption order shall not be made in respect of a child unless the applicant:
 - (a) is the mother or father of the child;
 - (b) is a relative of the child, and has attained the age of twenty-one years; or
 - (c) has attained the age of twenty-five years.
- (2) An adoption order may be made in respect of a child on the joint application of two spouses:
 - (a) if either of the applicants is the mother or father of the child; or
 - (b) if the condition set out in paragraph (b) or paragraph (c) of subsection (1) of this section is satisfied in the case of one of the applicants, and the other of them has attained the age of

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twenty-one years.

- (3) An adoption order shall not be made in respect of a child who is a female in favour of a sole applicant who is a male, unless the court is satisfied that there are special circumstances which justify as an exceptional measure the making of an adoption order.

5 Care and possession of children before adoption, and notification of local authority

- (1) An adoption order shall not be made in respect of any child unless he has been continuously in the care and possession of the applicant for at least three consecutive months immediately preceding the date of the order, not counting any time before the date which appears to the court to be the date on which the child attained the age of six weeks.
- (2) Except where the applicant or one of the applicants is a parent of the child, an adoption order shall not be made in respect of a child, who at the hearing of the application is below the upper limit of the compulsory school age prescribed under the *Education Act*, unless the applicant has, at least three months before the date of the order, given notice in writing to the local authority within whose area he was then resident of his intention to apply for an adoption order in respect of the child.

6 Consent

- (1) Subject to section 7 of this Act, an adoption order shall not be made:
 - (a) in any case, except with the consent of every person who is a parent, or guardian of the child; and
 - (b) on the application of one of two spouses, except with the consent of the other spouse; and
 - (c) in the case of a child who is 12 years of age or older, except with the consent of the child.
- (2) The consent of any person to the making of an adoption order in pursuance of an application (not being the consent of the child) may be given (either unconditionally or subject to conditions with respect

to the religious persuasion in which the child is proposed to be brought up) without knowing the identity of the applicant for the order.

- (3) A person cannot give consent under subsection (1) until the person has had an opportunity to obtain counselling and independent legal advice in relation to giving the consent.

7 Power to dispense with consent

- (1) The Court may dispense with any consent required by paragraph (a) of subsection (1) of section 6 of this Act, if it is satisfied that the person whose consent is to be dispensed with:
 - (a) has abandoned, neglected or persistently ill-treated the child;
 - (b) cannot be found or is incapable of giving his consent or is withholding his consent unreasonably; or
 - (c) is certified to be insane by a qualified medical practitioner.
- (2) If the court is satisfied that any person whose consent is required by the said paragraph (a) has persistently failed without reasonable cause to discharge the obligations of a parent or guardian of the child, the court may dispense with his consent whether or not it is satisfied of the matters mentioned in subsection (1) of this section.
- (3) Where a person who has given his consent to the making of an adoption order without knowing the identity of the applicant therefor subsequently withdraws his consent on the ground only that he does not know the identity of the applicant, his consent shall be deemed for the purposes of this section to be unreasonably withheld.
- (4) The court may dispense with the consent of the spouse of an applicant for an adoption order if it is satisfied that the person whose consent is to be dispensed with cannot be found or is incapable of giving his consent or that the spouses have separated and are living apart and that the separation is likely to be permanent.
- (5) The court may dispense with any consent of a child required by section 6(1)(c) if the court is satisfied that the child's physical or mental condition is such that he or she is not capable of giving consent.

8 Evidence of consent of parent or guardian

- (1) Where a parent or guardian of a child does not attend the proceedings on an application for an adoption order for the purpose of giving his consent to the making of the order, then, subject to subsection (2) of this section, a document signifying his consent to the making of such an order shall, if the person in whose favour the order is to be made is named in the document or (where the identity of that person is not known to the consenting party) is distinguished therein in the prescribed manner, be admissible as evidence of that consent, whether the document is executed before or after the commencement of the proceedings; and where any such document is attested as mentioned in subsection (3) of this section, it shall be admissible as aforesaid without further proof of the signature of the person by whom it is executed.
- (2) A document signifying the consent of the mother of a child shall not be admissible under this section unless:
 - (a) the child is at least six weeks old on the date of the execution of the document; and
 - (b) the document is attested on that date as mentioned in subsection (3) of this section.
- (3) A document attested as mentioned in this subsection shall, if the document is executed in Solomon Islands be attested by a magistrate, commissioner of oaths or legal practitioner, or if it is executed outside Solomon Islands be attested by a person of any such class as may be prescribed.
- (4) For the purposes of this section a document purporting to be attested as mentioned in subsection (3) of this section shall be deemed to be so attested, and to be executed and attested on the date and at the place specified in the document, unless the contrary is proved.

8A Report of social welfare officer required

- (1) Before the court makes an adoption order, it must require a social welfare officer to provide a report on the application and the child.
- (2) The report must include the following:

- (a) any views expressed by the child in relation to the proposed adoption;
 - (b) an assessment of the applicant's suitability to be an adoptive parent of the child;
 - (c) an assessment of whether the adoption would be in the best interests of the child;
 - (d) a recommendation that the adoption order should or should not be made.
- (3) This section does not apply in any case where the applicant or one of the applicants is an existing parent of the child, whether his natural parent or his adoptive parent under any previous adoption.

9 Functions of court as to adoption orders

- (1) The court before making an adoption order shall be satisfied:
- (a) that every person whose consent is necessary under this Act, and whose consent is not dispensed with, has consented to and understands the nature and effect of the adoption order for which application is made, and in particular in the case of any parent understands that the effect of the adoption order will be permanently to deprive him of his parental rights; and
 - (b) that the order if made will be in the best interests of the child; and
 - (c) that the applicant has not received or agreed to receive, and that no person has made or given or agreed to make or give to the applicant, any payment or other reward in consideration of the adoption except such as the court may sanction; and
 - (d) that the applicant:
 - (i) is a fit and proper person to be entrusted with the care of the child; and
 - (ii) is willing and able to undertake, exercise and maintain the responsibilities of such care; and

- (iii) has the capacity to provide an environment that is conducive to the child's growth and development; and
 - (iv) has been properly assessed by a social welfare officer for compliance with paragraphs (i), (ii) and (iii).
- (2) Without limiting the matters the court must consider in determining whether an adoption order will be in the best interests of the child, the court must consider:
 - (a) the wishes of the child, having regard to the child's age and understanding; and
 - (b) the health of the applicant, as evidenced in such cases as may be prescribed, by the certificate of a fully registered medical practitioner; and
 - (c) the report and recommendations made by a social welfare officer in accordance with section 8A.
- (3) The court in an adoption order may impose such terms and conditions as the court may think fit, and in particular may require the adopter by bond or otherwise to make for the child such provision (if any) as in the opinion of the court is just and expedient.

10 Interim order

- (1) Subject to the provision of this section, the court may, upon any application for an adoption order; where it deems it necessary, postpone the determination of the application and make an interim order giving the custody of the child to the applicant for a period not exceeding two years by way of a probationary period upon such terms as regards provision for the maintenance and education and supervision of the welfare of the child and otherwise as the court may think fit.
- (2) All such consents as are required to an adoption order shall be necessary to an interim order but subject to a like power on the part of the court to dispense with any such consent.
- (3) An interim order shall not be made in any case where the making of an adoption order would be unlawful by virtue of section 5 of this Act.

- (4) Where an interim order has been made giving the custody of a child to the applicant for a period of less than two years, the court may by order extend that period, but the total period for which the custody of the child is given to the applicant under the order as varied under this subsection shall not exceed two years.
- (5) An interim order shall not be deemed to be an adoption order within the meaning of this Act.

11 Jurisdiction and procedure

- (1) An application for an adoption order may be made to the High Court.
- (2) For the purpose of any application in Solomon Islands for an adoption order, the court shall, subject to such regulations that may be made by the Minister, appoint some person to act as guardian *ad litem* of the child upon the hearing of the application with the duty of safeguarding the interests of the child before the court.

PART III EFFECT OF ADOPTION ORDERS

13 Rights and duties of parents and capacity to marry

- (1) Upon an adoption order being made, all rights, duties, obligations and liabilities of the parents or guardians of the child in relation to the future custody, maintenance and education of the child, including all rights to appoint a guardian and to consent or give notice of dissent to marriage; shall be extinguished, and all such rights, duties, obligations and liabilities shall vest in and be exercisable by and enforceable against the adopter as if the child were a child born to the adopter in lawful wedlock; and in respect of the matters aforesaid the child shall stand to the adopter exclusively in the position of a child born to the adopter in lawful wedlock.
- (2) In any case where two spouses are the adopters, the spouses shall in respect of the matter aforesaid, and for the purpose of the jurisdiction of any court to make orders as to the custody and maintenance of and right of access to children, stand to each other and to the child in the same relation as they would have stood if they had been the lawful father and mother of the child and the child shall stand to them in the same relation as to lawful father and mother.

- (3) For the purpose of the law relating to marriage, an adopter and the person who he has been authorised to adopt under an adoption order shall be deemed to be within the prohibited degrees of consanguinity; and the provisions of this subsection shall continue to have effect notwithstanding that some person other than the adopter is authorised by a subsequent order to adopt the same child.

14 Affiliation orders, etc.

- (1) Where an adoption order is made in respect of a child who is illegitimate, then, unless the adopter is his mother and the mother is a single woman, any affiliation order or decree of affiliation and aliment in force with respect to the child, and any agreement whereby the father of the child has undertaken to make payments specifically for the benefit of the child, shall cease to have effect, but without prejudice to the recovery of any arrears which are due under the order, decree or agreement at the date of the adoption order.
- (2) After an adoption order has been made in respect of a child who is illegitimate, no affiliation order or decree of affiliation and aliment shall be made with respect to the child unless the adoption order was made on the application of the mother of the child alone.

15 Intestacies, wills and settlements

Where, at any time after the making of an adoption order, the adopter or the adopted person or any other person dies intestate the movable and immovable property of the adopter shall devolve in all respect in accordance with the provisions of Part VIII of the *Wills, Probate and Administration Act*.

16 Provisions supplementary to s. 15

- (1) For the purposes of the application of the *Wills, Probate and Administration Act*, to the devolution of any property and for the purposes of the construction of any disposition an adopted person shall be deemed to be related to any other person being the child or adopted child of the adopter or (in the case of a joint adoption) of either of the adopters:
 - (a) where he or she was adopted by two spouses jointly, and that other person is the child or adopted child of both of them, as

brother or sister of the whole blood; and

(b) in any other case, as brother or sister of the half-blood.

- (2) A disposition made by will or codicil shall be treated as made on the date of the death of the testator.
- (3) Trustees or personal representatives may convey or distribute any real or personal property to or among the persons entitled thereto without having ascertained that no adoption order has been made by virtue of which any person is or may be entitled to any interest therein, and shall not be liable to any such person of whose claim they may have not had notice at the time of the conveyance or distribution; but nothing in this subsection shall prejudice the right of any such person to follow the property, or any property representing it, into the hands of any person, other than a purchaser, who may have received it.
- (4) Where an adoption order is made in respect of a person who has been previously adopted, the previous adoption shall be disregarded for the purposes of the last foregoing section in relation to the devolution of any property on the death of a person dying intestate after the date of the subsequent adoption order, in relation to any disposition of property made, or taking effect on the death of a person dying, after that date.

17 Citizenship

- (1) Subject to subsection (2), where an adoption order is made in respect of a child who is not a citizen of Solomon Islands, if the adopter, or in the case of a joint adoption one of the adopters is a citizen of Solomon Islands, the child shall be a citizen of Solomon Islands as from the date of the order.
- (2) Where an adoption order is to be made pursuant to subsection (1), the court may cause to be made such inquiries so as to satisfy itself that the child in respect of whom the adoption order is to be made has in fact on the date of the application, and has been during a considerable period immediately prior to that date been in the lawful custody of the applicant or adopter.

PART IV REGISTRATION

18 Adopted Children Register

- (1) The Registrar General shall maintain at the office a register, to be called the Adopted Children Register, in which shall be made such entries as may be directed to be made therein by adoption orders, but not other entries.
- (2) A certified copy of an entry in the Adopted Children Register, if purporting to be sealed or stamped with the seal of the Registrar General's office, shall, without any notice or other proof of that entry, be received as evidence of the adoption to which it relates and, where the entry contains a record of the date of the birth or the country or the district and sub-district of the birth of the adopted person, shall also be received as aforesaid as evidence of that date or country or district and sub-district in all respects as if the copy were a certified copy of an entry in the Registers of Births.
- (3) The Registrar General shall cause an index of the Adopted Children Register to be made and kept in the Registrar General's Office and every person shall be entitled to search that index and to have a certified copy of any entry in the Adopted Children Register in all respects upon and subject to the same terms, conditions and regulations as to payment of fees and otherwise as are applicable under the *Births and Deaths Registration Act*, in respect of searches in other indexes kept in the Registrar General's Office and in respect of the supply from that office of certified copies of entries in the certified copies of the Registers of Births and Deaths.
- (4) The Registrar General shall, in addition to the Adopted Children Register and the index thereof, keep such other registers and books, and make such entries therein, as may be necessary to record and make traceable the connection between any entry in the Registers of Births which has been marked "Adopted" pursuant to the next following section or any law at the time in force, and any corresponding entry in the Adopted Children Register.
- (5) The registers and books kept under subsection (4) of this section shall not be, nor shall any index thereof be, open to public inspection or search, and the Registrar General shall not furnish any person with any information contained in or with any copy or extract from

such registers or books except under an order of the High Court.

19 Registration of adoption

- (1) Every adoption order made by the High Court shall contain a direction to the Registrar General to make in the Adopted Children Register an entry in the form set out in the Schedule to this Act, and (subject to the next following subsection) shall specify the particulars to be entered under the headings in columns 2 to 6 of that Schedule.
- (2) For the purposes of compliance with the requirements of the last foregoing subsection:
 - (a) where the precise date of the child's birth is not proved to the satisfaction of the court, the court shall determine the probable date of his birth and the date so determined shall be specified in the order as the date of his birth;
 - (b) where the country of birth of the child is not proved to the satisfaction of the court, then, if it appears probable that the child was born within Solomon Islands, he shall be treated as having been born in Solomon Islands, and in any case the particulars of the country of birth may be omitted from the order and from the entry in the Adopted Children Register,

and the name to be specified in the order as the name and surname of the child shall be the name or names and surname stated in that behalf in the application for the adoption order, or, if no name or surname is so stated, the original name or names of the child and the surname of the applicant.

- (3) The particulars to be entered in the Adopted Children Register under the heading in column 2 of the Schedule to this Act shall include, in the case of a child born in Solomon Islands the registration province in which the birth took place; and where the child was born in Solomon Islands but the registration district in which the birth took place is not proved to the satisfaction of the court, or where the child is treated by virtue of paragraph (b) of subsection (2) of this section as born in Solomon Islands, he shall be treated for the purposes of this subsection as born in the province in which the court sits.
- (4) Where upon any application to the High Court in Solomon Islands for

an adoption order in respect of a child (not being a child who has previously been the subject of an adoption order made by the High Court under this Act or any law at the time in force) there is proved to the satisfaction of the court the identity of the child with a child to whom the entry in the Registers of Births relates, any adoption order made in pursuance of the application shall contain a direction to the Registrar General to cause the entry in the Registers of Births to be marked with the word "Adopted".

- (5) Where an adoption order is made by the High Court the prescribed officer of the court shall cause the order to be communicated in the prescribed manner to the Registrar General, and upon receipt of the communication the Registrar General shall cause compliance to be made with the directions contained in the order.

20 Amendment of orders and rectification of Registers

- (1) Where an adoption order has been made, the High Court may, on the application of the adopter or of the adopted person, amend the order by the correction of any error in the particulars contained therein, and may:
 - (a) if satisfied on the application of the adopter or of the adopted person that within one year beginning with the date of the order any new name has been given to the adopted person (whether in baptism or otherwise), or taken by him, either in lieu of or in addition to a name specified in the particulars required to be entered in the Adopted Children Register in pursuance of the order, amend the order by substituting or adding that name in those particulars, as the case may require:
 - (b) if satisfied on the application of any person concerned that a direction for the marking of an entry in the Registers of Births, or the Adopted Children Register included in the order in pursuance of subsection (4) of this Act was wrongly so included, revoke that direction.
- (2) Where an adoption order is amended or a direction revoked under subsection (1) of this section, the prescribed officer of the court shall cause the amendment to be communicated in the prescribed manner to the Registrar who shall as the case may require:

- (a) cause the entry in the Adopted Children Register to be amended accordingly; or
 - (b) cause the marking of the entry in the Registers of Births or the Adopted Children Register to be cancelled.
- (3) Where an adoption order is quashed or an appeal against an adoption allowed by any court, the court shall give directions to the Registrar General to cancel any entry in the Adopted Children Register, and any marking of an entry in that Register or the Registers of Births, as the case may be, which was effected in pursuance of the order.
- (4) Where an adoption order has been amended, any certified copy of the relevant entry in the Adopted Children Register which may be issued pursuant to subsection (3) of section 18 of this Act shall be a copy of the entry as amended, without the reproduction of any note or marking relating to the amendment or of any matter cancelled pursuant thereto; and a copy or extract of an entry in any register, being an entry the marking of which has been cancelled, shall be deemed to be an accurate copy if and only if both the marking and the cancellation are omitted therefrom.

PART V LEGITIMATION FOLLOWING ADOPTION

21 Legitimation: revocation of adoption orders and cancellations in Registers

- (1) Where any person adopted by his father or mother alone has subsequently become a legitimated person on the marriage of his father and mother, the court by which the adoption order was made may, on the application of any of the parties concerned, revoke that order.
- (2) Where an adoption order is revoked under this section, the prescribed officer of the court shall cause the revocation to be communicated in the prescribed manner to the Registrar General, who shall cause to be cancelled, the entry, and a copy or extract of an entry in any register, being an entry the marking of which is cancelled under this section, shall be deemed to be an accurate copy if and only if both the marking and the cancellation are omitted therefrom.

PART VI CARE AND POSSESSION OF CHILDREN AWAITING ADOPTION

22 Restriction on removal by parent or guardian after giving consent

While an application for adoption order in respect of a child is pending in the court, a parent or guardian of the child who has signified his consent to the making of an adoption order in pursuance of the application shall not be entitled, except with the leave of the court, to remove the child from the care and possession of the applicant, and in considering whether to grant or refuse such leave the court shall have regard to the welfare of the child.

23 Prohibition of certain payments

- (1) Subject to the provisions of this section, it shall not be lawful to make or give to any person any payment or reward for or in consideration of:
 - (a) the adoption by that person of a child;
 - (b) the grant by that person of any consent required in connection with the adoption of a child;
 - (c) the transfer by that person of the care and possession of a child with a view to the adoption of the child; or
 - (d) the making by that person of any arrangements for the adoption of a child.
- (2) Any person who makes or gives, or agrees or offers to make or give, any payment or reward prohibited by this section, or who receives or agrees to receive or attempts to obtain any such reward, shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding one thousand penalty units or to both, and the court may order any child in respect of whom the offence was committed to be removed to a place of safety until he can be restored to his parents or guardian or until other arrangements can be made for him.

24 Restriction upon advertisement

- (1) It shall not be lawful for any advertisement to be published indicating:
 - (a) that the parent or guardian of a child;
 - (b) that a person desires to adopt a child; or
 - (c) that any person (not being a registered adoption society or a local authority),

is willing to make arrangements for the adoption of a child.
- (2) Any person who causes to be published or knowingly publishes an advertisement in contravention of the provisions of this section shall be liable on summary conviction to a fine not exceeding one thousand penalty units.

PART VII NON-RESIDENTS AND INTER-COUNTRY ADOPTIONS

25 Application by person not resident in Solomon Islands

- (1) A person who is not ordinarily resident in Solomon Islands may apply to the court for an adoption order or interim order.
- (2) The application must be accompanied by a report, in the prescribed form, completed by the relevant adoption authority in the applicant's country of ordinary residence and attesting to the applicant's suitability to adopt a child.
- (3) On receiving the application, the court must request a report from a social welfare officer as to whether the requirements of subsection (5) are satisfied in relation to the application.
- (4) Despite any other provision in this Act but subject to subsection (5), the court may make the adoption order or interim order after considering:
 - (a) the application; and
 - (b) the accompanying report from the relevant adoption authority in the applicant's country of ordinary residence; and

- (c) the report of the social welfare officer.
- (5) The court must not make an adoption order or interim order unless it is satisfied, in addition to all the other requirements of this Act except those relating to country of residence, that:
 - (a) there are no other suitable arrangements available in Solomon Islands for the care, support and welfare of the child; and
 - (b) an inter-country adoption is in the child's best interests.

26 Restriction on removal of children for adoption outside Solomon Islands

Except under the authority of an order made under section 25, a person commits an offence if:

- (a) the person takes or sends a child who is a Solomon Islander to any place outside Solomon Islands; and
- (b) the person does so with the intention that the child be adopted by a person who is not a parent, guardian or relative of the child.

Maximum penalty: 100,000 penalty units or 10 years imprisonment, or both.

PART VIII MISCELLANEOUS MATTERS

27 Power to make regulations

- (1) The Minister may make regulations for the better carrying out of the provisions and purposes of this Act and without prejudice to the generality of the foregoing power, such regulations may provide for:
 - (a) anything required by this Act to be prescribed; and
 - (b) such adaptations and modifications in any other law made or having effect prior to the date of commencement of this Act as appear to him necessary or expedient on account of anything provided by or under this Act.
- (2) Any regulations adapting or modifying any Act under paragraph (b) of subsection (1) shall be subject to affirmative resolution and shall

not come into force until a draft of it has been laid before Parliament and approved by a resolution of Parliament.

28 **Avoidance of doubt**

For the avoidance of doubt it is hereby declared that the provisions of this Act shall not in any way affect any adoption made in accordance with any prevailing custom in Solomon Islands prior to or after the commencement of this Act.

SCHEDULE

THE ADOPTION ACT 2004

FORM OF ENTRY IN ADOPTED CHILDREN REGISTER IN SOLOMON ISLANDS

No. of entry	Date and country of birth of child	Name and surname of child	Sex of child	Name and surname of officer deputed by Registrar General to attest the entry	Date of adoption order and description of court by which made	Date of entry	Signature of officer deputed by Registrar to attest the entry.

ENDNOTES

1 KEY

amd = amended	Pt = Part
Ch = Chapter	rem = remainder
Div = Division	renum = renumbered
exp = expires/expired	rep = repealed
GN = Gazette Notice	Sch = Schedule
hdg = heading	Sdiv = Subdivision
ins = inserted	SIG = Solomon Islands Gazette
lt = long title	st = short title
LN = Legal Notice	sub = substituted
nc = not commenced	

2 LIST OF LEGISLATION

Adoption Act 2004 (No. 4 of 2004)

Assent date	6 July 2004
Gazetted	9 August 2004
Commenced	15 May 2008

Penalties Miscellaneous Amendments Act 2009 (No. 14 of 2009)

Assent date	29 July 2009
Gazetted	1 October 2009
Commenced	1 October 2009

Adoption (Amendment) Act 2017 (No. 4 of 2017)

Assent date	17 March 2017
Gazetted	24 March 2017
Commenced	1 June 2017

Child and Family Welfare Act 2017 (No. 3 of 2017)

Assent date	17 March 2017
Gazetted	24 March 2017
Commenced	14 September 2022

Legislation Amendment, Repeal and Validation Act 2023 (No. 17 of 2023)

Assent date	29 December 2023
Gazetted	29 December 2023
Commenced	5 February 2024

3 LIST OF AMENDMENTS

s 2	amd by Act No.4 of 2017
s 3	amd by Act No.4 of 2017
s 4	amd by Act No.4 of 2017

s 5	amd by Act No.4 of 2017
s 6	amd by Acts No.4 of 2017; No. 3 of 2017
s 7	amd by Acts No.4 of 2017; No. 3 of 2017
s 8	amd by Act No.4 of 2017
s 8A	ins by Act No. 3 of 2017
s 9	amd by Acts No.4 of 2017; No. 3 of 2017
s 10	amd by Act No.4 of 2017
s 11	amd by Act No.4 of 2017
s 12	rep by Act No.4 of 2017
s 13	amd by Act No.4 of 2017
s 14	amd by Act No.4 of 2017
s 17	amd by Act No.4 of 2017
s 19	amd by Act No.4 of 2017
s 20	amd by Act No. 17 of 2023
s 21 hdg	amd by Act No. 17 of 2023
Pt VI hdg	amd by Acts No.4 of 2017; 17 of 2023
s 22	amd by Act No.4 of 2017
s 23	amd by Acts No. 14 of 2009; No. 4 of 2017
s 24	amd by Acts No. 14 of 2009; No. 4 of 2017
Pt VII	ins by Act No.4 of 2017
s 25	amd by Act No. 14 of 2009
	sub by Act No.4 of 2017
s 26	sub by Act No.4 of 2017
Pt VIII hdg	ins by Act No.4 of 2017