

No. 41 of 1974

AN ORDINANCE

To amend the *Adoption of Children Ordinance 1965-1966*.

I, THE GOVERNOR-GENERAL of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1973*.

Dated this tenth day of October, 1974.

JOHN R. KERR
Governor-General.

By His Excellency's Command,

GORDON M. BRYANT
Minister of State for the Capital Territory

ADOPTION OF CHILDREN ORDINANCE 1974

1. (1) This Ordinance may be cited as the *Adoption of Children Ordinance 1974*.* Short title and citation.

(2) The *Adoption of Children Ordinance 1965-1966*,† as amended by this Ordinance, may be cited as the *Adoption of Children Ordinance 1965-1974*.

2. Section 29 of the *Adoption of Children Ordinance 1965-1966* is amended by omitting sub-section (3) and substituting the following sub-section:— Defective consents.

“(3) The Court shall not make an adoption order in reliance on an instrument of consent signed by the mother of the child on, or within seven days after, the day on which the child was born unless—

(a) it is proved that, at the time the instrument was signed, the mother was in a fit condition to give the consent; or

(b) the consent—

(i) was given in accordance with the law of a State or another Territory; and

(ii) is, by virtue of section 28, an effective consent for the purposes of the application for the adoption order.”.

3. Section 29 of the *Adoption of Children Ordinance 1965-1966*, as amended by this Ordinance, applies to, and in relation to, an application for an adoption order that was pending immediately before the commencement of this Ordinance as if this Ordinance had been in force when the application was made. Application of amendment.

* Notified in the *Australian Government Gazette* on 22 October 1974.
† Ordinance No. 15, 1965, as amended by No. 19, 1966.