



CHILDREN (AMENDMENT) ACT, 2020

(Act 18 of 2020)

I assent



A handwritten signature in blue ink, appearing to read "Danny Faure".

Danny Faure
President

19th May, 2020

AN ACT to provide for further protection of children; the abolition of corporal punishment against children; and to give effect to requirements under international conventions on children rights and for matters incidental thereto.

ENACTED by the President and the National Assembly.

1. This Act may be cited as the Children (Amendment) Act, 2020.

Short title

Amendment of
Cap 28 as last
amended by
Act 14 of 2016

2. The Children Act is amended as follows —

- (a) in section 2 by inserting in the proper alphabetical order the following definition —

“corporal punishment” means any kind of physical punishment of a child to maintain discipline or to enforce a rule in the exercise of parental authority, or rights or authority derived from having charge, custody, access, care, maintenance, or control of the child;

- (b) by inserting immediately after section 44 the following as section 44A —

Application for an adoption order to comply with the requirements under Hague Convention.

“44A.(1) An application made under section 44 for an adoption order shall be subject to the requirements under the Hague Conventions.

(2) For the purposes of this section, “Hague Conventions” means the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, 1993, and the Convention on the Civil Aspects of International Child Abduction, 1980, as ratified by the Republic.

(3) The Ministry or Department responsible for children affairs is designated as the Central Authority to discharge the duties imposed by the Hague Conventions.

- (c) in section 70 by repealing subsection (7);
- (d) by inserting immediately after section 70A the following as section 70B —

Prohibition
of corporal
punishment

“70B.(1) Notwithstanding any other law, no child shall be subjected to corporal punishment.

(2) Any person who contravenes subsection (1) commits an offence and on conviction is liable to a fine of SCR25,000 or to imprisonment for not more than 2 years, or to both a fine and imprisonment, provided that the Court shall first consider other appropriate means of disposing of the matter, taking into consideration the relationship between the offender and the child.”;

- (e) in section 107 in paragraph (o) —
- (i) by repealing subparagraph (iii);
 - (ii) in subparagraph (iv) by deleting the words “other lesser punishments for, or”.

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 12th May, 2020.



Mrs. Tania Isaac
Deputy Clerk to the National Assembly

