

CAYMAN ISLANDS



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THE CHILDREN LAW, 2003

THE CONTACT WITH CHILDREN REGULATIONS, 2012

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ARRANGEMENT OF REGULATIONS

1. Citation
2. Definitions
3. Department's refusal of contact with child
4. Departure from terms of court order on contact under section 36
5. Notification of variation or suspension of contact arrangements
6. Information to be contained in written notification

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The Governor in Cabinet, in exercise of the powers conferred by section 36(8) of the Children Law, 2003, hereby makes the following Regulations-

1. These Regulations may be cited as the Contact with Children Regulations, 2012. Citation

2. In these Regulations “Law” means the Children Law, 2003. Definitions

3. Where the Department has decided under section 36(6) of the Law to refuse a person contact with a child which contact would otherwise be required by virtue of section 36(1) of the Law or a court order, the Department shall, as soon as the decision has been made, notify the following persons in writing of the available information specified in regulation 6 as the Department considers those persons need to know- Department’s refusal of contact with child
 - (a) the child, if he is of sufficient understanding;
 - (b) the child’s parents;
 - (c) any guardian of the child;
 - (d) where there was a residence order in force with respect to the child immediately before the care order was made, the person in whose favour the order was made;
 - (e) where immediately before the care order was made a person had care of the child by virtue of an order made in the exercise of the Grand Court’s inherent jurisdiction with respect to children, that person;
 - (f) a judge, where the child is a ward of the court; and
 - (g) any other person whose wishes and feelings the Department consider to be relevant.

4. The Department may depart from the terms of any order under section 36 of the Law by agreement between the Department and the person in relation to whom the order is made in the following circumstances and subject to the following conditions- Departure from terms of court order on contact under section 36

- (a) an application is made to the court for a variation, suspension or discharge of the court order;
- (b) an agreement is made between the child and the Department where the child is of sufficient understanding; and
- (c) a written notification is sent to the persons specified in regulation 3 containing the available information specified in regulation 6 as the Department considers those persons need to know, within seven days of the agreement to depart from the terms of the order.

Notification of variation or suspension of contact arrangements

5. Where the Department varies or suspends any arrangements made otherwise than under an order made under section 36 of the Law with a view to affording any person contact with a child in the care of the Department, written notification shall be sent to those persons specified in regulation 3 containing the available information specified in regulation 6 as the Department considers those persons need to know, as soon as the decision is made to vary or suspend the arrangements.

Information to be contained in written notification

6. The information which the Department shall provide in a written notification under these Regulations is as follows-

- (a) the Department's decision;
- (b) the date of the decision;
- (c) the reasons for the decision;
- (d) the duration of the decision (if applicable); and
- (e) the remedies available in case of dissatisfaction with the decision.

Made in Cabinet on the 28th day of August, 2012.

Kim Bullings

Clerk of the Cabinet.

Laid in the Legislative Assembly on the 5th day of November, 2012, in accordance with section 95(2) of the Children Law, 2003.

Zena Merren-Chin

Clerk of the Legislative Assembly.