

CAYMAN ISLANDS



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THE CHILDREN LAW, 2003

**THE PARENTAL RESPONSIBILITY AGREEMENT REGULATIONS,
2012**

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2012**

ARRANGEMENT OF REGULATIONS

1. Citation
2. Form of parental responsibility agreement
3. Independent legal advice
4. Filing of parental responsibility agreement

SCHEDULE - Parental Responsibility Agreement

CAYMAN ISLANDS

THE CHILDREN LAW, 2003

**THE PARENTAL RESPONSIBILITY AGREEMENT REGULATIONS,
2012**

The Governor in Cabinet, in exercise of the powers conferred by section 6(2) of the Children Law, 2003, hereby makes the following Regulations-

1. These Regulations may be cited as the Parental Responsibility Agreement Regulations, 2012. Citation

2. A parental responsibility agreement shall be made in the form set out in the Schedule. Form of parental responsibility agreement

3. The parties to a parental responsibility agreement shall be given the opportunity to seek independent legal advice before affixing their signature to the agreement. Independent legal advice

4. (1) A parental responsibility agreement shall be recorded by the filing of the agreement, together with sufficient copies thereof for each person with parental responsibility for the child, in the Grand Court. Filing of parental responsibility agreement

- (2) Upon the filing of documents under paragraph (1), the Clerk of the Court shall seal the copies and send one to each person with parental responsibility for the child.

- (3) The record of an agreement under paragraph (1) shall be made available, during office hours, for inspection by any person upon-
 - (a) written request to the Clerk of the Court; and
 - (b) payment of a fee of twenty-five dollars.

SCHEDULE

(Regulation 2)

Form 1

Parental Responsibility Agreement

Section 6(1)(b) of the Children Law, 2003

Keep this form in a safe place

Date recorded at the Grand Court

**Read the notes on the other side
before you make the agreement**

This is a parental responsibility agreement regarding-

The Child Full Name _____

 Boy or Girl

 Date of birth

Between

The Mother

Full Name _____

Address _____

And

The Father

Full Name _____

Address _____

We declare that we are the mother and father of the above named child and we agree that the child's father shall have parental responsibility for the child (in addition to the mother having parental responsibility)

Signed (Mother)

Signed (Father)

Date

Date

Certificate of Witness

The following evidence of identity was produced by the person signing above.

The following evidence of identity was produced by the person signing above.

Signed in the presence of:
Name of witness

Signed in the presence of:
Name of witness

Address

Address

Signature of witness

Signature of witness

Justice of the Peace/ Notary
Public/Clerk of the Court

Justice of the Peace/ Notary
Public/Clerk of the Court

Notes about the Parental Responsibility Agreement

Read these notes before you make the Agreement.

About the Parental Responsibility Agreement:

The making of this agreement will affect the legal position of the mother and the father. You should both seek legal advice before you make the Agreement.

When filling in the Agreement:

Please use black ink (the agreement will be copied). Put the name of one child only. If the father is to have parental responsibility for more than one child, fill in a separate form for each child. **Do not sign the Agreement.**

When you have filled in the Agreement:

Take the agreement to a Justice of the Peace or a Notary Public who will witness your signature and sign the certificate of the witness. If no Justice of the Peace or

Notary Public is available, then the Clerk of the Court may witness your signature. An attorney-at-law cannot witness your signature.

To the mother: When you make the declaration you will have to prove that you are the child's mother, so take to the Grand Court the child's full birth certificate. You will also need evidence of your identity showing a photograph and signature (for example, a driver's licence, passport or voters identification). **Please note that the child's birth certificate will not be accepted as sufficient proof of your identity.**

To the father: You will need evidence of your identity showing a photograph and signature (for example, a driver's licence, passport or voters identification) and proof of your parental status.

When the Certificate has been signed and witnessed:

Make 2 copies of the Agreement form. You do not need to copy these notes. Take, or send, this form and the copies to the Grand Court.

The Clerk of the Court will record the Agreement and keep this form. The copies will be stamped and sent back to each parent at the address on the Agreement. The Agreement will not take effect until it has been received and recorded at the Grand Court.

Ending the Agreement:

Once a parental responsibility agreement has been made it can only end-

- (a) by an order of the court made on the application of any person who has parental responsibility for the child;
- (b) by an order of the court made on the application of the child with permission of the court; or
- (c) when the child attains the age of eighteen.

Form 2

Step-Parental Responsibility Agreement

Section 4A(1)(a) of the Children Law, 2003 Keep this form in a safe place

Date recorded at the Grand Court

**Read the notes on the other side
before you make the agreement**

This is a Step-Parental Responsibility Agreement regarding-

The Child Full Name _____

Between

Parent A Full Name _____

Address _____

And

The other parent (with parental responsibility)*

Full Name _____

Address _____

And

The step-parent

Full Name _____

Address _____

We declare that we are the parents and step-parent of the above named child and we agree that the above mentioned step-parent shall have parental responsibility for the child (in addition to those already having parental responsibility)

Signed (Parent A)

Signed (Other Parent)

Signed (Step-Parent)

Date

Date

Date

The following evidence of identity was produced by the person signing above.

The following evidence of identity was produced by the person signing above.

The following evidence of identity was produced by the person signing above.

Signed in the presence of: Name of Witness

Signed in the presence of: Name of Witness

Signed in the presence of: Name of Witness

Address

Address

Address

Signature of Witness

Signature of Witness

Signature of Witness

Justice of the Peace/
Notary Public/Clerk of
the Grand Court

Justice of the Peace/
Notary Public/Clerk of
the Grand Court

Justice of the Peace/
Notary Public/Clerk of
the Grand Court

* If there is only one parent with parental responsibility please delete this section.

Notes about the Step-Parent Parental Responsibility Form:

Read these notes before you make the Agreement

About the Step-Parent Parental Responsibility Agreement:

The making of this agreement will affect the legal position of the parent(s) and the step-parent. You should seek legal advice before you make the Agreement.

When filling in the Agreement:

Please use black ink (the agreement will be copied). Put the name of one child only. If the step-parent is to have parental responsibility for more than one child, fill in a separate form for each child. Do not sign the agreement.

When you have filled in the Agreement:

Take the agreement to a Justice of the Peace or a Notary Public who will witness your signature and sign the certificate of the witness. If no Justice of the Peace or Notary Public is available, then the Clerk of the Court of the Grand Court may witness your signature. An attorney-at-law cannot witness your signature.

To Parent A and the other Parent with parental responsibility:

When you make the declaration you will have to prove that you have parental responsibility for the child. You should therefore take with you to the court one of the following documents:

- (a) the child's full birth certificate;
- (b) a marriage certificate to show that the parents were married to each other at the time of birth or subsequently;
- (c) a court order granting parental responsibility;
- (d) a registered Parental Responsibility Agreement Form between the child's mother and father.

You will also require evidence of your (both parents') identity showing a photograph and signature (for example, a driver's licence, passport or voters identification). (Please note that the child's birth certificate cannot be accepted as sufficient proof of your identity.)

To the step-parent:

When you make the declaration you will have to prove that you are married to a parent of the child, so take to the court your marriage certificate.

You will also need evidence of your identity showing a photograph and signature (for example, a driver's licence, passport or voters identification).

When the certificate has been signed and witnessed:

Make sufficient copies of the Agreement Form for each person who has signed the form. You do not need to copy these notes.

Take, or send, the original form and the copies to the Grand Court.

The Court will record the agreement and retain the original form. The copies will be stamped with the seal of the court and sent back to every person with parental responsibility who has signed the Agreement Form and to the step-parent. The Agreement will not take effect until it has been received and recorded at the Grand Court.

Ending the Agreement:

Once a step-parent parental responsibility agreement has been made it can only end:

- (a) by an order of the court made on the application of any person who has parental responsibility for the child;
- (b) by an order of the court made on the application of the child with permission of the court; or
- (c) when the child reaches the age of eighteen.

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.