

ADOPTION RULES, 2003

ARRANGEMENT OF RULES

RULE

1. Application of Rules
2. Commencement of proceedings
3. Concealment of applicant's identity
4. Director to be guardian *ad litem*
5. Previous proceedings
6. Evidence in support of application
7. Attestation of consent documents
8. Certificate as to applicant's health
9. Health report on child.
10. Filing of affidavit.
11. Notice of application
12. Social enquiry report.
13. Appointment for hearing of the application
14. Notice of the hearing.
15. The hearing.
16. Interim orders.
17. Transmission of orders.
18. Service of notice by the Department.
19. Supervision of child.
20. Officers appointed by the Department.
21. Keeping of documents.

22. Restriction on disclosure of information

23. Interpretation.

24. Repeal.

[Under the power conferred on the Rules of Court Committee by subsection (I) of section 86 of the Children's Act, \998 (Act 560)]

Made on the 24th day of April, 2003 and notified in the *Gazette* on 15th August, 2003.

1. Application of Rules

These Rules apply to adoption proceedings in the High Court, Circuit Court and Family Tribunal.

2. Commencement of proceedings

(1) Proceedings in the High Court and Circuit Court on fosterage shall be conducted in chambers under the High Court (Civil Procedure) Rules.

(2) Proceedings in the Family Tribunal under the Act shall be conducted in chambers under the rules governing the conduct of proceedings in the District Court.

(3) No person other than the applicant, the lawyer of the applicant, the respondent, an officer representing the Department and officers of the Court shall be present at the hearing of an application for an adoption order unless the presiding judge or judicial officer determines otherwise.

(4) The parents of the respondent shall be present at the hearing of an application for an adoption order where the applicant is a relative.

(5) An application for an adoption order shall be as in Form 1 set out in Schedule 1. (6) The proposed adopter shall be the applicant and the child shall be the respondent.

3. Concealment of applicant's identity

The identity of an applicant may be kept confidential and the applicant may apply to the Registrar of the Court for a serial number to be assigned to the application.

4. Director to be guardian *ad litem*

The Director shall be the guardian *ad litem* of the child for the purposes of the application and a copy of the application shall be served on the Department which shall then enter appearance for the child which, in the case of an application in the Family Tribunal, shall be as in Form 2 set out in Schedule 1.

5. Previous proceedings

(1) The Department shall inform the Court if the applicant has previously made an application for an adoption order in respect of the same or some other child.

(2) Where it appears that the previous application was heard and dismissed on its merits, the Court shall not proceed with another application for the adoption unless the Court is satisfied that there has been a substantial change in,

(a) the circumstances generally, where the application is in respect of the same child; or

(b) the circumstances of the applicant, where the application is in respect of some other child and the applicant is the same.

6. Evidence in support of application

Evidence in support of an application for an adoption order shall be given by affidavit to which shall be attached a statement as in Form 3 set out in Schedule 1 together with any documents referred to in the statement.

7. Attestation of consent documents

(1) Any document signifying the consent of a person to an adoption order shall be as in Form 4 set out in Schedule 1 and shall be attached to the affidavit referred to in rule 6 if executed before the date of the applicant's statement.

(2) The document shall be attested to by

(a) a judicial officer; or

(b) any of the following persons:

(i) a person authorised by law to administer an oath for a judicial or other legal purpose;

(ii) a Ghanaian consular officer if executed outside Ghana; (iii) a notary public; or

(iv) if the person executing the document is serving in any of the Armed Forces, an officer holding a commission in any of those forces.

8. Certificate as to applicant's health

(1) A certificate from a registered medical practitioner on the applicant's health shall be attached to the affidavit except if the applicant is the mother or father of the child.

(2) The medical certificate shall be as in Form 5 set out in Schedule 1.

9. Health report on child

(1) A medical certificate of the child shall be attached to the affidavit.

(2) The certificate shall be prepared by a registered medical practitioner and shall be obtained by an officer of the Department.

(3) The medical certificate shall be as in Form 6 set out in Schedule 1.

10. Filing of affidavit

The affidavit shall be filed not later than fourteen days after the application and a copy of the affidavit with its attachments shall be served upon the Department.

11. Notice of application

The Department shall serve notice as in Form 7 set out in Schedule 1 on any parent who has signified consent to the making of an adoption order after entering appearance.

12. Social enquiry report

(1) The Director shall prepare a social enquiry report on the adoptive child and the applicant for the consideration of the Court in the adoption proceedings.

(2) The Director shall interview the applicant in accordance with Schedule 2. (3) The report shall state

(a) the applicant's home, living conditions, employment history and means of income;

(b) whether the applicant has a criminal record; and

(c) any other information in the best interest of the child.

(4) The Director shall interview the applicant to ascertain if the applicant has had tuberculosis and if there is a history of epilepsy or mental illness in the applicant's family.

(5) The applicant shall also be asked whether he or she is addicted to any narcotic drug.

(6) Where the applicant is married but the application is not a joint application by the couple, the officer shall enquire why the spouse has not joined the application.

(7) If the applicant is a citizen of Ghana resident outside the country the Department shall obtain a social enquiry report from the relevant social services in the country of residence.

(8) The officer shall inform the applicant when the social enquiry report is ready.

13. Appointment for hearing of the application

Within fourteen days after being notified by the officer that the report has been filed in court, the applicant shall obtain a hearing date for the hearing of the application.

14. Notice of the hearing

The Director shall cause a hearing notice in Form 8 as set out in Schedule 1 to be served on

(a) every person other than the applicant, whose consent is required for the adoption order;

(b) any person liable by an order or agreement to contribute to the maintenance of the child;

(c) any child named in the application or in a form of consent as having taken part in the arrangements for the adoption; and

(d) any other person or body who in the opinion of the Court ought to be served with notice of the hearing of the application.

15. The hearing

(1) At the hearing of the application, any person served with a hearing notice may be heard on whether the adoption order should be made.

(2) If a serial number has been assigned to an applicant under rule 3, the proceedings shall be conducted so that the identity of the applicant is not made known to any party who is not already aware of the identity, except with the consent of the applicant.

16. Interim orders

(1) Where an interim order is made under section 71 of the Act without a date for a further hearing, the applicant shall apply for a date for hearing two months before the expiry of the interim order.

(2) The notice of further hearing of an application shall be in Form 9 set out In Schedule 1.

(3) The Department shall apply for a hearing date if the applicant fails to apply for the hearing date within the stipulated period.

17. Transmission of orders

(1) The Registrar of the Court shall send a copy of an adoption order to the RegistrarGeneral, the Department and to the applicant not later than thirty days after an adoption order has been granted.

(2) The Registrar of the Court shall send a copy of an interim adoption order to the Registrar-General and to the applicant not later than thirty days after the interim order has been granted.

(3) The Registrar may send a copy of the adoption order or interim order to any other person if that person has applied to the Court and the Court has given approval.

18. Service of notice by the Department

The Department shall cause a notice to be served on any party absent from court during adoption proceedings when an adoption order or interim order has been made or refused.

19. Supervision of child

(1) During the notification period when the applicant is required to inform the Department of an intention to apply for an adoption order under the Act, the child shall be under the supervision of an officer until the application has been disposed of.

(2) The Department shall have access to the child in the course of the preparation of the social enquiry report.

20. Officers appointed by the Department

No officer appointed by the Department to prepare a social enquiry report shall be appointed in connection with the same application to represent the interest of a child during adoption proceedings.

21. Keeping of documents

Documents relating to proceedings under the Act shall, while they are in the custody of the Court, be kept in a place of special security.

22. Restriction on disclosure of information

(1) No person shall knowingly reveal the identity

(a) of the applicant to any parent or relative of the child; or

(b) of any parent or relative of the child to the applicant,

unless that person does so with the consent of the Court granted on the advice of the Department.

(2) Any information obtained by any person in the course of relating to proceedings under the Act shall be treated as confidential and shall not be disclosed except as may be necessary for the proper execution of duty.

(3) Any person who contravenes any provision of this rule commits an offence and is liable on summary conviction to a fine not exceeding 125 penalty units or to a term of imprisonment not exceeding six months or to both.

23. Interpretation

In these Rules, unless the context otherwise requires

"Act" means the Children's Act, 1998 (Act 560);

"criminal record" means a conviction for any serious offence such as murder, robbery, rape, incest or defilement;

"Department" means the Department of Social Welfare;

"Director" includes the Director of the Department of Social Welfare and an officer in that Department;

"parent" includes a person in *loco parentis*;

"officer" means a social welfare officer or probation officer;

"registered medical practitioner" means a medical practitioner registered under the Medical and Dental Decree, 1972 (N.R.C.D. 207).

24. Repeal

The Adoption (High Court) Rules 1963 (L.I. 276) are hereby revoked.

SCHEDULE 1

FORM NO. 1 *Application for an Adoption Order*

[Rule 2]

IN THE .

IN THE MATTER OF [I] a child,

and

IN THE MATTER

OF the Children's Act, 1998 (Act 560), Ie!...

..... of

..... within eight days after service of this application, inclusive of the day of service, cause an appearance to be entered to this summons which is issued in respect

of this application by of for an order-

1. That the applicant be authorised to adopt

[I]

Note: [1] Enter the name(s) and surname which the child is to bear after the adoption. 2. That the costs of this application be provided for.

Dated the day of

This application was taken out by of , lawyer

for the above-named

The respondent may appear by entering appearance either personally or by lawyer at the offices

of the Court, P.O.

Box .

If the respondent does not enter appearance within the time and at the place above-mentioned, such order shall be made and proceedings taken as the Judge may think just and expedient.

FORM NO.2

Notice of Appearance [Rule 4]

DATE SUIT NO.

IN THE FAMILY TRIBUNAL

BETWEEN Applicant

and

.....
Respondent

TAKE NOTICE that the respondent hereby enters appearance to the applicant's application for adoption and the address for service is as follows.

Dated at this day of .

Signature of Respondent

The Registrar Family Tribunal

And to: The applicant or his lawyer.

FORM NO.3

Statement in Support of Application for an Adoption Order [1] [Rule 6]

(Heading as in Form J)

(Every paragraph must be completed or deleted, as the case may be)

I, the undersigned / We, the undersigned

wanting to adopt [2], a child, under the Children's Act, 1998

(Act 560) hereby give the following particulars in support of my/our application.

PART!

Particulars of the Applicant(s)

1. Name of first applicant in full

Address [3]

Occupation

Date of birth

Relationship (if any) to the child

2. Name of second applicant in full

Address [3]

Occupation

Date of birth

Relationship (if any) to the child

3. I am/We are resident and domiciled in Ghana [or I am/We are domiciled in Ghana but not ordinarily resident in Ghana] [or I am/We are not domiciled in Ghana].

4. I am unmarried/a widow/widower/I am married to

..... of

We are married to each other and are the persons described as . .

and in the marriage certificate (or other evidence of marriage) exhibited to

my/our affidavit verifying this statement.

5. The consent of my husband/wife to the making of an adoption order in pursuance of my application is attached to my affidavit; or I request the Judge to dispense with the consent

of my husband/wife on the ground that [4] [5].

6. A certificate as to my/our health, signed by a fully registered medical practitioner, is attached to my/our affidavit [6].

Notes: [1] This statement is to be verified by affidavit, to which any documents referred to

in the statement should be attached.

[2] Enter the first name(s) and surname as shown on any certificate referred to in entry No.7; otherwise enter the first name(s) and surname by which the child was known before being placed for adoption.

[3] Enter the applicant's present address and, where he is not ordinarily resident in Ghana, the place abroad where he ordinarily resides.

[4] The consent of the applicant's spouse may be dispensed with if the Court is satisfied that he or she cannot be found, or is incapable of giving his or her consent, or that the spouses have separated and are living apart and the separation is likely to be permanent.

[5] This entry should be deleted if the application is made jointly by husband and wife or the applicant is unmarried.

[6] A separate medical certificate is required in respect of each applicant. There is an official form (Form No.5) which may be used for this purpose. No certificate however, need be supplied if the applicant, or one of the applicants, is the father or mother of the child.

PART II

Particulars of the Child

7.The child is of the sex and is not and has not been

married. He/she was born on the day of , 20,

and is the person to whom the birth/adoption certificate [7] attached to my/our affidavit relates

[or was born on or about the ... day of ,20 in

.....]

[8].

8. A report on the health of the child [9], made by a registered medical practitioner on the

..... day of , [10] is attached to my/our said affidavit.

9.The child is the child/adopted child [11] of [12], whose last known address

was [or deceased] and whose last known address

was [or deceased].

10.The guardian(s) of the child is/are of [and

..... of J.

11.A document/documents signifying the consent of the said .. [14] to the

making of an adoption order in pursuance of my/our application is/are attached to my/our said affidavit.

12. I/we request the Judge to dispense with the consent of

of on the ground that [15].

13 of , is liable by virtue of an

order made by the court at

..... on the day of ,20 [or

by virtue of an agreement dated the day of ,20]

to contribute to the maintenance of the child.] [16].

14. If an adoption order is made in pursuance of this application the child is to be known by the following names-

Surname

Other names

Notes: [7] If the child has previously been adopted, a certified copy of the entry in the

Adopted Children Register should be supplied and not a certified copy of the original entry in the Register of Births.

[8] Where a certificate is not supplied, enter the place (including country) of birth, if known.

[9] As the Court may require up-to-date information as to the health of the child, a medical report should be supplied unless the applicant, or one of the applicants, is a parent or relative of the infant. There is an official form (Form No.6) which may be used for this purpose.

[10] If a child is less than one year old on the date of the application, the report should have been made not more than one month before that date. If the child is one year old or more on that date, the report should have been made not more than six months before that date.

[11] If the child has previously been adopted, give the names of the child's adoptive parents and not those of the child's natural parents.

[12] Enter mother's name.

[13] Enter name of father, if known.

[14] Enter the names of the persons mentioned in entries Nos. 12 and 13 except, in the case of an illegitimate child, the child's father.

[15] The consent of a parent or guardian may be dispensed with if the Court is satisfied that the person whose consent is required has abandoned, neglected or persistently ill-treated the child, or that he cannot be found or is incapable of giving consent or that consent is being unreasonably withheld.

[16] This entry should be deleted except where some person or body is liable to maintain the child under a court order or agreement.

PART III

General

15. The child was received into my/our care and possession on the day of , 20 , and has been continuously in my/our care and possession since that date.

16. I have not made/neither of us has made a previous application for an adoption order in respect

of the child or any other child [except application No which was heard on the day of , 20 . , and was dealt with as follows:

.....]
[17]

17. I/we have not received or been given any reward or payment for, or in consideration of, the adoption of the child or for giving consent to the making of the adoption order [except as

follows] [18].

18. As far as I/we know, no person or body has taken part in the arrangements for placing the child

in my/our care and possession [except...] [20].

19. For the purposes of this application reference may be made to of

..... [20].

20. I/we desire that my/our identity should be kept confidential and the serial number of this appli-

cation is [21].

Dated the day of , 20 . .

Notes: (17] The Court cannot proceed with the application if a previous application made by the same applicant in respect of the same or some other child has been heard and dismissed on its merits, unless there has been a substantial alteration in the circumstances,

(a) where the application is in respect of the same child; or

(b) of the applicant, where the application is in respect of some other child, since the previous application.

(18] Any payment or reward is illegal unless it has been sanctioned by the Court.

[19] Enter the name of any adoption or similar society or of any person or body of persons who or which has taken part in the arrangements for placing the child in the care and possession of the applicant with a view to adoption.

[20] Where the applicant or one of the applicants is a parent of the child no referee need be named.

[21] If the applicant wishes his or her personal identity to be kept confidential, the serial number obtained under rule 3 of the these Rules, should be given; otherwise this entry should be deleted.

FORM NO.4

Consent to an Adoption Order [Rule 7]

Where an application is to be/has been made by

the serial number] [1] for land [or under
an adoption order in respect of.. , a child [2]

[And whereas the child is the person to whom the birth certificate [3] now produced and shown to me marked "A" relates] [4].

I, the undersigned of being

[5] the mother/father [6]/guardian of the child, hereby state as follows:

1. I understand that the effect of an adoption order will be to deprive me permanently of my rights as a parent/guardian and to transfer them to the applicant(s), and in particular I understand that, if an order is made, I shall have no right to see or get in touch with the child or to have the child returned to me.

2. I further understand that the Court cannot make an adoption order without the consent of each parent or guardian of the child unless the Court dispenses with a consent on the ground that the person concerned has abandoned, neglected or persistently ill-treated the child or cannot be found, or is incapable of giving consent, or is unreasonably withholding consent.

3. I further understand that when the application for an adoption order is heard, this document may be used as evidence of my consent to the making of the order unless I inform the Court that I no longer consent [7].

4. I hereby consent to the making of an adoption order in pursuance of the application [on condition that the religious persuasion in which the child is proposed to be brought up is] [8].

5. As far as I know, no other person or body has taken part in the arrangements for placing the

child in the care and possession of the applicant(s)

[except of] [9].

Signature

Address

Description [10].

Warning-It is an offence to receive or give any reward or payment for, or in consideration of, the adoption of the child or for giving consent to the making of an adoption order, other than a payment sanctioned by the Court.

Notes: [8] Delete the words in square brackets if the applicant is named or if, although the applicant is not named, the consenting party does not desire to impose a condition as to religious upbringing

[9] Enter the name of any adoption society or body or of any individual who is known to have arranged, or to have taken part in the arrangements, for the child to be placed in the care and possession of the applicant.

[10] **In Ghana** the document should be signed before

(a) a person authorised by law to administer an oath for a judicial or other legal purpose;

(b) a Ghanaian consular officer if executed outside Ghana; (c) a notary public; or

(d) if any person executing the document is serving in any of the Armed Forces, a commissioned officer in any of those forces.

FORM NO.5 [Rule 8]

Medical Certificate as to Health of Applicant

I examined on and have
have formed the opinion that he is physically and emotionally suitable to adopt a child.

Signature

Qualification Date

Address

FORM NO.6 [Rule 9]

Medical Report on Health of Child

Note -This form is for a medical report on a child who may be adopted. The report is for the benefit of the adopters and the Court. In order that the adopters may benefit fully from the report, it is important that the certifying doctor should explain to the adopters the nature and extent of any disability or abnormality disclosed by the examination which might affect their decision whether or not to adopt the child.

Child's name Date of birth

Sex Weight Height

A. Skin

Eyes (including vision). Ears (including hearing). Nose and throat.

Speech.

Cardio-vascular system.

Respiratory system (including an X-ray of the chest). Alimentary system.

Genito urinary system (including examination of urine for albumen, sugar and phenylpyruvic acid).

Skeletal and articular system (including examination for congenital dislocation of hip).

Nervous system (including tits).

Histology of blood cells, including a slide test. Lymphatic system.

Any other comments.

Is the child physically normal having regard to the age of the child? .

B. Are there any episodes in the child's history or examination which suggest that the child is mentally abnormal having regard to the child's age?

C. Particulars of any illnesses from which the child has suffered.

D. If known,

Weight at birth (if the child is under one year of age). Details of birth, including result of mother's serological tests for syphilis.

Particulars, with dates, of vaccination or immunization against,

Tuberculosis (state result of Mantoux test or whether child has been successfully vaccinated with H.C.G. vaccine).

Smallpox

Diphtheria.

Whooping cough.

Poliomyelitis.

Tetanus (active).

Any other disease.

E. Result of suitable serological test of the child's blood for syphilis taken six weeks or later after birth (please specify test).

F.I examined the child on the .. day of , 20 , and I have

informed the adopters of the state of health of the child disclosed through the examination.

Signature .

Date .

Qualifications .

Address .

FORM NO.7

Notice of an Application for an Adoption Order [Rule 11]

To .. of [1]

Where an application has been made [by / .

serial and J [2] or [under the

number] for an [2] adoption order

in respect of [3], a child.

And whereas I, , of the

Department, am the guardian *ad litem* of the child:

Notes: [1] Enter the name and address of any parent or guardian of the child who has signified consent to the making of an adoption order.

[2] The name of the applicant must not be given where a serial number is specified in Form 3 (paragraph 20). In that case complete the second entry in square brackets.

[3] Enter the name(s) and surname as known to the person to whom the notice is given.

Take notice that while the application is pending you must not, except with the leave of the Judge, remove the child from the care and possession of the applicant. Application for leave may be made in the chambers of the Judge, Office of the High Court, Circuit Court or Family Tribunal.

Dated the day of , 20 .

Signature of Director

FORM NO.8

Notice of Hearing of an Application for an Adoption Order [Rule 14]

To of .

Whereas an application has been made
[by
..... and] [1]
or [under the serial number] for an adoption
order in respect of [2], a child.

Take notice:

A.[3] That the application will be heard at the Court, ,
on the day of ,
at the hour of in the noon, and that you may then
attend and be heard on the question whether an adoption order should be made.

B. [3] That if you wish to attend and be heard on the question whether an adoption order
should be made, you should notify me on or before the day
of , , in order that a time may be fixed for your attendance.

It would assist the Court if you would complete the attached form and return it to me.

Dated the day of , 20

Signature of Director

I have received notice of the application for an adoption order in respect of , a child

Delete one I do/do not wish to oppose the application.

or other I do/do not wish to attend and be heard on the question whether
an adoption

alternative order should be made.

Signature

Date

Address

Notes: [1] The name of the applicant must not be given where the notice is addressed to an individual and a serial number is specified in Form 3 (paragraph 20). In that case complete the second entry in square brackets.

[2] Enter the name(s) and surname as known to the person to whom the notice is given.

[3] Form A should be completed and Form B struck out where the notice is addressed to an adoption society or other body of persons or the spouse of the applicant, or where the applicant does not desire identity to be kept confidential (see Form 3 paragraph 21). Where a serial number is specified in that paragraph and the notice is addressed to an individual Form A must be struck out and Form B completed .

..... .. (Perforation) .

TO: The Director, District Department of Social Welfare and Community Development

FORM NO.9

Notice of Further Hearing of an Application for an Adoption Order [Rule 16]

To of .

Whereas an application has been made [by and
.....] [1] or [under the serial number] for an
adoption order in respect of a child [2].

And whereas I, the Department of Social Welfare, am the guardian *ad litem* of the child.

And whereas the determination of the application was postponed and an interim order was made by

the Judge on the day of ,20

Take notice:

A.[3] That the application will be further heard before the Judge in chambers, ..

at the hour of in the noon, and that

you may then attend and be heard on the question whether an adoption order should be made.

B. [3] That if you wish to attend and be heard on the question whether an adoption order should

be made, you should notify me on or before the ..

day of .., in order that a time may be

fixed for your attendance.

Notes: [1] The name of the applicant must not be given where the notice is addressed to an individual and a serial number is specified in Form 3 (paragraph 20). In that case complete the second entry in square brackets.

[2] Enter the name(s) and surname as known to the person to whom the notice is given.

[3] FORMI A should be completed and Form B struck out where the notice is addressed to an adoption society or other body of persons or the spouse of the applicant, or where the applicant does not desire personal identity to be kept confidential (see Form 3 paragraph 21). Where a serial number is specified in that paragraph and the notice is addressed to an individual Form A must be struck out and FORM I B completed.

It would assist the Court if you would complete the attached form and return it to me.

Dated the of , 20 .. .

S'

(Perforation)

Signature of Director

.....

TO: The Director, Department of Social Welfare

I have received notice of the further hearing of the application for an adoption order in respect of

..... , a child.

Delete one I do/do not wish to oppose the application.

or other I do/do not wish to attend and be heard on the question whether an adoption

alternative order should be made.

Signature

Date

Address

SCHEDULE 2 [Rule 12]

PARTICULAR DUTIES OF THE DIRECTOR

Social Enquiry Report

1. The Director shall interview the applicant and shall ascertain-

(a) particulars of all members of the applicant's household and their relationship (if any) to the applicant;

(b) particulars of the accommodation in the applicant's home and the condition of the home;

(c) the means of the applicant;

(d) whether the applicant suffers or has suffered from any serious illness such as tuberculosis and whether there is a history of epilepsy or mental illness in the applicant's family;

(e) in the case of an application by only one of the two spouses, why the other spouse does not join in the application;

(j) whether any person specified in the application as a person to whom reference may be made is a responsible person and whether he recommends the applicant with or without reservations; and

(g) whether the applicant understands the nature of an adoption order and, in particular, that the order, if made, will render him responsible for the maintenance and upbringing of the child.

2. The Director shall ascertain and inform the applicant-

(a) whether the child has been baptised and, if so, the date and place of baptism;

(b) what treatment the child has received with a view to immunising him against disease; and

(c) whether the child has any right to, or interest in, any property.

3. The Director shall ascertain whether the child is able to understand the nature of an adoption order and, if the child is, whether the child wishes to be adopted by the applicant.

4. The Director shall interview either in person or by an officer appointed by the Director for the purpose, every individual to whom notice is required to be given under rule 14 or who appears to the Director to have taken part in the arrangements for the adoption of the child.

5. (1) The Director shall obtain from every person, not being an individual, to whom notice is required to be given under rule 14 such information concerning the child as they have in their possession and which they consider might assist the Court in deciding whether or not the child should be adopted by the applicant.

(2) Where such information is given in the form of a written report, the Director shall attach it to the personal report to the Court.

6. The Director shall ascertain when the mother of the child ceased to have the care and possession of the child and to whom the care and possession was transferred.

7. The Director shall ascertain that every consent to the making of an adoption order in pursuance of the application is freely given and with full understanding of the nature and effect of an adoption order.

8. Where either parent of the child is dead, the Director shall inform the Court when made aware of any relation of the deceased parent who wishes to be heard by the Court on the question whether an adoption order should be made.

9. Where the child is illegitimate but no one is liable as the putative father to contribute to the maintenance of the child by virtue of any order or agreement, the Director shall inform the Court when made aware of any person, claiming to be the father, who wishes to be heard by the Court on the question whether an adoption order should be made.

10. The Director shall inform the Court when made aware of any other person or body who wishes, or ought in the opinion of the Director, to be heard by the Court on the question whether an adoption order should be made.

11. Where the applicant is not ordinarily resident in Ghana, the Director shall endeavour to obtain a report on the applicant's home and living conditions from a suitable agency in the country in which the applicant is ordinarily resident.

Dated the 24th April, 2003.

[Date of Gazette notification: 15th August, 2003]

Entry into force: