

**CAYMAN ISLANDS**



# **STATUS OF CHILDREN (AMENDMENT) BILL, 2026**

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**A BILL FOR AN ACT TO AMEND THE STATUS OF CHILDREN ACT, 2003 TO CHANGE THE DEFINITIONS OF CERTAIN WORDS USED IN THE ACT AND TO INTRODUCE A DEFINITION FOR THE WORD "CHILD"; TO PROVIDE FOR THE EFFECT OF CONSENT GIVEN BY MINORS WHO HAVE ATTAINED THE AGE OF SIXTEEN YEARS; TO EMPOWER THE SUMMARY COURT WITH JURISDICTION TO DEAL WITH MATTERS UNDER THE ACT; TO PROVIDE FOR TRANSITIONAL MATTERS; AND FOR INCIDENTAL AND CONNECTED PURPOSES**

## PUBLISHING DETAILS

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**Sponsoring Ministry/Portfolio:** Ministry of Social Development and Innovation



## Memorandum of OBJECTS AND REASONS

This Bill amends the Status of Children Act, 2003 (the “principal Act”) —

- (a) to change the definitions of certain words used in the principal Act and to introduce a definition for the word “child”;
- (b) to provide for the effect of consent given by minors who have attained the age of sixteen years;
- (c) to empower the summary court with jurisdiction to deal with matters under the principal Act;
- (d) to provide for transitional matters; and
- (e) to provide for incidental and connected purposes.

Clause 1 provides for the short title and commencement of the legislation.

The commencement of this legislation is contingent on the coming into force of certain specified sections of the Children (Amendment) Act, 2024.

The commencement provision states that clause 2(c) of the legislation comes into force immediately after section 4(e) of the Children (Amendment) Act, 2024 comes into force. The effect of this is to ensure that the definition of the word “parent” which is being introduced in clause 2(c) of the legislation aligns with the definition of the word “parent” as set out in section 4(e) of the Children (Amendment) Act, 2024 once the latter provision is commenced. The Children (Amendment) Act, 2024 defines a parent as including an adopter and a person who acquired parental responsibility by virtue of being a step-parent.

The commencement provision also states that the remaining provisions of the legislation come into force immediately after section 64(c) of the Children (Amendment) Act, 2024 comes into force.

Section 64(c) of the Children (Amendment) Act, 2024 provides for the repeal of the Affiliation Act (1995 Revision), as most of the provisions of the Affiliation Act (1995 Revision) became redundant as those matters are dealt with in the Children Act (2012 Revision) and the principal Act.

Clause 2 amends section 2 of the principal Act by introducing a definition of “child” by reference to the definition assigned to that word by section 2 of the Children Act (2012 Revision), in order to align the definitions across both pieces of legislation.

The clause also amends section 2 of the principal Act by deleting the existing definitions of the words “court” and “parent” and providing updated definitions.



The word “court” is proposed to mean the Grand Court and the Summary Court. The effect of this amendment is that the Summary Court now has jurisdiction to deal with matters under the principal Act.

The word “parent” is proposed to be defined by reference to the definition assigned to that word by section 2 of the Children Act (2012 Revision) as amended by section 4(e) of the Children (Amendment) Act, 2024, when that provision comes into force.

Clause 3 amends section 15 of the principal Act, which deals with parentage testing orders, to introduce a new subsection (7). The effect of the proposed new subsection (7) is that, where a minor has attained the age of sixteen years, the consent of that minor, to blood tests for a parentage testing order, shall be effective as if the minor were eighteen years old if —

- (a) the minor understands the nature and purpose of the blood tests; and
- (b) the minor consents to the taking of the blood tests for a parentage testing order.

Clause 4 provides for transitional matters. The clause stipulates that on the date of commencement of the amending legislation, every matter and proceeding that is —

- (a) commenced in any court under the Affiliation Act (1995 Revision); and
- (b) pending or in progress immediately before the date of commencement of the amending legislation,

may be continued, completed and enforced under the principal Act as amended by the amending legislation, unless the court thinks it fit to deal with the matter or proceeding as if the Affiliation Act (1995 Revision) were still in force.



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**Arrangement of Clauses**

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ENACTED by the Legislature of the Cayman Islands.

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**Short title and commencement**

1. (1) This Act may be cited as the Status of Children (Amendment) Act, 2026.
- (2) Subject to subsection (3), this Act comes into force immediately after section 64(c) of the *Children (Amendment) Act, 2024* comes into force.
- (3) Section 2(c) comes into force immediately after section 4(e) of the *Children (Amendment) Act, 2024* comes into force.

**Amendment of section 2 of the Status of Children Act, 2003 - interpretation**

2. The *Status of Children Act, 2003*, in this Act referred to as the “principal Act”, is amended in section 2 as follows —
- (a) by inserting after the definition of the words “**bodily sample**” the following definition —

“**child**” has the meaning assigned by section 2 of the *Children Act (2012 Revision)*;;
  - (b) by deleting the definition of the word “**court**” and substituting the following definition —

“**court**” means the Grand Court or the Summary Court, as applicable;; and
  - (c) by deleting the definition of the word “**parent**” and substituting the following definition —

“**parent**” has the meaning assigned by section 2 of the *Children Act (2012 Revision)*;;”.

**Amendment of section 15 - parentage testing orders**

3. The principal Act is amended in section 15 as follows —
- (a) in subsection (5), by deleting the words “over the age of 18” and substituting the words “who is eighteen years of age or older”; and
  - (b) by inserting after subsection (6) the following subsection —

“(7) Where the person referred to in subsection (6)(a)(i) is a minor who has attained the age of sixteen years, the consent of that person shall be as effective as it would be if the person were eighteen years old.”.



