

STATE OF SABAH

ADOPTION ORDINANCE 1960 (Sabah No. 23 of 1960)

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LIST OF AMENDMENTS

| <i>Enactment No.</i> | <i>Sections amended</i> | <i>Effective date of Amendment</i> |
|----------------------|---|------------------------------------|
| G.N.S 87/1965 | 4 (5), 6 (2), 26 (3), 23 | 16-9-1963 |
| G.N.S 5/1965 | 22 (9) | 1-11-1964 |
| 10/1968 | 2, 4 (6), 15 (2), (3), 19 (1), (3), 21 (1) | 31-12-1968 |
| Act 91 | 11 (1) | 16-9-1963 |
| Act 160 | 19, 20, 21, 22 | 29-8-1975 |
| 5/2001 | 2 (Definitions of "Adopted Children Register", "Certificate of Births"), 12 (2), (3), (4), 13 (1), (2), 13A, FIRST SCHEDULE, SECOND SCHEDULE | 16-2-2002 |

An Ordinance to make provision for the adoption of children.

[1st November 1961]

ENACTED by the Legislature of North Borneo as follows:

Short title and commencement.

1. This Ordinance may be cited as the Adoption Ordinance 1960 and shall come into operation on such date as the Governor may, by notification in the *Gazette*,* appoint.

PART I
PRELIMINARY

Interpretation.

2. In this Ordinance, unless the context otherwise requires —

“Adopted Children Register” means the Adopted Children Register referred to in subsection (1) of section 12 and includes related registers kept and maintained in computer, on microfilm or in any other form of electronic and retrievable device;

“adoption order” has the meaning assigned to it by section 3;

“Certificate of Birth” means a Certificate of Birth issued under this Ordinance;

“Court” means the High Court;

“Director” means the Director of Welfare Services;

“father”, in relation to an illegitimate infant, means the natural father;

“infant” means a person under twenty-one years of age, but does not include a person who is or has been married;

“interim order” means an order under section 8;

“parent” in relation to a child who is illegitimate, means his mother, to the exclusion of his father;

* In force 1st November 1961 – See G.N.S 125/61.

“Registrar” means the Regional Registrar of Births and Deaths appointed under subsection (1) of section 3 of the Registration of Births and Deaths Ordinance [Cap. 123];

“relative”, in relation to an infant, means a grandparent, brother, sister, uncle or aunt, whether of the full blood, of the half-blood or by affinity, and includes —

- (a) where an adoption order has been made in respect of the infant or any other person under this Ordinance, any person who would be a relative of the infant within the meaning of this definition if the adopted person were the child of the adopter born in lawful wedlock;
- (b) where the infant is illegitimate, the father of the infant and any person who would be a relative of the infant within the meaning of this definition if the infant were the legitimate child of his mother and father.

PART II MAKING OF ADOPTION ORDERS

Power to make adoption orders.

3. (1) Subject to the provisions of this Ordinance, the Court may, upon an application made in the prescribed manner, make an order (in this Ordinance referred to as an adoption order) authorising the applicant to adopt an infant.

(2) An adoption order may be made on the application of two spouses authorising them jointly to adopt an infant.

(3) An adoption order may be made authorising the adoption of an infant by the mother or father of the infant, either alone or jointly with her or his spouse.

Restrictions on making adoption orders.

4. (1) An adoption order shall not be made in respect of an infant unless the applicant or, in the case of a joint application, one of the applicants —

- (a) has attained the age of twenty-five and is at least twenty-one years older than the infant; or

- (b) has attained the age of twenty-one and is a relative of the infant; or
- (c) is the mother or father of the infant.

(2) Subject to the provisions of section 10, an adoption order shall not be made in respect of an infant who is a female in favour of a sole applicant who is a male, unless the Court is satisfied that there are special circumstances which justify as an exceptional measure the making of an adoption order.

(3) Except as provided by subsection (2) of section 3, an adoption order shall not be made authorising more than one person to adopt an infant.

(4) Subject to the provisions of sections 5 and 10, an adoption order shall not be made —

- (a) in any case, except with the consent of every person who is a parent or guardian of the infant or who is liable by virtue of any order or agreement to contribute to the maintenance of the infant; or
- (b) on the application of one of the spouses in a monogamous marriage, except with the consent of the other spouse.

(5) An adoption order shall not be made in respect of any infant unless the applicant and the infant reside in Sabah.

(6) An adoption order shall not be made in respect of any infant unless —

- (a) the infant has been continuously in the care and possession of the applicant for at least three consecutive months immediately preceding the date of the order; and
- (b) the applicant has, at least three months before the date of the order, notified the Director of his intention to apply for an adoption order in respect of the infant.

Consent to adoption.

5. (1) The Court may dispense with any consent required by paragraph (a) of subsection (4) of section 4 if it is satisfied —

- (a) in the case of a parent or guardian of the infant, that he has abandoned, neglected or persistently ill-treated the infant;
- (b) in the case of a person liable by virtue of an order or agreement to contribute to the maintenance of the infant, that he has persistently neglected or refused so to contribute;
- (c) in any case, that the person whose consent is required cannot be found or is incapable of giving his consent or that his consent is unreasonably withheld,

or if it is of the opinion that such consent ought, in all the circumstances of the case, to be dispensed with.

(2) The Court may dispense with the consent of the spouse of an applicant for an adoption order if satisfied that the person whose consent is to be dispensed with cannot be found or is incapable of giving the consent or that the spouses have separated and are living apart and that the separation is likely to be permanent.

(3) The consent of any person to the making of an adoption order in pursuance of an application may be given (either unconditionally or subject to conditions with respect to the religious persuasion in which the infant is to be brought up) without knowing the identity of the applicant for the order; and where consent so given by any person is subsequently withdrawn on the ground only that he does not know the identity of the applicant, his consent shall be deemed for the purposes of this section to be unreasonably withheld.

(4) While an application for an adoption order in respect of an infant is pending in any Court, any parent or guardian of the infant who has signified his consent to the making of an adoption order in pursuance of the application shall not be entitled, except with the leave of the Court, to remove the infant from the care and possession of the applicant; and in considering whether to grant or refuse such leave the Court shall have regard to the welfare of the infant.

Evidence of consent of parent or guardian.

6. (1) Where any person whose consent to the making an adoption order is required by paragraph (a) of subsection (4) of section 4 does not attend in the proceedings for the purpose of giving it, then, subject to the provisions of subsection (3), a document signifying his consent to the making of such an order shall, if the person in

whose favour the order is to be made is named in the document or (where the identity of that person is not known to the consenting party) is distinguished therein in the prescribed manner, be admissible as evidence of that consent, whether the document is executed before or after the commencement of the proceedings.

(2) Where any such document is attested by a Magistrate (or, if executed outside the State of Sabah, by a person of any such class as may be prescribed), the document shall be admissible as aforesaid without further proof of the signature of the person by whom it is executed; and for the purposes of this subsection, a document purporting to be attested as aforesaid shall be deemed to be so attested, and to be executed and attested on the date and at the place specified therein, unless the contrary is proved.

(3) A document signifying the consent of the mother of an infant shall not be admissible under this section unless —

- (a) the infant is at least six weeks old on the date of the execution of the document; and
- (b) the document is attested on that date by a Magistrate or, as the case may be, by a person of a class prescribed for the purposes of subsection (2).

Functions of Court as to adoption orders.

7. (1) The Court before making an adoption order shall be satisfied —

- (a) that every person who consent is necessary under this Ordinance, and whose consent is not dispensed with, has consented to and understands the nature and effect of the adoption order for which application is made, and in particular in the case of any parent understands that the effect of the adoption order will be permanently to deprive him or her of his or her parental rights;
- (b) that the order if made will be for the welfare of the infant, due consideration being for this purpose given to the wishes of the infant, having regard to the age and understanding of the infant; and
- (c) that the applicant has not received or agreed to receive, and that no person has made or given or agreed to make or give to the applicant,

any payment or other reward in consideration of the adoption except such as the Court may sanction.

(2) The Court in an adoption order may impose such terms and conditions as the Court may think fit, and in particular may require the adopter by bond or otherwise to make for the infant such provision (if any) as in the opinion of the Court is just and expedient.

Interim orders.

8. (1) Subject to the provisions of this section, the Court may, upon any application for an adoption order, postpone the determination of the application and make an interim order giving the custody of the infant to the applicant for a period not exceeding two years by way of a probationary period upon such terms as regards provision for the maintenance and education and supervision of the welfare of the infant and otherwise as the Court may think fit.

(2) All such consents as are required to an adoption order shall be necessary to an interim order but subject to a like power on the part of the Court to dispense with any such consent.

(3) An interim order shall not be made in any case where the making of an adoption order would be unlawful by virtue of subsection (6) of section 4.

(4) An interim order shall not be deemed to be an adoption order within the meaning of this Ordinance.

Adoption order in respect of infants previously adopted.

9. (1) An adoption order or an interim order may be made in respect of an infant who has already been the subject of an adoption order under this Ordinance.

(2) In relation to an application for an adoption order in respect of such an infant, the adopter or adopters under the previous or last previous adoption order shall be deemed to be the parent or parents of the infant for all the purposes of this Ordinance.

Provisions as to *de facto* adoptions.

10. Where at the commencement of this Ordinance any infant is in the custody of, and being brought up, maintained and educated by any person or two spouses jointly as his,

her or their own child under any *de facto* adoption, and has for a continuous period of not less than one year immediately before such commencement been in such custody, and been so brought up, maintained and educated, the Court may, upon the application of such person or spouses, and notwithstanding that the applicant is a male and the infant a female, make an adoption order authorising him, her or them to adopt the infant without requiring the consent of any parent or guardian of the infant to be obtained, upon being satisfied that in all the circumstances of the case it is just and equitable and for the welfare of the infant that no such consent should be required and that an adoption order should be made.

Power to make rules and procedure.

11. (1) Save as provided in section 22, the Rules Committee appointed under the Courts of Judicature Act 1964 [Act 91] may make rules* of court in regard to any matter to be prescribed under this Ordinance and providing generally for matters of procedure, fees and generally for carrying this Ordinance into effect.

(2) Rules of court made by virtue of subsection (1) of this section may provide for applications for adoption orders being heard and determined otherwise than in open court.

(3) For the purpose of any application for an adoption order, the Court shall, subject to any rules of court made by virtue of subsection (1) of this section, appoint some person or body to act as guardian *ad litem* of the infant upon the hearing of the application with the duty of safeguarding the interests of the infant before the Court and having for that purpose such powers and duties as may be prescribed by such rules.

PART III
REGISTRATION OF ADOPTION ORDERS

Adopted Children Register.

12. (1) The Registrar shall maintain a register, to be called the Adopted Children Register, in which shall be made such entries as may be directed to be made therein by adoption orders, but, subject to the provisions of section 15, no other entries.

(2) [Deleted]

* See Adoption Rules 1961.

(3) *[Deleted]*

(4) The Registrar shall, in addition to the Adopted Children Register and the index thereof, keep such other registers indexes and books, and make such entries therein, as may be necessary to record and make traceable the connexion between any entry in the registers indexes of births which has been marked "Adopted" pursuant to section 13 and any corresponding entry in the Adopted Children Register; but the registers indexes and books kept under this subsection shall not be, nor shall any index thereof be, open to public inspection shall or search, nor, except under an order of the Court, shall the Registrar furnish any person with any information contained in or with any copy or extract from any such registers indexes or books.

Registration of adoptions.

13. (1) Every adoption order shall contain a direction to the Registrar —

- (a) to make in the Adopted Children Register an entry recording the adoption in the form set out in the First Schedule and, subject to subsection (2), shall specify the particulars to be entered under the headings in columns 2 to 6 of the Schedule; and
- (b) to issue in respect of the adopted child a Certificate of Birth under this Ordinance.

(2) For the purposes of paragraph (a) of subsection (1) —

- (a) where the precise date of the infant's birth is not proved to the satisfaction of the Court, the Court shall determine the probable date of his birth and the date so determined shall be specified in the order as the date of his birth;
- (b) where the name or surname which the infant is to bear after the adoption differs from his original name or surname, the new name or surname shall be specified in the order instead of the original; and
- (c) where the country of birth of the infant is not proved to the satisfaction of the Court, the particulars of that country may, notwithstanding anything in that subsection, be omitted from the order and from the entry in the Adopted Children Register.

(3) Where upon any application to the Court for an adoption order in respect of an infant (not being an infant who has previously been the subject of an adoption order made by the Court) there is proved to the satisfaction of the Court the identity of the infant with a child to whom an entry in the registers of births relates, any adoption order made in pursuance of the application shall contain a direction to the Registrar to cause the entry in the registers of births to be marked with the word "Adopted".

(4) Where an adoption order is made by the Court in respect of an infant who has previously been the subject of an adoption order made by the Court, the order shall contain a direction to the Registrar to cause the previous entry in the Adopted Children Register to be marked with the word "Re-adopted".

(5) The Court shall cause every adoption order to be communicated to the Registrar, and upon receipt of such communication the Registrar shall cause compliance to be made with the directions contained in the order both in regard to marking any entry in the registers of births with the word "Adopted", and in regard to making the appropriate entry in the Adopted Children Register.

Certificate of Birth.

13A. (1) In respect of the Certificate of Birth referred to in paragraph (b) of subsection (1) of section 13, every adoption order shall contain a direction —

- (a) to the Registrar that the word "adopted", "adopter" or "adoptive" or any word to like effect shall not appear in the Certificate; and
- (b) to the natural or adoptive parent or parents, as the case may be, to surrender to the Registrar the Certificate of Birth of the Child issued under the Registration of Births and Deaths Ordinance [*Cap. 123.*].

(2) Upon receipt of an adoption order, the Registrar shall, subject to due compliance with paragraph (b) of subsection (1) and the payment by the adopter of the prescribed fee, issue a Certificate of Birth in respect of the child in the form set out in the Second Schedule.

(3) Where a certified copy of an entry in the Adopted Children Register had been issued in respect of a child adopted under this Ordinance, the Registrar shall issue a Certificate of Birth in respect of the child —

- (a) upon application being made by the adoptive parent or either of the adoptive parents, or in the event of the adoptive parent or both adoptive parents being dead, by the adopted child, for a Certificate of Birth; and
- (b) upon payment of the prescribed fee.

(4) Upon receipt of the Certificate of Birth under subsection (3), the adoptive parent or either of the adoptive parents, or in the event of the adoptive parents or both adoptive parents being dead, the adopted child, shall cause the certified copy of an entry in the Adopted Children Register issued in respect of the adopted child to be surrendered to the Registrar for cancellation.

(5) The Certificate of Birth issued under this Ordinance pursuant to an adoption order shall replace the Certificate of Birth of the child issued under the Registration of Births and Deaths Ordinance [Cap.123], and shall for all purposes be known as the Certificate of Birth of the child.

(6) Notwithstanding anything to the contrary in any written law, the Certificate of Birth under this Ordinance, if given under the hand of the Registrar or any person authorised by him, shall be received without further or other proof as evidence of the facts and particulars relating to the birth of the child in respect of whom the Certificate of Birth was issued.

(7) If the Certificate of Birth issued under this Ordinance is lost, damaged or defaced, the adoptive parent or either of the adoptive parents, or in the case of the adoptive parent or both adoptive parents being dead, the adopted child, may apply to the Registrar or any person authorised by him for a copy of the Certificate of Birth which, when issued, shall be marked with the word "Replacement".

(8) The Registrar shall maintain a register to be called the Register of Birth Certificates in which shall be made such entries pertaining to the issuance of a Certificate of Birth under this Ordinance in respect of an adopted child.

(9) Any person may apply in the prescribed form to have a search made of the Register of Birth Certificates upon payment of the prescribed fee and to have the result of the search certified in the prescribed form.

Amendment of orders and rectification of Registers.

14. (1) The Court by which an adoption order has been made under this Ordinance may, on the application of the adopter or of the adopted person, amend the order by the correction of any error in the particulars contained therein; and where an adoption order is so amended, the Court shall cause the amendment to be communicated to the Registrar; and any necessary correction of or addition to the Adopted Children Register shall be made accordingly.

(2) Where an adoption order is quashed or an appeal against an adoption order allowed, the Court which made the order shall give directions to the Registrar to cancel any marking of an entry in the registers of births, and any entry in the Adopted Children Register, which was effected in pursuance of the order.

(3) A copy or extract of an entry in any register, being an entry the marking of which is cancelled under this section, shall be deemed to be an accurate copy if and only if both the marking and the cancellation are omitted therefrom.

Registration of previous adoptions under customary laws.

15. (1) For the avoidance of doubt, it is hereby declared that nothing in this Ordinance shall affect any adoption made, before the commencement of this Ordinance, in accordance with the customary law of the adopter.

(2) Where the Registrar is satisfied, upon application made by any person adopting another person or by any adopted person, that an adoption has taken place before the commencement of this Ordinance in accordance with subsection (1) he shall register such adoption, *mutatis mutandis*, in accordance with the provisions of this Part as though an adoption order has been made:

Provided that the Registrar shall not register any such adoption until the Director shall have been notified of the application and shall either have been heard or shall have notified the Registrar that he has no objection to such registration.

(3) An appeal from a decision of the Registrar under subsection (2), whether by a party to the application or by the Director, shall lie to the Court and the Court may dismiss such appeal or order the correction of the register whether by deleting or amending the registration effected under subsection (2); and where such an order is made the Court shall cause such order to be communicated to the Registrar and the

registration shall be cancelled or amended in accordance with such order and the Registrar shall make such corrections to other registers and books as may be required.

(4) Any adoption registered under the provisions of this section shall be deemed to be an adoption under this Ordinance for the purpose of any written law for the time being in force.

PART IV EFFECTS OF ADOPTION ORDERS

Rights and duties of parents and capacity to marry.

16. (1) Upon an adoption order being made, all rights, duties, obligations and liabilities of the parents or guardians of the infant in relation to the future custody, maintenance and education of the infant, including all rights to appoint a guardian and to consent or give notice of dissent to marriage, shall be extinguished, and all such rights, duties, obligations and liabilities shall vest in and be exercisable by and enforceable against the adopter as if the infant were a child born to the adopter in lawful wedlock; and in respect of the matters aforesaid the infant shall stand to the adopter exclusively in the position of a child born to the adopter in lawful wedlock.

(2) In any case where two spouses are the adopters, the spouses shall in respect of the matters aforesaid, and for the purpose of the jurisdiction of any Court to make orders as to the custody and maintenance of and right of access to children, stand to each other and to the infant in the same relation as they would have stood if they had been the lawful father and mother of the infant and the infant shall stand to them respectively in the same relation as to a lawful father and mother respectively.

(3) For the purpose of any written law relating to marriage for the time being in force in Sabah, an adopter and the person whom he has been authorised to adopt under an adoption order shall be deemed to be within the prohibited degrees of consanguinity; and the provisions of this subsection shall continue to have effect notwithstanding that some person other than the adopter is authorised by a subsequent order to adopt the same infant.

Intestacies, wills and settlements.

17. (1) Where, at any time after the making of an adoption order, the adopter or the adopted person or any other person dies intestate in respect of any property, that

property shall devolve in all respects as if the adopted person were the child of the adopter born in lawful wedlock and were not the child of any other person.

(2) In any disposition of property made, whether by instrument inter vivos or by will (including codicil), after the date of an adoption order —

- (a) any reference (whether express or implied) to the child or children of the adopter shall, unless the contrary intention appears, be construed as, or as including, a reference to the adopted person;
- (b) any reference (whether express or implied) to the child or children of the adopted person's natural parents or either of them shall, unless the contrary intention appears, be construed as not being, or as not including, a reference to the adopted person; and
- (c) any reference (whether express or implied) to a person related to the adopted person in any degree shall, unless the contrary intention appears, be construed as a reference to the person who would be related to him in that degree if he were the child of the adopter born in lawful wedlock and were not the child of any other person.

Supplementary provisions.

18. (1) Where an adoption order is made in respect of an infant who is illegitimate, then, subject to the provisions of this section, any order or agreement whereby the father of the infant is required or has undertaken to make payments specifically for the benefit of the infant, shall cease to have effect, but without prejudice to the recovery of any arrears, which are due under the order or agreement at the date of the adoption order.

(2) Where an infant to whom any such order or agreement as aforesaid relates is adopted by his mother, and the mother is a single woman, the order or agreement shall not cease to have effect by virtue of subsection (1) upon the making of the adoption order, but shall cease to have effect if she subsequently marries.

PART V
MISCELLANEOUS

Supervision of infants.

19. (1) Subject to the provisions of subsection (2), the Director or any officer authorised by him for the purposes of this section may visit and examine any infant in respect of whom a notification has been given to him under paragraph (b) of subsection (6) of section 4 and may enter and inspect any premises in which the Director or such officer has reason to believe such infant is being kept.

(2) The powers conferred by subsection (1) shall cease —

- (a) upon such notification being withdrawn; or
- (b) in the case of a male infant, upon an adoption order being made in respect of the infant; or
- (c) in the case of a female infant, upon the infant attaining twenty-one years of age.

(3) Any person who refuses to allow the Director or officer authorised by him to make a visit, examination, entry or inspection in accordance with subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine of two thousand ringgit.

Prohibition of certain payments.

20. (1) Save with the sanction of the Court, no person shall make or give or agree to make or give, or receive or agree to receive, or attempt to obtain, any payment, remuneration or reward whatsoever in connexion, directly or indirectly, with the adoption or proposed adoption of infant, except in consideration of the professional services of a qualified advocate within the meaning of the Advocates Ordinance [Cap. 2].

(2) Any person who contravenes the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine of one thousand ringgit and imprisonment for six months.

Restrictions upon advertisements.

21. (1) Except with the written consent of the Director no advertisement shall be published indicating —

- (a) that the parent or guardian of an infant desires to cause the infant to be adopted;
- (b) that a person desires to adopt an infant; or
- (c) that any person is willing to make arrangements for the adoption of an infant.

(2) Any person who causes to be published or knowingly publishes an advertisement in contravention of the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine of five hundred ringgit.

Application to natives.

22. (1) Save as provided in this section and section 23, nothing in this Ordinance shall apply to the adoption by any native of any infant.

(2) Any Native Court may upon an application made by a native make an order authorising the applicant to adopt any infant.

(3) Before making an order the Native Court shall consider such matters as may be necessary to ensure that the adopting parents are of mature age and suitable sex and that the consents of both the natural and adopting parents have been obtained in so far as such requirements are consistent with native law and custom of the applicant and shall be satisfied that any other requirements of such native law and custom have been complied with and in particular —

- (a) that the order if made will be for the welfare of the infant, due consideration being given to the wishes of the infant having regard to the age and understanding of the infant; and
- (b) that the applicant has not received or agreed to receive and that no person has made or given or agreed to make or give to the applicant any payment or other reward in consideration of the adoption except such as the Native Court may sanction.

(4) The Native Court in making any adoption order may impose such terms and conditions as such Court may think fit and in particular may require the adopter by bond or otherwise to make for the infant such provision as in the opinion of the Native Court is just and expedient.

(5) Where any Native Court is satisfied that prior to the commencement of this Ordinance there has been an adoption by any native of an infant in such circumstances as would, prior to the commencement of this Ordinance, have been accepted by the Native Court as qualifying an adopted child for the purposes of inheritance or succession; then, upon being satisfied of that adoption and of all particulars necessary for the due registration of such an adoption, the Native Court may order that such adoption shall be registered in the records of the Court and thereupon such adoption shall have effect as if it were an order made under the provisions of subsection (2) and shall be deemed to be an adoption under this Ordinance for the purposes of any written law for the time being in force.

(6) For the avoidance of doubt, it is hereby declared that nothing in this section shall affect any adoption made before the commencement of this Ordinance in accordance with the customary law of the adopter if such adoption be properly proved.

(7) Any Native Court making an adoption order or a registration order under this section shall record the particulars required in the Schedule and forward such particulars to the District Officer and the District Officer shall, as soon as may be practicable, dispatch the same to the Registrar who shall keep a register of such adoptions and orders as nearly as may be following the provisions of sections 12, 13 and 14 and every order shall be deemed to contain all necessary directions to the Registrar under the provisions of section 13.

(8) The provisions of Part IV shall apply to orders under the provisions of this section but only in so far as those provisions are not contrary to native law and custom.

(9) The Minister for Local Government and Housing may make regulations* to provide for more effectively for carrying out the purposes of this section and in particular for any —

(a) fees to be charged;

* See Native Court Adoption Regulations 1961.

- (b) any forms to be used;
- (c) any returns to be made,

and such regulations may provide that the breach or contravention of any regulation is an offence against such regulation and may provide penalty not exceeding two hundred ringgit.

Adoption under other law after commencement void.

23. (1) From and after the commencement of this Ordinance the adoption of any person by another person in Sabah shall be regulated by this Ordinance and by no other law custom and adoptions purporting to be effected under such other law or custom shall be void *ab initio*.

(2) Any person who dishonestly or with fraudulent intent, goes through a ceremony or procedure of adoption, knowing that there is not thereby any lawful adoption, shall be guilty of an offence and shall be liable on conviction to imprisonment for three years.

FIRST SCHEDULE

(Section 13)

FORM OF ENTRY IN ADOPTED CHILDREN REGISTER

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|--------------|------------------------------------|---------------------------|--------------|---|--|---------------|---|
| No. of entry | Date and country of birth of child | Name and surname of child | Sex of child | Name and surname, address and occupation of adopter or adopters | Date of adoption order and Court by which made | Date of entry | Signature of officer deputed by Registrar to attest the entry |
| | | | | | | | |

SECOND SCHEDULE

| | | |
|---|--|---------------------------------|
| <div style="border: 1px solid black; width: 200px; height: 20px; margin: 0 auto; margin-bottom: 10px;"></div> <p>THE STATE OF SABAH BIRTH CERTIFICATE</p> | | |
| Registration Area | | Registration Centre |
| CHILD | | |
| Name | | |
| Date and Time of Birth | | Sex |
| Place of Birth | | Citizenship Status |
| FATHER | | |
| Name | | |
| Identity Card Number | Age | Type of and Other Documents No. |
| Status of Residence | | Religion |
| MOTHER | | |
| Name | | |
| Identity Card Number | Age | Type of and Other Documents No. |
| Status of Residence | | Religion |
| Place of Residence | | |
| Register No.: | It is certified that the above information is correct | |
| Date of Registration: | | |
| Register of Birth | | |
| Certificate No.: | | |
| Reference No.: | | |
| Serial No.: | | |