

THE REPUBLIC OF UGANDA

IN THE HIGH COURT OF UGANDA HOLDEN AT KAMPALA

ADOPTION CAUSE NO. 130 OF 2010

IN THE MATTER OF A.E (INFANT)

AND

IN THE MATTER FOR AN ADOPTION OF A.E (FOUR YEARS) BY J.A.A AND A. M

BEFORE: HON. LADY JUSTICE MARGARET C. OGULI OUMO

RULING:

The applicants, a married Ugandan couple, bring this applicant under the children Act, for orders that:-

1. They be appointed adoptive parents of A.E.
2. Costs of the petition be provided for.

The petition is supported by the affidavit of J.A.A dated 1st July, 2010

The petitioners are Ugandan citizens, see certificates of their passports on the court file, Annexure "A" and "B" on the court record.

The applicants are represented by Mr. Charles Majoli.

Under **section 45 1(a)**, applicants for adoption have to be about 25 years of age and at least 21 years older than the child.

The applicants here are 41 and 47 years of age respectively, and the child is four years.

They therefore meet the requirements of the law in relation to age.

The 1st applicant is a Programme Manager of S[...], a project operated by C[...] in Rwanda – See Annexure "C", to the petition, and a letter of Employment.

Mr. A.M is employed as a Senior Assistant Bursar, expenditure and payables with M[...] University (see Annexure "C") to the petition.

The child was abandoned at Rubaga Hospital in 2008 by an unknown mother and the matter was referred to Probation officer, one Sozi, at the time (see Annexure "F" who referred the matter to Sanyu Babies Home, which has been taking care of the child (see care order) on the court record.

The applicants got interested in the child and have been fostering her since December, 2008 and the current Probation Officer Kampala has recommended them as suitable Adoptive parents as they wish to provide the child a home, love and other necessities of life.

In making any decision concerning a child, the welfare of the child is paramount.

See: Section 3 and Para 1(b) of the First Schedule to the Children Act.

Court is of the opinion that given that the child was abandoned and no one has come to claim her and the applicants wish to provide her a home, parental love and care and given the fact that they have one child, who is almost the same age as the infant, the infant will integrate into their family faster and she is already looking well cared for.

Consequently the application is allowed in the following terms and conditions:-

1. The applicants are appointed adoptive parents of A.E, with full parental rights and responsibilities.
2. The applicants are directed to register the order with the Registrar of Documents, Uganda Registration Services Bureau, Ministry of Justice and Constitutional Affairs, Kampala.
3. The applicants are directed to file a report once every year, regarding the state of the welfare and development of the child to the Registrar Family Division, High Court Kampala, until the child is 18 years of age or until directed otherwise.
4. The court makes no order as to costs.

Margaret C. Oguli Oumo

JUDGE

2/11/2010

Present;

1. Charles Majoli for the applicants
2. Bety Lunkuse, court clerk
3. Oliver Nantamu, Research Assistant