

2004

CHAPTER 5

An Act respecting consequential amendments resulting from the enactment of *The Adoption Amendment Act, 2004*

(Assented to June 10, 2004)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Adoption Consequential Amendment Act, 2004*.

S.S. 1989-90, c.C-7.2 amended

2(1) *The Child and Family Services Act* is amended in the manner set forth in this section.

(2) Clause 44(b) is repealed and the following substituted:

“(b) ‘parent’ means:

(i) in the case of a child who is not adopted:

(A) a person who:

(I) is the biological mother of the child;

(II) is a woman who has access to or custody of the child by order of a court having jurisdiction over the matter or by agreement; or

(III) has been declared to be the mother of the child pursuant to Part VI of *The Children’s Law Act, 1997*; or

(B) a person who:

(I) is the biological father of the child;

(II) is a man who has access to or custody of the child by order of a court having jurisdiction over the matter or by agreement; or

(III) has been declared to be the father of the child pursuant to Part VI of *The Children’s Law Act, 1997*; and

(C) in the case of a child who has no mother within the meaning of paragraph (A) who is alive and no father within the meaning of paragraph (B) who is alive, the guardian or person having lawful custody of the child; or

(ii) in the case of a child who is adopted, a person who is a parent of the child pursuant to an order of adoption”.

- (3) **Section 46 is amended:**
- (a) in subsection (1) by striking out “to (4)” and substituting “and (3)”;
 - (b) in clause (2)(b) by striking out “subsection (4) and”;
 - (c) in subsection (3) by striking out “three days” and substituting “72 hours”; and
 - (d) by repealing subsection (4).
- (4) **Subsection 49(2) is amended by striking out “section 4 of *The Adoption Act*” and substituting “section 3 of *The Adoption Act, 1998*”.**
- (5) **Section 50 is amended by striking out “*The Adoption Act*” and substituting “*The Adoption Act, 1998*”:**
- (a) in clause (1)(b); and
 - (b) wherever it appears in subsection (3).
- (6) **Subsection 63(3) is amended by striking out “*The Adoption Act*” and substituting “*The Adoption Act, 1998*”.**
- (7) **Subclause 66(1)(b)(ii) is amended by striking out “*The Adoption Act*” and substituting “*The Adoption Act, 1998*”.**

S.S. 1990-91, c.F-22.01, section 23 amended

3 Clause 23(3)(a) of *The Freedom of Information and Protection of Privacy Act* is repealed and the following substituted:

“(a) *The Adoption Act, 1998*”.

R.S.S. 1978, c.O-4, section 12.5 amended

4 Subsection 12.5(4) of *The Ombudsman and Children’s Advocate Act* is amended by striking out “*The Adoption Act*” and substituting “*The Adoption Act, 1998*”.

Transitional

5 Nothing in *The Adoption Amendment Act, 2004* affects the validity, finality or irrevocability of a voluntary committal pursuant to *The Child and Family Services Act* made before the coming into force of section 3 of *The Adoption Amendment Act, 2004*.

Coming into force

6 This Act comes into force on the day on which section 3 of *The Adoption Amendment Act, 2004* comes into force.