

## No. 32 OF 1935.

A LAW TO PROVIDE FOR THE GUARDIANSHIP OF INFANTS NOT BEING HEIRS UNDER DISABILITY AND OF PRODIGALS. A.D. 1935.  
32 of 1935.

H. R. PALMER,]

[14th November, 1935.

Governor.

BE it enacted:—

1. This Law may be cited as the Guardianship of Infants and Prodigals Law, 1935. Short title.

2. In this Law, unless the context otherwise requires— Interpre-  
tation.  
“Court” means the District Court within the jurisdiction of which an infant or prodigal resides;

“infant” means a person who—

(a) has not attained the age of eighteen years, and

(b) is not an heir under disability as defined in section 1 of the Infants' Estates Administration Law, 1894:

Provided that a married woman who has not attained the age of eighteen years shall not be deemed to be an infant for the purposes of this Law;

“prodigal” means a person who by reason of his profuse or wasteful expenditure is unfitted to administer his own property;

“property” includes both movable and immovable property;

“ward” means an infant or prodigal whose person or property is under guardianship in accordance with the provisions of this Law.

3.—(1) A guardian of an infant may be guardian of—

(a) the person of the infant;

(b) the property of the infant; or

(c) the person and property of the infant.

Kinds of  
guardians.

(2) A guardian of a prodigal shall be guardian only of the property of the prodigal.

4. The guardian of the person of an infant shall have the custody of the infant, and shall, subject to the extent of the infant's property, be responsible for his support and education. Duties of  
guardian  
of person.

5.—(1) A guardian of the property of an infant—

(a) shall accept on behalf of the infant any gift of property made to the infant; Duties and  
powers of  
guardian of  
property.

- (b) shall have the control and management of the property of the infant ;
- (c) shall deal with the property of the infant as carefully as a person of ordinary prudence would deal with his own property ;
- (d) may, subject to the provisions of this Law, institute and defend all proceedings and generally do all acts which are reasonable and proper for the protection, preservation or realization of the property of the infant.

(2) A guardian of the property of an infant may make reasonable provision out of the income of such property for the support and education of the infant having regard to his station in life :

Provided that no sum exceeding ten pounds per month may be so applied without the leave of the Court.

Father or mother to be guardian, and testamentary guardian.

**6.** Subject to the provisions of this Law—

- (a) the lawful father of an infant shall be the guardian of the infant's person and property ;
- (b) where an infant has no lawful father living, the mother of the infant shall be the guardian of the infant's person and property ;
- (c) if both the parents of an infant are dead, the testamentary guardian (if any) appointed by the last surviving parent shall be the guardian of the infant's person and property.

Powers of Court to appoint and remove guardians.

**7.**—(1) The Court may at any time, on good cause shown,—

- (a) appoint some other person to act as joint guardian of the infant's person and property, or either of them, with the father, mother or testamentary guardian ;
- (b) appoint some other person to be the guardian of the infant's person and property, or either of them, in the place of the father, mother or testamentary guardian ;
- (c) appoint any person to be the guardian of the infant's person and property or either of them in any case in which both parents of the infant have died without appointing a testamentary guardian ;
- (d) appoint any person to be the guardian of the property of a prodigal ;