AN ACT to amend the Children’s Act, and for connected matters.

ENACTED by the President and the National Assembly.

1. Short title

This Act may be cited as the Children’s (Amendment) Act, 2016.

2. Amendment of Cap. 45:01

The Children’s Act (in this Act referred to as “the Principal Act”) is amended as set out in this Act.
3. Amendment of section 2

Section 2 of the Principal Act is amended by inserting immediately after the definition of “child abuse,” a new definition –

“child marriage” means a marriage contracted between a child and an adult or between a child and another child.”

4. Amendment of section 19

Section 19 of the Principal Act is amended in paragraph (a) by inserting immediately after the words “life of the child”, a comma and the words “such as female circumcision”.

5. Amendment of section 24

Section 24 of the Principal Act is amended by substituting for it, the following –

“24. Prohibition of child marriage

(1) A child shall not be capable of contracting a valid marriage and child marriage is prohibited.

(2) A parent, guardian, or any other adult who willfully –

(a) contracts a marriage on behalf of a child;

(b) causes a child to contract a marriage; or

(c) forces a child to contract a marriage,

commits an offence and is liable on conviction to imprisonment not exceeding twenty years.

(3) An adult who willfully –

(a) aids and abets a parent, guardian, or any other adult to commit an offence under sub-section (2); or
(b) conspires with a parent, guardian, or any other adult to commit an offence under sub-section (2),

commits an offence and is liable on conviction to imprisonment not exceeding twenty years.

(4) An adult who becomes aware of the commission of an offence under sub-section (2) by a parent, guardian, or any other adult and intentionally fails to report it, commits an offence and is liable on conviction to imprisonment not exceeding ten years.

(5) The High Court of The Gambia has jurisdiction in respect of the commission of an offence under sub-sections (2), (3) and (4)."

6. Amendment of section 25

Section 25 of the Principal Act is amended by substituting for it, the following –

"25. Prohibition of child betrothal, etc.

(1) A parent, guardian, or any other adult who willfully –

(a) betroths a child to any person; or

(b) makes a child the subject of a dowry transaction,

commits an offence and is liable on conviction to imprisonment not exceeding twenty years."

(2) The High Court of The Gambia has jurisdiction in respect of the commission of an offence under sub-section (1)."
Children’s (Amendment) Act, 2016

PASSED in the National Assembly this 21st day of July, in the year of Our Lord Two Thousand and Sixteen.

D. C. M. Kebbeh
Clerk of the National Assembly.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed in the National Assembly, and found by me to be a true and correct copy of the said Bill.

D. C. M Kebbeh
Clerk of the National Assembly.