

CHAPTER 11

THE AGE OF MAJORITY ACT

Arrangement of Sections

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SCHEDULE

AGE OF MAJORITY

An Act to amend the law relating to the age of majority, to persons who have not attained that age and to the time when a particular age is attained.

Short title.

1. This Act may be cited as the Age of Majority Act.

Reduction of age of majority from twenty-one to eighteen.

2. (1) Subject to this Act, as from the date on which this Act comes into operation, a person attains full age on attaining the age of **eighteen** instead of on attaining the age of twenty-one; and a person attains full age of that date if he has then already attained the age of eighteen but not the age of twenty-one.

(2) Subsection (1) applies for the purposes of any rule of law, and in the absence of a definition or of any indication of a contrary intention, for the construction of "full age", "infant", "infancy", "minor", "minority", and similar expressions—

(a) in this Act and any other statutory provisions whether passed or made before, on or after the date on which this Act comes into operation; and

(b) in any deed, will or other instrument (not being a statutory provision) made on or after that date.

(3) Notwithstanding any rule of law, a will or codicil executed before the date on which this Act comes into operation shall not be treated for the purposes of this section as made on or after that date by reason only that the will or codicil is confirmed by a codicil executed on or after that date.

Schedule.

(4) In the statutory provisions specified in the Schedule for any reference to the age of twenty-one years there is substituted a reference to the age of eighteen years.

Time at which a person attains a particular age.

3. (1) The time at which a person attains a particular age expressed in years is the commencement of the relevant anniversary of the date of his birth.

(2) This section applies only where the relevant anniversary falls on a date after that on which this Act comes into operation and, in relation to any written law, deed, will or other instrument, has effect subject to any provisions therein.

Persons under full age may be described as minor.

4. A person who is not of full age may be described as a minor instead of as an infant, and accordingly in this Act "minor" means such a person.

5. (1) An order under section 5(2), 7(4) or 8 of the Guardianship of Infants Act for payment of sums towards the maintenance or education of a minor may require such sums to continue to be paid in respect of any period after the date on which he ceases to be a minor but not extending beyond the date on which he attains the age of twenty-one; and any order which is made as mentioned above may provide that any sum which is payable thereunder for the benefit of a person who has ceased to be a minor shall be paid to that person himself.

Maintenance for children under Guardianship of Infants Act to continue to age of 21. Cap. 197.

(2) Subject of subsections (3) and (4), where a person who has ceased to be a minor but has not attained the age of twenty-one has, while a minor, been the subject of an order under any of the provisions of the Guardianship of Infants Act, the court may, on the application of either parent of that person or of that person himself, make an order requiring either parent to pay to the other parent, to anyone else for the benefit of that person or to that person himself, in respect of any period not extending beyond the date when he attains that age, such weekly or periodical sums towards his maintenance or education as the court thinks reasonable having regard to the means of that person on whom the requirement is imposed.

(3) No order shall be made under subsection (2) and no liability under such an order shall accrue at a time when the parents of the person in question are residing together, and if they so reside for a period of three months after such an order has been made, it ceases to have effect.

(4) No order shall be made under subsection (2) requiring any person to pay any sum towards maintenance or education of any child of that person born out of wedlock.

(5) Subsection (2) shall be construed as one with the Guardianship of Infants Act.

6. Any order or directions in force immediately before this Act comes into operation by virtue of any rules of court or other written law relating to the control of money recovered by or otherwise payable to an infant in any proceedings shall have effect as if any reference therein to the infant's attaining the age of twenty-one were a reference to his attaining

Funds in Court.

the age of eighteen or, in relation to a person who by virtue of this Act attains full age on the date this Act comes into operation, to that date.

**Wardship and
custody orders.**

7. (1) Any order in force immediately before this Act comes into operation—

(a) making a person a ward of Court; or

(b) giving custody of, or access to any person, which is expressed to continue in force until the person who is the subject of the order attains the age of twenty-one, or any age between eighteen and twenty-one, has effect as if the reference to his attaining that age were a reference to his attaining the age of eighteen or, in relation to a person who by virtue of this Act attains full age on the date this Act comes into operation, to that date.

(2) This section is without prejudice to so much of any order as makes provision for the maintenance or education of a person after he has attained the age of eighteen.

Adoption orders.

Cap. 9.

8. This Act shall not prevent the making of an adoption order or provisional adoption order under the Adoption of Children Act in respect of a person who has attained the age of eighteen if the application for the order was made before this Act comes into operation; and in relation to any such case that Act has full effect as if this Act had not been enacted.

**Revocation of
wills under
Cap. 473.
Cap. 474.**

9. (1) Any will which—

(a) has been made, whether before or after the coming into force of this Act, by a person under the age of eighteen; and

(b) is valid by virtue of the provisions of section 11 of the Wills Act and the Wills (Soldiers and Sailors) Act,

may be revoked by that person notwithstanding that he is still under that age whether or not the circumstances are then such that he would be entitled to make a valid will under those provisions.

(2) In this section "will" has the same meaning as in the Wills Act. **Cap. 473.**

10. In the case of a beneficiary whose interest arises under a will or codicil made before this Act comes into operation or on the death before that date of an intestate (within the meaning of the Intestates Estates Act), nothing in this Act affects the powers of the personal representatives regarding— **Personal representatives powers. Cap. 225.**

(a) investments of the residue of any moneys arising on a trust for sale; or

(b) other powers of management in the administration of estates, at any time before the beneficiary attains the age of twenty-one.

11. The change, by virtue of this Act, in the construction of any rule of law which lays down permissible periods of accumulation of income under settlements and other dispositions shall not invalidate any direction for accumulation in a settlement or other disposition made by a deed, will or other instrument which was made before this Act comes into operation. **Accumulation periods.**

12. (1) This Act does not affect section 25 of the Trustees and Mortgagees Act— **Power of Trustees to apply for income for maintenance of minor. Cap. 447.**

(a) in its application to any interest under instrument made before this Act comes into operation;

(b) in its application, by virtue of any rules of law, to the estate of an intestate (within the meaning of the Intestates Estates Act) dying before the date.

(2) In any case in which (whether by virtue of this section or section 5) trustees have power under section 25 of the Trustees and Mortgagees Act to pay income to the parent or guardian of any person who has attained the age of eighteen or to apply it for or towards the maintenance or education of any such person, they shall also have power to pay it to that person himself.

Consent by persons over 16 to surgical and medical and dental treatment.

13. (1) The consent of a minor who has attained the age of sixteen years to any surgical, medical or dental treatment which, in the absence of consent, would constitute a trespass to his person, shall be as effective as it would be if he were of full age; and where a minor has by virtue of this section given an effective consent to any treatment, it shall not be necessary to obtain any consent for it from his parent or guardian.

(2) In this section "surgical, medical or dental treatment" includes any procedure undertaken for the purposes of diagnosis, and this section applies to any procedure (including, the administration of any anaesthetic) which is ancillary to any treatment as it applies to that treatment.

(3) Nothing in this section shall be construed as making ineffective any consent which would have been effective if this section had not been enacted.

Statutory provisions incorporated in deeds, wills, etc.

14. This Act does not affect the construction of any statutory provision where it is incorporated in and has effect as part of any deed, will or other instrument the construction of which is not affected by that section.

SCHEDULE

S. 2(4)

STATUTORY PROVISIONS AMENDING BY SUBSTITUTING
EIGHTEEN FOR TWENTY-ONE YEARS

Short Title.	Section	Subject Matter
Offences against the Person Act (Cap. 300)	section 51	Abduction of woman being under age of 21 years.
Wills Act (Cap. 473)	section 5	Father may dispose of custody of children during minority.
	section 6	Validity of will made by person under 21 years.
Wills (Soldiers and Sailors) Act (Cap. 474)	sections 3 and 5	
Building Societies Act (Cap. 60)	section 28	Person under 21 years eligible as member of Building Society but not as officer.
Friendly Societies Act (Cap. 184)	section 34(1)	Membership of minors.
Adoption of Children Act (Cap. 9)	section 2(2)	Definition of "infant" by reference to age of 21 years.
Trustees and Mortgagees Act (Cap. 447)	section 25	Power to apply income for maintenance and to accumulate surplus income during a minority.
Registered Land Act (Cap. 374)	section 2	Definition of "minor".