

## **Hong Kong**

### **Parent and Child Ordinance of 19 March and 19 June 1993**

#### **Chapter 429 Long title**

An Ordinance to reduce the legal disabilities associated with illegitimacy, to consolidate and amend certain aspects of the law relating to paternity, legitimacy and legitimation, to provide for the determination of parentage in cases where birth or pregnancy results from medical treatment services, to provide for the use of scientific tests in determining parentage in court proceedings, and for connected purposes.

[...]

#### **Part: IV Declarations of Status**

##### **Section: 6 Declarations of parentage, legitimacy or legitimation**

(1) Any person may apply to the court for a declaration that—

(a) a person named in the application is or was in law his parent;

(b) he is the legitimate child of his parents; or

(c) he has become, or has not become, a legitimated person.

(2) A court shall only have jurisdiction to entertain an application under this section if, at the date of the application, the applicant—

(a) is domiciled in Hong Kong;

(b) has been habitually resident in Hong Kong throughout the period of 1 year ending with that date; or

(c) has a substantial connection with Hong Kong.

(3) Where on an application for a declaration under this section the truth of the proposition to be declared is proved to the satisfaction of the court, the court shall make that declaration unless to do so would manifestly be contrary to public policy.

(4) Where a declaration is made on an application under subsection (1)(a) or (b), the Registrar of the court shall notify the Registrar of Births and Deaths, in such manner and within such period as may be prescribed, of the making of that declaration.

(5) Any declaration made under this section shall be binding on the Crown and all other persons.

(6) The court, on the dismissal of an application for a declaration under this section, shall not have power to make any declaration for which the application has not been made.

(7) No declaration which may be applied for under this section may be made otherwise than under this section by any court.

(8) No declaration may be made by any court, whether under this section or otherwise, that any person is or was illegitimate.