

**THIRD SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 4,362 of 27th April, 2017

B. 11/17

BILL

FOR

AN ACT to amend the Children Act 2009.

ENACTED by the Legislature of Gibraltar.

Title and commencement.

1.(1) This Act may be cited as the Children (Amendment) Act 2017.

(2) This Act comes into operation on the day appointed by the Government.

Amendment of the Children Act 2009.

2. (1) Part XIII of the Children Act 2009 is amended as follows.

(2) After section 156 insert-

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

156A.(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, in particular, the administration of an 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.”

EXPLANATORY MEMORANDUM

This Bill amends the Children Act 2009 to allow minors over the age of 16 years old to consent to surgical, medical and dental treatment as if they were of full age.

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