



Guardianship of Minors Act 1971

1971 CHAPTER 3

General principles

1 Principle on which questions relating to custody, upbringing etc. of minors are to be decided

Where in any proceedings before any court (whether or not a court as defined in section 15 of this Act)—

- (a) the custody or upbringing of a minor; or
- (b) the administration of any property belonging to or held on trust for a minor, or the application of the income thereof,

is in question, the court, in deciding that question, shall regard the welfare of the minor as the first and paramount consideration, and shall not take into consideration whether from any other point of view the claim of the father, or any right at common law possessed by the father, in respect of such custody, upbringing, administration or application is superior to that of the mother, or the claim of the mother is superior to that of the father.

2 Equal right of mother to apply to court

The mother of a minor shall have the like powers to apply to the court in respect of any matter affecting the minor as are possessed by the father.