

REPUBLIC OF KENYA

High Court at Nairobi (Nairobi Law Courts)

Adoption Cause 79 of 2012

**IN THE MATTER OF THE CHILDREN'S ACT
(ACT NO. 8 OF 2001)**

AND

IN THE MATTER OF BABY FB a.k.a RN

RULING

1. The applicant's Originating Summons was heard on 22nd June 2012 and the judgement therein set for 28th September 2012. The same has unfortunately been delayed for the reason that the trial judge was preparing for vetting by the Judges and Magistrates Vetting Board.
2. In the course of writing the judgement the court has noted that the applicants have appointed a sole male legal guardian which I consider to be inappropriate, in view of the provisions of Section 158 3(e) which prohibit the adoption of a child by a sole foreign male applicant. By inference, the appointment of a sole foreign male guardian is not allowable.
3. I direct that the applicants do correct the anomaly to enable the court consider the matter further.
4. Orders accordingly.

DATED, SIGNED and DELIVERED at NAIROBI **this 12th DAY OF October, 2012.**

**M.G. MUGO
JUDGE**

In the presence of :

for the applicant.