

Guardianship

Guardianship of an infant refers to the legal responsibility of parents to make decisions in relation to the child's upbringing, ensuring proper care is being provided for the child along with rights to make decisions about the child's religious and secular education, health requirements and general welfare. Married parents are automatically joint legal guardians of their children.

An unmarried father does not have automatic guardianship rights in relation to that child. Only the mother has automatic rights to guardianship.

If a mother does not consent to the father being appointed a guardian of his child, an application can be made to the court for an Order appointing the father as a joint guardian. The most important aspect of such matters is always the best interests of the child.