

boarded out under the provisions of this or any other Act in that behalf.

Imprisonment of parent to be deemed desertion. (5) Where the parent is imprisoned on a criminal charge, or in respect of an offence committed against a child, this section shall apply as if the child had been deserted by that parent.

Persons not relieved from liability for maintenance. (6) Nothing in this section shall relieve any person from any liability to contribute to the maintenance of a child, but the fact of such contribution being made shall not deprive any society of any of the powers and rights conferred on them by this section. 56 V. c. 45, s. 17 (3-5).

When court may refuse writ for production of child. **12.—**(1) Where the parent of a child applies to any court having jurisdiction in that behalf, for a writ or order for the production of the child, and the court is of opinion that the parent has abandoned or deserted the child, or that he has otherwise so conducted himself that the court should refuse to enforce his right to the custody of the child, the court may, in its discretion, decline to issue the writ or make the order.

Liability of parent on return of child. (2) If at the time of the application for a writ or order for the production of the child, the child is being brought up by another person, or is boarded out by a children's aid society duly authorized in that behalf, the court may, in its discretion, if it orders the child to be given up to the parent, further order that the parent shall pay to such person or such society the whole of the costs properly incurred in bringing up the child, or such portion thereof as may seem to the court to be just and reasonable, having regard to all the circumstances of the case.

When parent must show fitness to exercise parental duties. (3) Where a parent has—
 (a) Abandoned or deserted his child, or
 (b) Allowed his child to be brought up by another person at that person's expense, or by any children's aid society, for such time and under such circumstances as to satisfy the court that the parent was unmindful of his parental duties,

the court shall not make an order for the delivery of the child to the parent unless the parent satisfies the court that having regard to the welfare of the child he is a fit person to have the custody of the child.

Order as to religious training of child. (4) Upon any application by the parent for the production or custody of a child, if the court is of opinion that the parent ought not to have the custody of the child and that the child is being brought up in a different religion from that in which the parent has a legal right to require that the child shall be brought up, the court shall have power to make such order as it may think fit to secure that the child be brought up in the religion in which the parent has a legal right to require that the child shall be brought up. Nothing in this section con-