

# Adoption Regulations

## Exposure Draft

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Victoria

## **Adoption Regulations**

### **Exposure Draft**

#### **1 Objective**

The objective of these Regulations is to prescribe matters authorised or required to be prescribed by the **Adoption Act 1984**.

#### **2 Authorising provision**

These Regulations are made under section 130 of the **Adoption Act 1984**.

#### **3 Commencement**

These Regulations come into operation on 24 February 2019.

#### **4 Revocations**

The following regulations are **revoked**—

- (a) the Adoption Regulations 2008<sup>1</sup>;
- (b) the Adoption Amendment Regulations 2013<sup>2</sup>;

- (c) the Adoption Amendment Regulations 2014<sup>3</sup>;
- (d) the Adoption Amendment (Adoption by Same-Sex Couples) Regulations 2016<sup>4</sup>.

## **5 Definitions**

In these Regulations—

*Aboriginal agency* has the same meaning as in section 50(3) of the Act;

*the Act* means the **Adoption Act 1984**;

*welfare organization* has the same meaning as in section 21(4) of the Act.

## **6 List of approved counsellors**

The Secretary must—

- (a) keep a list of approved counsellors; and
- (b) ensure that the list is readily accessible to approved agencies.

## **7 Application for approval as fit and proper person**

- (1) For the purposes of section 13(2) of the Act, an application for approval as a fit and proper person to adopt a child must be in writing and contain the information referred to in subregulation (2).
- (2) For the purposes of section 13(3) of the Act, the prescribed requirements are the following—
  - (a) the health of the applicant or applicants, including emotional, physical and mental health, is suitable;
  - (b) the age and maturity of the applicant or applicants are suitable;
  - (c) the applicant or applicants have suitable skills and life experience;

- (d) the applicant or applicants' financial circumstances are suitable;
  - (e) the applicant or applicants have the capacity to provide a stable, secure and beneficial emotional and physical environment during a child's upbringing until the child reaches social and emotional independence;
  - (f) the applicant or applicants have the capacity to provide appropriate support to the maintenance of a child's cultural identity and religious faith (if any);
  - (g) the applicant or applicants have a suitable appreciation of the importance of—
    - (i) contact with a child's natural parent and family; and
    - (ii) exchange of information about the child with the child's natural parent and family; and
    - (iii) participating in the formation of any adoption plan for the child;
  - (h) in the case of an applicant or applicants who may be considered for the adoption of an Aboriginal child, the applicant or applicants have a suitable appreciation of the importance of and a commitment to—
    - (i) maintaining and developing the child's Aboriginal identity; and
    - (ii) maintaining a connection between the child and members of the Aboriginal community to which the child belongs;
  - (i) the general stability of character of the applicant or applicants is suitable;
-

- (j) except in the case of a sole applicant, the stability and quality of the applicants' relationship with each other is suitable;
- (k) the stability and quality of the applicant or applicants' relationship with the other household and family members is suitable;
- (l) the criminal history (if any) of the applicant or applicants does not make the applicant or applicants unsuitable;
- (m) the criminal history (if any) of the household members does not make the applicant or applicants unsuitable;
- (n) if the applicant or applicants have had the care of a child before applying for approval as fit and proper persons to adopt a child, the applicant or applicants have shown an ability to provide a stable, secure and beneficial emotional and physical environment for the child.

## **8 Wishes of parent**

- (1) For the purposes of section 15(1)(b) of the Act, the Secretary or the principal officer of an approved agency must—
  - (a) ensure that the parent is given an opportunity to express in writing the parent's wishes in relation to the religion, race or ethnic background of the proposed adoptive parent or adoptive parents of the child; and
  - (b) make a record of those wishes in Form 1 of Schedule 3.
- (2) For the purposes of section 15(1)(c) of the Act, the Secretary or the principal officer of an approved agency must—

- (a) ensure that, after consent is given or dispensed with, the parent is given an opportunity to express in writing the parent's wishes in relation to access to the child and information about the child; and
- (b) make a record of those wishes in Form 2 of Schedule 3.

**9 Application for approval of adoption agency**

For the purposes of section 21(2) of the Act, the information requested in Form 3 of Schedule 3 is prescribed.

**10 Application for renewal of approval of adoption agency**

An application under section 26(1) of the Act must be in Form 3 of Schedule 3.

**11 Qualifications and experience of principal officer and deputy principal officer of approved agency**

- (1) A principal officer and a deputy principal officer of an approved agency must—
  - (a) hold a tertiary qualification in social work or an appropriate social science; and
  - (b) have experience in the provision of child and family services.
- (2) A person who, under section 4(4) of the Act, is authorised in writing by the principal officer of an approved agency to exercise or perform the powers and functions of the principal officer under the Act must—
  - (a) hold a tertiary qualification in social work or an appropriate social science; and
  - (b) have experience in the provision of child and family services.

**12 Arrangements for the adoption in Victoria of non-citizen children**

For the purposes of section 23 of the Act, the persons and organisations referred to in Schedule 2 are prescribed.

**13 Form of consent to adoption**

For the purposes of section 34(1)(a) and (3)(a) of the Act, Form 4 of Schedule 3 is prescribed.

**14 Form of statements by witnesses to consent**

- (1) For the purposes of section 34(1)(b) of the Act, the statements in Form 5 of Schedule 3 are prescribed.
- (2) For the purposes of section 34(3)(c) of the Act, the statements in Form 6 of Schedule 3 are prescribed.

**15 Witnesses to consent**

- (1) For the purposes of section 34(2)(a) of the Act, each of the following is a prescribed official of a court—
    - (a) the prothonotary or a deputy prothonotary of the Supreme Court;
    - (b) the registrar or a deputy registrar of the County Court;
    - (c) a registrar of the Magistrates' Court.
  - (2) A person in whose presence the form of consent is signed must not sign the statements in Form 5 or Form 6 of Schedule 3 (as the case may be) unless the person believes that the person giving consent understands—
    - (a) the effect of an adoption order; and
    - (b) the procedure for revoking consent to the adoption; and
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- (c) the procedure for extending the period for revoking consent to the adoption.

**16 Conduct of discussions by witnesses to consent**

Before the form of consent is signed, the persons in whose presence the form of consent is to be signed must conduct any discussions with the person giving consent—

- (a) in a sensitive manner; and
- (b) in a setting that ensures dignity, privacy and confidentiality.

**17 Documents to be provided to person giving consent**

After the form of consent is signed, a person in whose presence the form of consent is signed must—

- (a) provide to the person giving consent—
  - (i) a copy of the completed and signed Form 4 of Schedule 3; and
  - (ii) a blank copy of Form 13 of Schedule 3; and
  - (iii) a blank copy of Form 14 of Schedule 3; and
- (b) immediately provide the original completed and signed Form 4 of Schedule 3 to the Secretary or the principal officer of an approved agency referred to in the form of consent.

**18 Counsellors approved under section 35 of the Act**

- (1) For the purposes of section 35(1)(a) of the Act, a person approved by the Secretary or the principal officer of an approved agency must be an approved counsellor.

- (2) The Secretary must—
  - (a) keep a list of counsellors approved by the Secretary under section 35(1)(a) of the Act; and
  - (b) ensure that the list is readily accessible to approved agencies.
- (3) The principal officer of an approved agency must—
  - (a) keep a list of counsellors approved by the principal officer under section 35(1)(a) of the Act; and
  - (b) ensure that the list is readily accessible to approved agencies.

**19 Information to be provided by counsellor under section 35 of the Act**

- (1) For the purposes of section 35(1)(b) and (c) of the Act, the information in writing to be given by a counsellor and the notice in writing to be given to the person receiving counselling must be in Form 7 of Schedule 3 and contain the information referred to subregulation (2).
- (2) A person who provides counselling under section 35(1) of the Act to a person (a *relevant person*) proposing to give consent to the adoption of the relevant person's child must give the relevant person written information about the following matters in a language readily understood by the relevant person—
  - (a) the procedures, and the provisions of the Act and these Regulations, applying to the giving of consent, including, if applicable, the specific procedures and provisions applying to—

- (i) the giving of consent to the adoption of a child by a relative or a relative's spouse or domestic partner; and
  - (ii) the adoption of an Aboriginal child;
  - (b) the procedure, and the provisions of the Act and these Regulations, relating to extending the period for revoking consent and the process for revoking consent within that period;
  - (c) the procedure, and the provisions of the Act and these Regulations, applying once consent may no longer be revoked but before an adoption order is made;
  - (d) if the child is an Aboriginal child, the importance of the child maintaining their Aboriginal identity;
  - (e) the importance to the child of knowing that each parent has had the opportunity to participate in the planning of the adoption placement;
  - (f) the long-term rights and interests of the child in knowing their origins, including knowledge of genetic and medical information;
  - (g) the importance of knowledge of the information in paragraph (f) in the development of the child's identity;
  - (h) the importance of considering the child's rights and interests as separate from the mother's interests and needs;
  - (i) the possible psychological effects, both short and long-term—
    - (i) in the case of the parent, of consenting to the adoption; and
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- (ii) in the case of the child, of being adopted;
- (j) the rights and responsibilities of the parties to an adoption, including those relating to—
  - (i) adoption plans, including the requirement that prospective adoptive parents understand the importance of participation in forming an adoption plan in relation to a child; and
  - (ii) contact with a child's natural parent and family; and
  - (iii) exchange of information about the child with the child's natural parent and family; and
- (k) the different arrangements that may be made for the child.

**20 Certificate under section 35(3) of the Act**

A certificate under section 35(3) of the Act may be in Form 8 of Schedule 3.

**21 Consent to adoption by guardian of non-citizen child**

For the purposes of section 36 of the Act, Form 9 of Schedule 3 is prescribed.

**22 Right of access to child**

- (1) For the purposes of section 37(1) of the Act, if a person referred to in that subsection seeks access to a child, it is a prescribed term that the person must in the first instance attend a conference, if any, with a representative of an Aboriginal agency.

- (2) A conference referred to in subregulation (1) may also be attended by the following persons—
- (a) the natural parents of the child;
  - (b) the adoptive parents of the child;
  - (c) the child;
  - (d) any other member of the Aboriginal community to which the child belongs.

**23 Notices to be given if condition of consent cannot be met**

- (1) For the purposes of section 37(2) of the Act, Form 10 of Schedule 3 is prescribed.
- (2) A notice served on the Registrar of the County Court by a parent under section 37(2) of the Act may be in Form 11 of Schedule 3.

**24 Notification to parent of inability to place child**

A notice under section 38(1) of the Act may be in Form 12 of Schedule 3 and must be accompanied by Form 13 of Schedule 3.

**25 Revocation of consent**

- (1) A notice served on the Registrar to revoke consent under section 41(1) of the Act may be in Form 13 of Schedule 3.
- (2) For the purposes of section 41(1)(a) of the Act, Form 14 of Schedule 3 is prescribed and must be attested by a person who is of or above the age of 18 years.
- (3) For the purposes of section 41(2) of the Act, the following address is prescribed—

250 William Street  
Melbourne 3000.

**26 Wishes of parent with respect to receiving notice of certain events**

For the purposes of section 44(2) of the Act, if a person giving consent expresses a wish not to be given notice, the Secretary or the principal officer of an approved agency must—

- (a) make a record of those wishes in Form 15 of Schedule 3; and
- (b) ensure that the person is advised that the person may change the person's wishes at any time by notice in writing to the Secretary or the principal officer.

**27 Application for accreditation—Hague Convention**

For the purposes of section 69N(2)(a) of the Act, the following information is prescribed—

- (a) the name and address of the approved agency;
  - (b) in the case of an organisation that has applied for approval as an approved agency, the name of the organisation and the location of the proposed approved agency;
  - (c) a statement that—
    - (i) the approved agency or organisation has accommodation available for its use; and
    - (ii) the accommodation does not form part of and is not adjacent to—
      - (A) accommodation used by an organisation that provides for the collection and disbursement of aid to another country; or
      - (B) an organisation that represents adoptive parents;
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- (d) a statement that the approved agency or organisation is not associated with the collection and disbursement of aid to another country.

**28 Accreditation—Hague Convention**

- (1) For the purposes of section 69O(1)(b)(ii) of the Act, the following criteria are prescribed—
  - (a) the body must be an incorporated body;
  - (b) the body must not be a party to negotiations or an agreement for the establishment of adoption arrangements with any other country;
  - (c) the body must have a principal officer who has—
    - (i) social science qualifications; and
    - (ii) experience in adoption, substitute care or family services;
  - (d) the body must be financially viable;
  - (e) the body must have accommodation available for its use that—
    - (i) is suitable for the conduct of assessment, interviews, training and support for adoption arrangements; and
    - (ii) does not form part of and is not adjacent to—
      - (A) accommodation used by an organisation that provides for the collection and disbursement of aid to another country; or
      - (B) an organisation that represents adoptive parents;

- (f) the body must not be associated with the collection and disbursement of aid to another country;
  - (g) the body must have suitable facilities for the confidential storage of records.
- (2) For the purposes of section 69O(2)(c) of the Act, the code of conduct in Schedule 1 is prescribed.

### **29 Prescribed overseas jurisdiction**

For the purposes of the definition of *prescribed overseas jurisdiction* in section 69T of the Act, each of the following is prescribed as an overseas jurisdiction—

- (a) South Korea;
- (b) Taiwan.

### **30 Registration of adoption orders**

- (1) For the purposes of section 70(1), (2) and (3) of the Act, the prescribed officer of the Court is—
- (a) in the case of the Supreme Court, the prothonotary or a deputy prothonotary; or
  - (b) in the case of the County Court, the registrar or a deputy registrar.
- (2) For the purposes of sections 70(1), 71 and 73A(1) of the Act, a memorandum must be in Form 16 of Schedule 3.
- (3) For the purposes of sections 70(1)(b), 72(a)(ii), 73(b), 73A(3)(b) and 79A(5)(b) of the Act, the prescribed particulars are—
- (a) in relation to the adopted child—
    - (i) the sex of the child; and
    - (ii) the names under the adoption order of the child; and
    - (iii) the date of birth of the child; and
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- (iv) the place of birth of the child; and
  - (v) if the child was born outside Victoria, the State or Territory of Australia or the country where the child was born; and
  - (b) if the adoption is by 2 adoptive parents—
    - (i) the given names of each adoptive parent; and
    - (ii) the family name (including the maiden name if applicable) of each adoptive parent; and
    - (iii) the age at the date of birth of the child of each adoptive parent; and
    - (iv) the usual occupation of each adoptive parent; and
  - (c) if the adoption is by the spouse or domestic partner of a parent—
    - (i) the given names of the parent and of the spouse or domestic partner of the parent; and
    - (ii) the family name (including the maiden name if applicable) of the parent and of the spouse or domestic partner of the parent; and
    - (iii) the age at the date of birth of the child of the parent and of the spouse or domestic partner of the parent; and
    - (iv) the usual occupation of the parent and of the spouse or domestic partner of the parent; and
  - (d) if the adoption is by one adoptive parent (other than the spouse or domestic partner of a parent)—
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- (i) the given names of the adoptive parent;  
and
  - (ii) the family name (including the maiden name if applicable) of the adoptive parent; and
  - (iii) the age at the date of birth of the child of the adoptive parent; and
  - (iv) the usual occupation of the adoptive parent; and
- (e) if the adoption is by 2 adoptive parents or the spouse or domestic partner of a parent and—
- (i) the adoptive parents, or the spouse or domestic partner and parent, are married, the date and place of the marriage; or
  - (ii) the adoptive parents, or the spouse or domestic partner and parent, are in a registered domestic relationship or a corresponding law relationship within the meaning of section 33A of the **Relationships Act 2008**, the date and place that their relationship was registered under section 10(3)(a) of that Act or was registered or formally recognised under a corresponding law within the meaning of section 33A of that Act; or
  - (iii) the adoptive parents, or the spouse or domestic partner and parent, are not in a registered domestic relationship, the date their relationship commenced; and
- (f) the given names, the family names and the ages, at the date of birth of the adoptive child, of—
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- (i) all children of the adoptive parent or parents; or
  - (ii) in the case of adoption by the spouse or domestic partner of a parent, all children of the parent and the spouse or domestic partner of the parent.
- (4) For the purposes of section 79A(5)(b) of the Act, an entry in the Adopted Children Register is in the prescribed form if it contains the prescribed particulars referred to in subregulation (3).

**31 Details of adoptions to be provided to the Secretary by approved agencies**

For the purposes of section 85(2)(b) of the Act, the following details are prescribed—

- (a) the former registered names, date and place of birth of the child;
- (b) the names of the child that are given in the adoption order;
- (c) the names, address and date and place of birth of each of the natural parents of the child;
- (d) the names, address and date and place of birth of each of the adoptive parents of the child;
- (e) the name and address of the person who made the report referred to in section 15(1) of the Act.

**32 Form of application for birth certificate**

- (1) For the purposes of section 92(2) of the Act, the prescribed form is Form 17 of Schedule 3.
  - (2) For the purposes of section 92(3) of the Act, the prescribed form is Form 18 of Schedule 3.
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**33 Fee payable**

For the purposes of section 92(4) of the Act, the prescribed fee is the fee payable under the **Births, Deaths and Marriages Registration Act 1996**.

**34 Financial assistance**

For the purposes of section 105 of the Act, the following classes of children are prescribed—

- (a) children with a physical, sensory, intellectual or emotional disability;
- (b) siblings who have been adopted by the same adoptive parent or parents, or placed with the same person or persons for the purposes of adoption;
- (c) children who have unusual or difficult circumstances.

**35 Time to comply with request for information**

For the purposes of section 123(2) of the Act, the prescribed period is 28 days.

**36 Arrangement of adoption in country outside Australia of child present in Victoria**

For the purposes of section 115(2) of the Act, the persons and organisations referred to in Schedule 2 are prescribed.

**37 Requirements in relation to the making of arrangements with overseas agencies**

Before the Secretary or an approved agency makes arrangements with a person or organisation referred to in Schedule 2 with a view to the adoption of children, the Secretary or the principal officer of an approved agency must be satisfied, by written evidence, that—

- (a) the person or organisation is authorised in the place concerned to arrange for the adoption of children in or from that place; and
- (b) the government of the place concerned, or a government welfare body in that place, has not notified the Secretary that the adoption in another country of children from that place has been prohibited; and
- (c) the person or organisation does not exploit children and natural parents when making arrangements for the adoption of children in or from that country; and
- (d) the person or organisation does not obtain consents to the adoption of children in or from that country by fraud or duress; and
- (e) the person or organisation gives natural parents an adequate opportunity to give informed consent to the adoption of children in or from that country; and
- (f) arrangements for the adoption of children in or from that country are subject to the requirements of natural justice.

## **Schedule 1—Code of conduct for accredited bodies and staff**

Regulation 28(2)

### **1 Conflict of interest**

- (1) A staff member of an accredited body must not hold any financial or other interest that could directly or indirectly compromise the performance of the member's functions.
- (2) A staff member of an accredited body must not give an undertaking that could directly or indirectly compromise the performance of the member's functions.
- (3) Conflict of interest must be assessed by taking into account, amongst other things, the likelihood that a staff member possessing a particular interest could be influenced, or might appear to be influenced, in the performance of the staff member's responsibilities on a particular matter.
- (4) A staff member of an accredited body must notify the State Central Authority if a potential or actual conflict of interest arises.

### **2 Acceptance of gifts or benefits**

An accredited body or a staff member of an accredited body must not accept a gift, donation or benefit if it could be seen by a client as intended or likely to cause a staff member to undertake the staff member's responsibilities in a particular way, or deviate from the proper course of action.

### **3 Personal and professional behaviour**

- (1) A staff member of an accredited body must perform any duties associated with the staff member's position diligently, impartially and
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Schedule 1—Code of conduct for accredited bodies and staff

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conscientiously, to the best of the staff member's ability.

- (2) In the performance of duties, a staff member of an accredited body must—
- (a) keep up to date with any changes in practice or procedure relating to intercountry adoption; and
  - (b) maintain and preserve record information systems in accordance with the requirements of the State Central Authority; and
  - (c) treat all clients with courtesy, sensitivity and confidentiality; and
  - (d) not take any improper advantage of any information gained in the carrying out of the staff member's duties; and
  - (e) report to the State Central Authority any unethical behaviour or wrongdoing by other staff members of which the staff member is aware.

**4 Fairness and equity**

- (1) An accredited body must deal with issues or clients in a manner that is consistent, prompt and fair, including—
- (a) dealing with matters in accordance with any procedures adopted by the accredited body; and
  - (b) dealing with matters without discrimination; and
  - (c) providing appropriate review and appeal mechanisms.

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Schedule 1—Code of conduct for accredited bodies and staff

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- (2) If an accredited body proposes to exercise a discretionary power in relation to a particular case, the body must ensure that all relevant considerations are taken into account with respect to the particular merits of the case.

**5 Public comment and the use of information**

- (1) While staff members of an accredited body have the right to make public comment and to enter into public debate on political and social issues, they must refrain from public comment where that comment is sufficiently strong to undermine the accredited body, the State Central Authority or the Commonwealth Central Authority.
- (2) An accredited body or a staff member of an accredited body must not disclose information or documents acquired in the course of carrying out functions as an accredited body or staff member, as the case requires, unless approved by the State Central Authority.



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Schedule 2—Prescribed persons and organisations for arrangement of  
adoption in Victoria of non-citizen children

**Schedule 2—Prescribed persons and  
organisations for arrangement of adoption  
in Victoria of non-citizen children**

Regulations 12 and 36

<b>COUNTRY</b>	<b>PERSON OR ORGANISATION</b>
BULGARIA	Director Ministry of Justice Department of International Legal Child Protection and Intercountry Adoptions No 1 Slavyanska Str., 1040 Sofia BULGARIA  Chairperson and Representative Family National Association 4 Vitosha Byl, Floor 5 1000 Sofia BULGARIA
CHILE	Director Intercountry Adoption, Adoption Department Servico Nacional de Menores (SENAME) Huérfanos 587 Santiago CHILE
CHINA	Director General China Center of Children's Welfare and Adoption China Children's Welfare Plaza Room 1301, 16 Wang Jai Yuan Lane Dong Cheng District Beijing 100027 PEOPLE'S REPUBLIC OF CHINA
COLUMBIA	Director of Adoptions Instituto Colombiano de Bienestar Familiar (ICBP) Avda Cra 68 No.64C-75, Bogota, COLOMBIA

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Schedule 2—Prescribed persons and organisations for arrangement of  
adoption in Victoria of non-citizen children

COUNTRY	PERSON OR ORGANISATION
HONG KONG	<p>Officer In Charge The Central Authority Social Welfare Department 8/F, Wu Chung House 213 Queen's Road East Wanchai HONG KONG</p> <p>Director International Social Services Hong Kong (ISSHK) 6/F, Southorn Centre 130 Hennessy Road Wanchai HONG KONG</p> <p>Assistant Social Services Secretary Po Leung Kuk (PLK) 66 Leighton Road HONG KONG</p>
INDIA	<p>Director Central Adoption Resource Authority (CARA) Ministry of Women &amp; Children Development West Block 8, Wing 2 2nd Floor, R. K Puram New Delhi 110066 INDIA</p>
KOREA	<p>President Eastern Social Welfare Society PO Box 241 Sodaemun, Seoul KOREA</p>
LATVIA	<p>Senior Expert Department of Children and Family Policy Ministry of Welfare 28 Skolas Street Riga, LV-1331 THE REPUBLIC OF LATVIA</p>

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Schedule 2—Prescribed persons and organisations for arrangement of  
adoption in Victoria of non-citizen children

COUNTRY	PERSON OR ORGANISATION
PHILIPPINES	Executive Director #2 Chicago St Cnr Ermin Garcia St Barangay Pinagkaisahan Cubao, Quezon City PHILIPPINES
POLAND	Director Ministry of Family Labour & Social Policy Department of Family Policy Ul. Nowogrodzka 1/3/5 00-513 Warszawa POLAND
SOUTH AFRICA	Director South African Central Authority (SACA) Department of Social Development Private Bag X901 Pretoria, 0001 SOUTH AFRICA  Director Cape Town Child Welfare (CTCW) Klipfontein Rd Cape Town, 7764 SOUTH AFRICA
SRI LANKA	Commissioner Department of Probation and Child Care Services 3rd Floor, Sethsiripaya Stage II, Battaramulla, SRI LANKA
TAIWAN	International Program Director Christian Salvation Service (CSS) 10F, #396, Sec. 1 Keelung Rd., 11051, Taipei, TAIWAN, REPUBLIC OF CHINA

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Schedule 2—Prescribed persons and organisations for arrangement of  
adoption in Victoria of non-citizen children

COUNTRY	PERSON OR ORGANISATION
	<p>Executive Director Child Welfare League Foundation (CWLF) 6F., No.43, Chang'an W. Rd., Datong Dist., Taipei City 103, TAIWAN, REPUBLIC OF CHINA</p> <p>Executive Director Intercountry Adoption Program Coordinator Chung Yi Social Welfare Foundation No.12, Aly. 85, Jingxing Rd., Wenshan Dist., Taipei City 116, TAIWAN, REPUBLIC OF CHINA</p>
THAILAND	<p>Director Child Adoption Center Department of Social Development and Welfare 255 Rajvithi Road Rajthewi Bangkok 10400 THAILAND</p>

## Schedule 3—Forms

### FORM 1

Regulation 8(1)

#### Adoption Act 1984

#### WISHES OF NATURAL PARENT WITH RESPECT TO RELIGION, RACE OR ETHNIC BACKGROUND OF ADOPTIVE PARENTS

Full name, address and date of birth of the natural parent of the child:  
*[insert details]*

Name, date of birth and place of birth of the child: *[insert details]*

The parent \*does/\*does not wish to express a preference about the religion,  
race or ethnic background of any proposed adoptive parents of the child.

If the parent wishes to express a preference, a statement of the parent's wishes  
with respect to—

- (a) religion; or
- (b) race; or
- (c) ethnic background—

of the adoptive parents being considered for the placement of the child:

*[insert statement of wishes expressed by parent]*

The parent understands that, although the parent's wishes will be considered  
carefully, it may not be possible to place the parent's child with people who  
meet all of the parent's wishes.

Signature of the parent:

Signature of an approved counsellor:

Date and place of signing:

\*delete if inapplicable

**FORM 2**

Regulation 8(2)

**Adoption Act 1984**

**WISHES OF NATURAL PARENT WITH RESPECT TO  
ACCESS TO CHILD AND INFORMATION ABOUT CHILD**

Full name, address and date of birth of the natural parent of the child:  
[*insert details*]

Name, date of birth and place of birth of the child: [*insert details*]

Date on which consent to adoption was given or dispensed with: [*insert date*]

The natural parent understands that—

- (a) the Secretary or the principal officer of an approved agency must consider both the natural parent's wishes and the welfare and interests of the natural parent's child before placing the child for adoption; and
- (b) it may not be possible to find a placement for the natural parent's child that meets all the natural parent's wishes and that the Secretary or the principal officer of an approved agency may place the child in a placement that does not fit the natural parent's wishes if this is in the child's interests; and
- (c) if the adoptive parents and the natural parent agree, arrangements about information or access to the child may be included as conditions of an adoption order; and
- (d) if conditions are included in an adoption order, an adoptive parent of the adopted child, a parent who gave consent to the adoption of the child, the adopted child or a person on behalf of the adopted child may later apply to the Court to vary or revoke the conditions; and
- (e) if conditions are not included in an adoption order, an adoptive parent of the adopted child, a parent who gave consent to the adoption of the child, the adopted child or a person on behalf of the adopted child may later apply to the Court to vary the adoption order to include one or more conditions; and
- (f) an order to include, vary or revoke a condition, the effect of which is to grant a person a right of access, or greater rights of access, to the adopted child, cannot be made unless—
  - (i) the adoptive parent or parents agree; and

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- (ii) the Court is satisfied that, as far as practicable, the wishes of the adopted child have been ascertained and due consideration is given to those wishes, having regard to the age and understanding of the child.

**Information about child**

The natural parent \*does/\*does not wish to be contacted and advised if no placement is available to meet the natural parent's wishes.

The natural parent \*does/\*does not wish to be given information about the child.

\*If the natural parent does wish to be given information about the child, the frequency with which the parent wishes the information to be given is: [insert frequency]

The natural parent \*does/\*does not wish to have the natural parent's wishes for information about the child included as a condition in an adoption order.

**Access to child**

The natural parent \*does/\*does not wish to have access to the child.

\*If the natural parent does wish to have access to the child, the frequency with which the parent wishes to have access is: [insert frequency]

The natural parent \*does/\*does not wish to allow relatives to have access to the child.

\*If the natural parent does wish to allow relatives to have access to the child, the name and address of the relative or relatives to have access, relationship to the child, and the frequency of access are: [insert details]

The natural parent \*does/\*does not wish to have the natural parent's wishes for access to the child included as a condition in an adoption order.

Signature of the parent:

Signature of an approved counsellor:

Date and place of signing:

\*delete if inapplicable

**FORM 3**

Regulations 9 and 10

**Adoption Act 1984**

**APPLICATION FOR APPROVAL OR RENEWAL OF  
APPROVAL OF ADOPTION AGENCY**

TO: The Secretary to the Department of Health and Human Services

Name of welfare organization:

Address of welfare organization:

applies for the \*approval/\*renewal of approval of the welfare organization as an approved agency.

Person nominated as principal officer of the welfare organization for the purposes of the Act:

\*Person nominated as deputy principal officer of the welfare organization for the purposes of the Act:

The governing body of the welfare organization is:

The membership of the governing body is:

The interests of members in the governing body are:

A copy of the \*rules/\*constitution/\*memorandum or \*articles of incorporation of the welfare organization is attached.

\*A copy of each instrument evidencing the trusts related to the welfare organization is attached.

The proposed method of financing the approved agency is: [*include a financial statement and budget estimate*]

Reasons for the application for approval/renewal of approval as an approved agency:

The experience of the welfare organization in adoption or related family welfare services is as follows:

The links of the welfare organization with other child and family welfare services are as follows: [*include arrangements for the care of a child before adoptive placement and after a child is removed from an adoptive placement*]

If adoption of children from overseas countries is proposed, the links that the welfare organization has established or proposes to establish with organisations or persons in those countries are as follows:



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The location of the proposed approved agency is:

The populations and geographical area of Victoria that the approved agency would serve are:

The activities that the welfare organization proposes to undertake in relation to arranging adoptions are:

The accommodation to be used for the proposed approved agency is:  
*[include rooms suitable for the conduct of assessments, interviews, training and support for adoption arrangements]*

The number, experience, qualifications and duties of staff engaged or proposed to be engaged by the proposed approved agency are:

The training of staff is or is proposed to be as follows:

The method of keeping records in relation to persons seeking to adopt children, natural parents of children placed for adoption and children placed for adoption undertaken or proposed to be undertaken by the proposed approved agency is as follows:

The procedures for internal review and evaluation of the activities of the proposed approved agency are as follows:

The constitution of the proposed approved agency's placement and assessment committee:

\*delete if inapplicable

**FORM 4**

Regulation 13

**Adoption Act 1984**

**CONSENT TO ADOPTION**

Full name of the person giving consent:

Address of the person giving consent:

Date and place of birth of the person giving consent:

Full name of the child:

Date of birth of the child:

Place of birth of the child:

***\*General consent***

Relationship of the child to the person giving consent:

I [*full name of person giving consent*] consent to the adoption of the child.

In giving consent, I understand that when the Court makes an adoption order—

- (a) I will lose my rights as a parent of the child; and
- (b) those rights will be transferred to the person or persons who adopt the child; and
- (c) the child will be treated in law as the child of the person or persons who adopt the child.

I understand that an adoption agency will make any arrangements needed before an adoption order is made.

I authorise *\*the Secretary to the Department of Health and Human Services/\** the principal officer of an approved agency [*insert name of adoption agency*] to make these arrangements.

I understand that, when all consents that are needed have been given, the *\*Secretary/\** the principal officer of an approved agency will become the guardian of the child.

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***\*Where the child is proposed to be adopted by the spouse or domestic partner of the person giving consent***

Full name of the spouse or domestic partner:

I consent to the Court making an adoption order for the child in favour of my spouse or domestic partner.

I consent on the understanding that my rights as a parent will not be altered in any way by an adoption order in favour of my spouse or domestic partner.

I understand that an adoption order gives me and my spouse or domestic partner the same rights as parents of the child that both would have if they were married when the child was born.

I understand that the Court may consider that a parenting order is more appropriate than an adoption order and that, in these circumstances, the Court will not make an adoption order.

I authorise \*the Secretary to the Department of Health and Human Services/\*the principal officer of an approved agency [*insert name of adoption agency*] to conduct negotiations, or make arrangements or prepare any reports needed before an adoption order is made.

***\*Where the child is proposed to be adopted by—***

- *the spouse or domestic partner of the child's other parent;*
- *a relative of the child;*
- *the spouse or domestic partner of a relative of the child;*

Full name of the person proposing to adopt the child:

Address of the person proposing to adopt the child:

Relationship of the child to the person proposing to adopt the child:

I consent to the adoption of the child by: [*insert name of person proposing to adopt the child*]

In giving consent, I understand that when the Court makes an adoption order—

- (a) I will lose my rights as a parent of the child; and
- (b) those rights will be transferred to the person or persons who adopt the child; and
- (c) the child will be treated in law as the child of the person or persons who adopt the child.

I understand that the Court may consider that a parenting order is more appropriate than an adoption order and that, in these circumstances, the Court will not make an adoption order.

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I authorise \*the Secretary to the Department of Health and Human Services/\*the principal officer of an approved agency [*insert name of adoption agency*] to conduct negotiations, or make arrangements or prepare any reports needed before an adoption order is made.

***\*Where parent wishes child to be adopted within the Aboriginal community***

\*I am of Aboriginal descent and I regard myself as Aboriginal and am accepted as Aboriginal by an Aboriginal community.

\*I am not Aboriginal but believe that the other parent of the child is of Aboriginal descent, regards themselves as Aboriginal and is accepted as Aboriginal by an Aboriginal community.

It is my wish that the child be adopted within the Aboriginal community.

I understand that the Secretary or the principal officer of an approved agency is required to contact me if—

- (a) my conditions for access cannot be met; or
- (b) no suitable adoptive parent or parents are available within the Aboriginal community.

If the Secretary or the principal officer of an approved agency does contact me, I understand that I may within 28 days revoke my consent to the adoption or vary my conditions for access.

I understand that the Secretary or the principal officer of an approved agency is not required to contact me if the only suitable adoptive parents are not Aboriginal but are approved as suitable by an Aboriginal agency.

I understand that any conditions relating to access by me, relatives of the child or members of the Aboriginal community or the connection of the child to the Aboriginal community will be included as conditions of an adoption order as long as suitable adoptive parents can be found who accept those conditions.

The conditions relating to access to which this consent is subject are:

[*Specify conditions and in particular state—*

- (a) *whether it is a condition of consent that the person giving consent has access to the child and, if so, when the person wishes access to occur; or*
  - (b) *whether it is a condition of consent that relatives of the child have access to the child and, if so, the full name, address and relationship of each relative to the child; or*
  - (c) *whether it is a condition of consent that members of an Aboriginal community have access to the child from time to time.]*
-

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Signature of the person giving consent:

Date and place of signing:

Signed in the presence of:

*[signature of first witness]*

*[signature of second witness]*

\*delete if inapplicable

**FORM 5**

Regulation 14(1)

**Adoption Act 1984**

**STATEMENT OF WITNESSES WHEN CONSENT IS GIVEN  
TO AN ADOPTION WITHIN AUSTRALIA**

**FIRST WITNESS**

Full name of the person giving consent:

Address of the person giving consent:

Date and place of birth of the person giving consent:

Full name of the child:

Date of birth of the child:

Place of birth of the child:

Full name of first witness:

Address of first witness:

Qualification of first witness:

The following statement is to be signed by a person who is—

- (a) a prescribed official of a court referred to in regulation 15(1); or
- (b) a person referred to in section 34(2)(b) or (c) of the **Adoption Act 1984**.

I, [*insert full name of first witness*] was present when [*insert name of the person giving consent*] signed the form of consent.

I am signing this statement in the presence of [*insert name of person giving consent*] and [*insert name of second witness*].

Signature of first witness:

Date and place of signing:

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**SECOND WITNESS**

Full name of the person giving consent:

Address of the person giving consent:

Date and place of birth of the person giving consent:

Full name of the child:

Date of birth of the child:

Place of birth of the child:

Full name of second witness:

Address of second witness:

Qualification of second witness:

The following statement is to be signed by a person who is approved for the purpose by the Secretary or the principal officer of an approved agency under section 34(1)(a)(ii) of the **Adoption Act 1984**:

I, [*insert full name of second witness*] was present when [*insert name of person giving consent*] signed the form of consent.

I am signing this statement in the presence of [*insert name of person giving consent*] and [*insert name of first witness*].

Signature of second witness:

Date and place of signing:

**FORM 6**

Regulation 14(2)

**Adoption Act 1984**

**STATEMENT OF WITNESSES IN WHOSE PRESENCE THE  
FORM OF CONSENT IS SIGNED WHEN CONSENT IS GIVEN  
TO AN ADOPTION IN A COUNTRY OUTSIDE AUSTRALIA**

**FIRST WITNESS**

Full name of the person giving consent:

Address of the person giving consent:

Date and place of birth of the person giving consent:

Full name of the child:

Date of birth of the child:

Place of birth of the child:

Full name of first witness:

Address of first witness:

Qualification of first witness:

The following statements are to be signed by a person referred to in section 34(3)(a) of the **Adoption Act 1984**:

I, [*insert full name of first witness*] was present when [*insert name of person giving consent*] signed the form of consent.

\*Not less than 7 days before consent is given/\*Less than 7 days but not less than 24 hours before consent is given, I gave [*insert name of person giving consent*] information about—

- (a) the effect of an adoption order under the **Adoption Act 1984**; and
- (b) the alternatives to adoption available in Victoria.



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I am signing this statement in the presence of [*insert name of person giving consent*] and [*insert name of second witness*].

Signature of first witness:

Date and place of signing:

\*delete if inapplicable

**SECOND WITNESS**

Full name of the person giving consent:

Address of the person giving consent:

Date and place of birth of the person giving consent:

Full name of the child:

Date of birth of the child:

Place of birth of the child:

Full name of second witness:

Address of second witness:

Qualification of second witness:

The following statement is to be signed by a person referred to in section 34(3)(a) of the **Adoption Act 1984**:

I, [*insert full name of second witness*] was present when [*insert name of person giving consent*] signed the form of consent.

\*Not less than 7 days before consent is given/\*Less than 7 days but not less than 24 hours before consent is given, I gave [*insert name of person giving consent*] information about—

- (a) the effect of an adoption order under the **Adoption Act 1984**; and
- (b) the alternatives to adoption available in Victoria.

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I am signing this statement in the presence of [*insert name of person giving consent*] and [*insert name of first witness*].

Signature of second witness:

Date and place of signing:

\*delete if inapplicable

**FORM 7**

Regulation 19

**Adoption Act 1984**

**NOTICE TO PARENT CONSIDERING PLACING  
A CHILD FOR ADOPTION**

When you are thinking about adoption for your child there are a number of different arrangements you can consider for raising your child. One of these arrangements may be best suited to you and your child.

These arrangements include—

- *raising the child yourself* using the supports and financial benefits available in your community.
- *temporary care* by another family until you have set up living arrangements, income and other supports.
- *permanent care* of your child by another person who may have a legal order such as a parenting order or adoption order. When these orders exist, they involve the transfer of some or all of your legal responsibilities as a parent.

When an adoption is finalised the Court makes an adoption order. This causes major legal changes affecting your relationship with your child.

*Transfer of rights and responsibilities*

Once an adoption order is made the child is treated in law in every way as the child of the parents who adopt the child. Your rights and responsibilities as a parent are given to the adoptive parent. An adoption order is permanent unless there are exceptional circumstances.

*Names of the child*

After adoption the child may have new names. When an adoption order is made the Court approves the names of the child specified in the adoption application. The surname is usually the surname of the parents applying to adopt.

They also select given names which may be new names or names by which the child is known.

*New birth certificate*

After adoption your child receives a new birth certificate which includes the names of the adoptive parents.

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*Inheritance*

After adoption your child is entitled to inherit from the adoptive parents as if the child was born to them.

Your child may only inherit from you or your relatives if named in your will or the will of a relative.

*Rights of natural parent*

The law allows natural parents to have some rights after an adoption order is made.

It entitles you to some information about your child after an adoption order is made.

You may be entitled to have access to your child if this has been included in the adoption order, or if other arrangements have been agreed to by you and the adoptive parents.

When an adoption order is granted to a step-parent who is married to, or in a domestic relationship with, the parent still caring for the child, the law regards both of these parents as the child's parents. The parent still caring for the child in this case does not lose any of their rights as a parent.

If you are the other parent of the child (that is the parent who is no longer caring for the adopted child) you are no longer treated in law as the child's parent. All of the usual effects of an adoption order would apply to you once an adoption order is made.

At any time before or after an adoption order is made you may apply, subject to and in accordance with the **Births, Deaths and Marriages Registration Act 1996** to the Registrar of Births, Deaths and Marriages for a certified copy of, or extract from, the entry in the Register of Births relating to the child.

To obtain a copy of your child's original birth certificate you should apply either in writing or in person to—

The Registrar of Births, Deaths and Marriages,  
Ground Floor, 595 Collins Street  
Melbourne 3000.

There are a number of organisations that provide family support services. The names and addresses of organisations identified by your counsellor are: *[insert name and addresses of organisations]*

**YOUR COUNSELLOR WILL ALSO DISCUSS WITH YOU  
THE FINANCIAL OR OTHER SUPPORT THAT MAY BE  
AVAILABLE TO YOU WHETHER OR NOT THE CHILD  
IS PLACED FOR ADOPTION.**

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**FORM 8**

Regulation 20

**Adoption Act 1984**

**CERTIFICATE UNDER SECTION 35(3) OF  
THE ADOPTION ACT 1984**

Full name of the person giving consent:

Address of the person giving consent:

Date and place of birth of the person giving consent:

Full name of the child:

Date of birth of the child:

Place of birth of the child:

Full name of person completing the certificate:

Address of person completing the certificate:

I, *[insert full name of person signing certificate]*, \*Secretary/\*principal officer of *[insert name of approved agency]* certify that the following requirements under section 35(1) of the **Adoption Act 1984** have been complied with before consent was given by *[insert name of person giving consent]* to the adoption of *[insert name of child]*:

**(a) Counselling**

On *[insert date or dates that counselling was given]* *[insert name of person giving consent]* received counselling from *[insert name of approved counsellor]* of *[insert address of approved counsellor]*.

I approved *[insert name of approved counsellor]* under section 35(1)(a) of the **Adoption Act 1984**.

**(b) Information about the effects of adoption**

\*Not less than 7 days before consent is given/\*Less than 7 days but not less than 24 hours before consent is given, *[insert name of approved counsellor]* gave *[insert name of person giving consent]* information about the effect of an adoption order, the alternatives to adoption and the name and addresses of organisations that provide family support services on *[insert date information was given]*.

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**(c) Right to apply for birth certificate**

[*Insert name of person giving consent*] was given notice in writing that, [*insert name of person giving consent*] may, at any time make application subject to and in accordance with the **Births, Deaths and Marriages Registration Act 1996** for a certified copy of the entry in the Register of Births relating to [*insert name of child*].

Signature of \*Secretary/\*the principal officer of an approved agency:

Date of signing:

\*delete if inapplicable

**FORM 9**

Regulation 21

**Adoption Act 1984**

**CONSENT BY GUARDIAN OR DELEGATE OF GUARDIAN  
TO ADOPTION OF NON-CITIZEN CHILD**

Full name of the person giving consent:  
Address of the person giving consent:  
Date and place of birth of the person giving consent:

Full name of the child:  
Date of birth of the child:  
Place of birth of the child:  
Address of the child before travelling to Australia:

I, [*insert full name of guardian or delegate of guardian*] am a \*guardian/\*the delegate of a guardian of [*insert name of child*] under the Immigration (Guardianship of Children) Act 1946 of the Commonwealth.

I consent to the adoption of the child.

I believe on reasonable grounds that—

- \**(a)* each of the parents of the child has given consent, in accordance with the law of the place of residence of that parent or of the child immediately before the child began the journey to Australia, to the adoption of the child and has not revoked that consent; or
- \**(b)* each of the parents of the child is dead; or
- \**(c)* each of the parents of the child cannot be found after reasonable inquiry; or
- \**(d)* circumstances exist by reason of which the consent of a parent could be dispensed with if the consent of the parent were required under the **Adoption Act 1984** [*insert details of the circumstances (including sources of information and documentation and by whom sources were verified)*].

Signature of the guardian or delegate of the guardian:

Date and place of signing:

\*delete if inapplicable

---

**FORM 10**

Regulation 23(1)

**Adoption Act 1984**

**NOTICE TO PARENT OF ABORIGINAL CHILD  
OF INABILITY TO FIND A PERSON OR PERSONS  
SUITABLE TO ADOPT CHILD**

Name of parent:

Address of parent:

Name of the child:

Date consent was given:

Name and title of the person giving the notice:

\*Name, address and telephone number of approved agency:

I am unable to find a person or persons suitable to adopt [*insert name of child*] subject to the following condition under section 37(1) of the **Adoption Act 1984**: [*insert details of condition*]

In response to this notice, you may:

- (a) change this condition; or
- (b) revoke your consent to the adoption; or
- (c) take no action at all.

Signature of \*Secretary/\*the principal officer of an approved agency:

Date:

\*delete if inapplicable



**FORM 11**

Regulation 23(2)

**Adoption Act 1984**

**NOTICE VARYING A CONDITION OF CONSENT TO  
ADOPTION OF AN ABORIGINAL CHILD**

To: the Registrar of the County Court

Name of parent:

Address of parent:

Date of birth of parent:

Name of the child:

Name and title of the person giving the notice:

\*Name, address and telephone number of approved agency:

I have been advised by the \*Secretary/\*principal officer of [*insert name of approved agency*] that the \*Secretary/\*principal officer was unable to find an adoptive parent or adoptive parents suitable to adopt my child subject to the following condition under section 37(1) of the **Adoption Act 1984**:  
[*insert details of condition*]

I wish to vary this condition as follows: [*insert details of variation*]

Signature of parent:

Date of signing:

Signature of witness:

Signature of approved counsellor:

\*delete if inapplicable

**FORM 12**

Regulation 24

**Adoption Act 1984**

**NOTICE TO PARENT THAT AN ADOPTIVE PLACEMENT  
CANNOT BE FOUND FOR A CHILD**

Name of the person giving consent:

Address of the person giving consent:

Date consent was given:

Name of the child:

Name and title of the person giving the notice:

\*Name, address and telephone number of approved agency:

I am of the opinion that it is no longer possible to place [*insert name of child*]  
with [*insert name of adoptive parent/names of adoptive parents*].

You may wish to consider:

- (a) the arrangements for the long-term care of the child; and
- (b) the legal guardianship of the child; and
- (c) whether you wish to revoke consent to the adoption.

In response to this notice, you may:

- (a) within 56 days after the date of this notice, revoke your consent to the adoption; or
- (b) do nothing and your consent to the adoption will be cancelled 140 days after the date of this notice.

Signature of \*Secretary/\*the principal officer of an approved agency:

Date of notice:

\*delete if inapplicable

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**FORM 13**

Regulation 25(1)

**Adoption Act 1984**

**NOTICE REVOKING CONSENT TO ADOPTION**

To: the Registrar of the County Court

\*Name and address of approved agency arranging the adoption:

\*Name of officer of the Department of Health and Human Services arranging the adoption:

Name and address of the person revoking consent:

Date of birth of the person revoking consent:

Date consent was given:

Name of the child:

I, [*insert name of person revoking consent*] revoke my consent to the adoption of [*insert name of child*].

Signature of person revoking consent:

Date of notice:

Signature of witness:

\*delete if inapplicable

**FORM 14**

Regulation 25(2)

**Adoption Act 1984**

**EXTENSION OF PERIOD FOR REVOKING  
CONSENT TO ADOPTION**

\*Name and address of approved agency arranging the adoption:

\*Name of officer of the Department of Health and Human Services arranging  
the adoption:

Name and address of the person extending the period for revoking consent:

Date of birth of the person extending the period for revoking consent:

Name of the child:

Date consent was given:

Under section 41(1)(a) of the **Adoption Act 1984**, I [*insert name of person  
extending the period for revoking consent*] declare that the period of 28 days by  
which I may revoke consent is extended by [*insert period of time of extension  
that is not more than 14 days*].

Signature of the person extending the period for revoking consent:

Date of notice:

Signature of a witness:

\*delete if inapplicable

**FORM 15**

Regulation 26(a)

**Adoption Act 1984**

**RECORD OF WISHES OF NATURAL PARENT WITH  
RESPECT TO NOTIFICATION OF EVENTS**

Name of person giving consent:

Date of birth of person giving consent:

Address of person giving consent:

Name and date of birth of the child:

For the purposes of section 44(2) of the **Adoption Act 1984**, I [*insert name of person giving consent*] do not wish to be given notice of the following events:

- \*(a) the end of the period of time by which I may revoke my consent to the adoption;
- \*(b) the placement of my child with a proposed adoptive parent or adoptive parents;
- \*(c) the termination of my child's placement with a proposed adoptive parent or adoptive parents;
- \*(d) the Secretary or the principal officer of an approved agency is no longer the guardian of my child;
- \*(e) my child dies before an adoption order is made;
- \*(f) the Court makes an adoption order in relation to my child.

Signature of person giving consent:

Signature of an approved counsellor:

Date and place of signing:

\*delete if inapplicable

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**FORM 16**

Regulation 30(2)

**Adoption Act 1984**

**MEMORANDUM OF AN ADOPTION ORDER**

**Details of the child**

Registered birth given name or names and family name of the child:

Date and place of birth of the child:

If the place of birth of the child is not known, record the place where the child was first located.

Sex of the child:

Given name or names and family name of the child under the adoption order:

**\*Details of each parent, in the case of adoption by 2 adoptive parents**

Given name or names and family name (including maiden name, if applicable) of each adoptive parent:

Each adoptive parent's place of birth and age at the date of birth of the child:

Each adoptive parent's usual occupation:

Each adoptive parent's place of residence:

**\*Details of the parent and the adoptive parent, in the case of adoption by the spouse or domestic partner of a parent or another person**

Given name or names and family name (including maiden name, if applicable) of the parent and of the adoptive parent:

Parent's and adoptive parent's place of birth and age at the date of birth of the child:

Parent's and adoptive parent's usual occupation:

Parent's and adoptive parent's place of residence:

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**\*Details of the adoptive parent, in the case of adoption by one adoptive parent (other than adoption by the spouse or domestic partner of the parent)**

Given name or names and family name (including maiden name, if applicable) of the adoptive parent:

Adoptive parent's place of birth and age at the date of birth of the child:

Adoptive parent's usual occupation:

Adoptive parent's place of residence:

**Details of the relationship of the adoptive parents/the adoptive parent and spouse or domestic partner**

Not required if the adoption order is made in respect of one adoptive parent who is not the spouse or domestic partner of a parent.

If married—

Date of the marriage:

Place of marriage:

If in a registered domestic relationship—

Date of the registration or formal recognition of the domestic relationship:

Place of registration or formal recognition of the domestic relationship:

If neither married nor in a registered domestic relationship—

Date of commencement of the relationship:

**Details of other children of the adoptive parent/adoptive parents/ adoptive parent and spouse or domestic partner [*include deceased children and stillborn children if the information is available*]**

Name or names of each child in order of birth:

Age (in years) of each child at the time of birth of the child now being registered:

**\*Name of the Aboriginal agency concerned in the arrangements for adoption:**

The provisions of section 114 of the **Adoption Act 1984** apply.

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Exposure Draft  
Schedule 3—Forms

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**Details of the adoption order**

Date of the adoption order:

The Court and the place where the order was made:

**Other details**

Not required if the adoption is finalised in a Convention country.

Whether the adoptive parents are related to the child and, if so, the relationship in each case:

\*delete if inapplicable



**FORM 17**

Regulation 32(1)

**Adoption Act 1984**

**APPLICATION UNDER SECTION 92(2) OF THE ADOPTION  
ACT 1984 BY ADOPTED PERSON**

To: The Secretary to the Department of Health and Human Services

Family name of adopted person:

Given names of adopted person:

Date of birth of adopted person:

Address of adopted person:

Phone number of adopted person: Home Business

I apply for—

- \*(a) an extract from, or certified copy of, the entry in the Register of Births that relates to [*insert name of adopted person*]; or
- \*(b) a copy of an extract from, or certified copy of, the original birth certificate relating to [*insert name of the adopted person*] contained in records relating to my adoption that are in the possession or under the control of the Secretary, an agency, another body or person or of the Court.

Signature of adopted person:

Date:

\*delete if inapplicable

**FORM 18**

Regulation 32(2)

**Adoption Act 1984**

**APPLICATION FOR COPY OF BIRTH CERTIFICATE  
BY ADOPTIVE OR NATURAL PARENT**

To: The Secretary to the Department of Health and Human Services

Family name of applicant:

Given names of applicant:

Address of applicant:

Phone number of applicant: Home Business

Family name of adopted child:

Given names of adopted child:

Date of birth of adopted child:

I apply for a copy of an extract from, or certified copy of, the birth certificate relating to my \*child/\*adopted child contained in records relating to the adoption of my \*child/\*adopted child that are in the possession or under the control of the Secretary, an agency, another body or person or of the Court.

Signature:

Date:

\*delete if inapplicable

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## **Endnotes**

<sup>1</sup> Reg. 4(a): S.R. No. 10/2008 as amended by S.R. Nos 76/2013, 19/2014 and 85/2016.

<sup>2</sup> Reg. 4(b): S.R. No. 76/2013.

<sup>3</sup> Reg. 4(c): S.R. No. 19/2014.

<sup>4</sup> Reg. 4(d): S.R. No. 85/2016.