

## STATE OF ORIGIN

**COUNTRY NAME:** Thailand

**PROFILE UPDATED ON:** 21 June 2022

### PART I: CENTRAL AUTHORITY

1. Contact details <sup>1</sup>	
Name of office:	Child Adoption Center
Acronyms used:	CAC
Address:	255 Ratchavithi Home for Girls
Telephone:	02-3068821, 023068801
Fax:	02-3547511
E-mail:	adoption@dcy.go.th
Website:	dcy.go.th
Contact person(s) and direct contact details (please indicate language(s) of communication):	Mrs. Sirirat Kankamtorn
<i>If your State has designated more than one Central Authority, please provide contact details for the further Central Authorities below and specify the territorial extent of their functions.</i>	

### PART II: RELEVANT LEGISLATION

2. The 1993 Adoption Convention and domestic legislation	
a) When did the 1993 Adoption Convention enter into force in your State?  <i>This information is available on the <a href="#">Status Table</a> for the 1993 Adoption Convention (accessible via the <a href="#">Adoption Section</a> of the HCCH website &lt; <a href="http://www.hcch.net">www.hcch.net</a> &gt;).</i>	On August 1, 1994

<sup>1</sup> Please verify whether the contact details on the “Adoption Section” of the HCCH website < [www.hcch.net](http://www.hcch.net) > under “Central Authorities” are up to date. If not, please e-mail the updated contact information to < [secretariat@hcch.net](mailto:secretariat@hcch.net) >.

<p>b) Please identify the legislation / regulations / procedural rules which implement or assist with the effective operation of the 1993 Adoption Convention in your State. Please also provide the date of their entry into force.</p> <p><i>Please remember to indicate how the legislation / regulations / rules may be accessed: e.g., provide a link to a website or attach a copy. Where applicable, please also provide a translation into English or French if possible.</i></p>	<p>Civil and Commercial Code</p> <ul style="list-style-type: none"> <li>- Cabinet's Resolution on the Measures on preventing the sale of children (1977)</li> <li>- Child Adoption Act B.E 2522 (1979)</li> <li>- Child Adoption Act B.E 2533 (1990)</li> <li>- Ministerial Regulation No.9 B.E 2543 (2000)</li> <li>- Child Adoption Act B.E 2553 (2010)</li> <li>- The family Register Act B.E 2478 (1935) : Secton 1598/27 of the civil code</li> <li>- Ministerial Regulation : An examination on qualifications and facts as to the livelihood and suitability of the adoption applicant, the person authorized to consent the adoption and a child intended for adoption</li> <li>- Ministerial Regulation: Procedure for providing consultation and remedy prior to discontinuation of child adoption B.E 2554</li> <li>- Notification of the Child Adoption Board : On rules and procedures relating to the time extension for registration of the adopted child in the case of special circumstances B.E 2554</li> </ul>
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<b>3. Other international agreements on intercountry adoption<sup>2</sup></b>	
<p>Is your State party to any other international (cross-border) agreements concerning intercountry adoption?</p> <p><i>See Art. 39.</i></p>	<p><input type="checkbox"/> Yes:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Regional agreements (please specify):</li> <li><input type="checkbox"/> Bilateral agreements (please specify):</li> <li><input type="checkbox"/> Non-binding memoranda of understanding (please specify):</li> <li><input type="checkbox"/> Other (please specify):</li> </ul> <p><input checked="" type="checkbox"/> No</p>

### PART III: THE ROLE OF AUTHORITIES AND BODIES

#### 4. Central Authority(ies)

<sup>2</sup> See Art. 39(2) which states: "Any Contracting State may enter into agreements with one or more other Contracting States, with a view to improving the application of the Convention in their mutual relations. These agreements may derogate only from the provisions of Articles 14 to 16 and 18 to 21. The States which have concluded such an agreement shall transmit a copy to the depositary of the Convention" (emphasis added).

<p>Please briefly describe the functions of the Central Authority(ies) designated under the 1993 Adoption Convention in your State.</p> <p><i>See Arts 6-9 and Arts 14-21 if accredited bodies are not used.</i></p>	<ul style="list-style-type: none"> <li>- Article 6 (1) A Contracting State shall designate a Central Authority to discharge the duties which are imposed by the Convention upon such authorities.</li> <li>- Article 7 (1) Central Authorities shall cooperate with each other and promote cooperation amongst the competent authorities in their States to protect children and to achieve the other objects of the convention</li> <li>- Article 7 (2) They shall take directly all appropriate measures to - <ul style="list-style-type: none"> <li>a) provide information as to the laws of their states concerning adoption and other general information, such as statistics and standard forms ;</li> <li>b) keep one another informed about the operation of the convention and, as far as possible, eliminate any obstacles to its application</li> </ul> </li> <li>- Article 8 Central Authorities shall take, directly or through public authorities, all appropriate measures to prevent improper financial or other gain in connection with an adoption and to deter all practices contrary to the objects of the Convention</li> <li>- Article 9 Central Authorities shall take, directly or through public authorities or other bodies duly accredited in their State, all appropriate measures, in particular to- <ul style="list-style-type: none"> <li>(a) facilitate, follow and expedite, proceedings with a view to obtaining the adoption ;</li> <li>(b) promote the development of adoption counselling and post-adoption services in their States ;</li> <li>(c) provide each other with general evaluation reports about experience with intercountry adoption ;</li> <li>(d) reply, in so far as is permitted by the law of their State, to justified requests from other Central Authorities or public authorities for information about a particular adoption situation</li> </ul> </li> </ul> <p>Child Adoption Center is functioned as Central Authority and Competent Authority. We also provide license for 4 accredited bodies (Non-Profit Child Welfare Organisation)</p>
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	to process adoption but they don't have authority to approve the adoption application.
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<b>5. Public and competent authorities</b>	
<p>Please briefly describe the role of any public and / or competent authorities, including courts, in the intercountry adoption procedure in your State.</p> <p><i>See Arts 4, 5, 8, 9, 12, 22, 23 and 30.</i></p>	<p>The Thai adoption process is an administrative proceeding not judicial proceeding or court proceeding. The Child Adoption Board is constituted by law to have power and duties as follows :-</p> <p>Section 14 The Board shall have the following powers and duties :</p> <ol style="list-style-type: none"> <li>1) To issue regulations, rules and procedures relating to adoption of children to be observed by the Adoption Center, the licensed Child Welfare Organisations and other agencies concerned ;</li> <li>2) To consider and give decision to adoptions of children</li> <li>(3) To resolve problems concerning adoption of children to the Adoption Center, the licensed Child welfare Organisations and other agencies concerned.</li> <li>(4) To give consultations concerning adoption of children to the Adoption Center , the licensed Welfare Organisations and other agencies concerned.</li> </ol> <p>Section 15 of Child Adoption Act B.E 2522 (1979): The Adoption Center which is established in the Public Welfare Department (Department of Children and Youth (DCY) at present) shall act as the office of Secretary of the Board</p> <p>The authorised person/organisation to give consent for adoption are</p> <ol style="list-style-type: none"> <li>1. Parents if the father or mother can not express his or her consent or refuses to give his or her consent, the person intending to be the adopter or Public Prosecutor may apply to the Court for an order allowing the adoption in lieu of giving the consent.</li> <li>2) DCY</li> <li>3) Licensed Child Welfare Organisations</li> </ol> <p>They are authorised by the Civil law to give consent for adoption of children in their care whose parents make a letter of power</p>

	<p>entrusting the said institution to give consent to the adoption.</p> <p>The court is involved to in case where the child's parent (s) is /are dead or missing etc. whereby consent can not be granted.</p> <p>Section 1598/21 If there is no person to give consent under paragraph one or the father or mother , or parents can not express his or her consent thereto or refuses to give his or her consent, and the refusal has been made unreasonably and has abversely affected the health, progress and welfare of the minor, the mother or father , the person intending to be the adopter or Public Prosecutor may apply to the Court for an order allowing the adoption in lieu of giving the consent thereto under paragraph one.</p>
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6. National accredited bodies <sup>3</sup>	
<p>a) Has your State accredited its own adoption bodies?</p> <p><i>See Arts 10-11.</i></p> <p><i>N.B. the name(s) and address(es) of any national accredited bodies should be communicated by your State to the Permanent Bureau of the HCCH (see Art. 13).<sup>4</sup></i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No – <b><u>go to Question 7</u></b></p>
<p>b) Please indicate the number of national accredited bodies in your State, including whether this number is limited and, if so, on what basis.<sup>5</sup></p>	<p>There are 4 national accredited bodies and this number are limited</p> <p>4 accredited bodies are well-equipped international adoption organizations under the supervision of the Department of Children and Youth. verifiable and a legally established organizations and 4 accredited bodies are in our capaciry to regulate</p> <p>-</p>

<sup>3</sup> “National accredited bodies” in this Country Profile means adoption bodies based within your State (State of origin) which have been accredited under the 1993 Adoption Convention by the competent authorities in your State. See further *Guide to Good Practice No 2 on Accreditation and Adoption Accredited Bodies* (“GGP No 2”), available on the **Error! Hyperlink reference not valid.** of the HCCH website < [www.hcch.net](http://www.hcch.net) > at Chapters 3.1 *et seq.*

<sup>4</sup> *Ibid.*, Chapter 3.2.1 (para. 111).

<sup>5</sup> *Ibid.*, Chapter 3.4.

<p>c) Please briefly describe the role of national accredited bodies in your State.</p>	<p>A children's welfare organization must provide the following services :</p> <p>(1) to give recommendation and advice to parents, guardians or the person who legally has the power to give consent to the adoption ;</p> <p>(2) to select, evaluate and make a study report of the family condition of the applicant and ;</p> <p>(3) to supervise and report the result of pre-adoption placement ;</p> <p>(4) provide health care and development of children in care</p> <p>(5) Carry out the adoption process with the Child Welfare Organization for Adoption in a foreign country. (which the process of adoption with each countries, permission from DCY is required)</p>
<p><b>6.1 The accreditation procedure (Arts 10-11)</b></p>	
<p>a) Which authority / body is responsible for the accreditation of national adoption bodies in your State?</p>	<p>Child Adoption Center, Department of Children and Youth (DCY), Ministry of Social Development and Human Security</p>
<p>b) Please briefly describe the <i>procedure</i> for granting accreditation and the most important accreditation <i>criteria</i>.</p>	<p>The national bodies must be non-profit objectives aiming at intercountry adoption which they will find prospective adoptive parents for their children. They must be directed and staffed by persons qualified by they ethical standards and by training or experience to work in the field of intercountry adoption. They shall be subject to supervision by DCY as to its composition, cooperation and financial situation.</p>
<p>c) For how long is accreditation granted in your State?</p>	<p>for every one year (starting from 1 January - 31 December)</p>
<p>d) Please briefly describe the criteria and the procedure used to determine whether the accreditation of a national adoption body will be <i>renewed</i>.</p>	<p>They have to submit a request with documentation of their information which are objective, administration, budget and adoption fee and so on to DCY through the Child Adoption Center, Bangkok</p>
<p><b>6.2 Monitoring of national accredited bodies<sup>6</sup></b></p>	

<sup>6</sup> *Ibid.*, Chapter 7.4.

<p>a) Which authority is competent to monitor / supervise national accredited bodies in your State?</p> <p><i>See Art. 11(c).</i></p>	<p>The Child Adoption Center, Department of Children and Youth (DCY)</p>
<p>b) Please briefly describe how national accredited bodies are monitored / supervised in your State (e.g., if inspections are undertaken, how frequently).</p>	<p>Meeting and making home visit once a year for all appropriate measures to prevent improper procedure in connection with a adoption and to deter all practices contrary to the objects of the convention</p>
<p>c) Please briefly describe the circumstances in which the accreditation of bodies can be revoked (i.e., withdrawn).</p>	<p>If the accredited body does not follow the Ministerial regulation No. 9 (B.E 2543) issued under the Adoption Act B.E 2522 (1979) and their role</p>
<p>d) If national accredited bodies do not comply with the 1993 Adoption Convention, is it possible for sanctions to be applied?</p>	<p><input checked="" type="checkbox"/> Yes, please specify possible sanctions (e.g., fine, withdrawal of accreditation):</p> <p><input type="checkbox"/> No</p>

<b>7. Authorised foreign accredited bodies<sup>7</sup> (Art. 12)</b>	
<p>a) Has your State authorised any foreign accredited adoption bodies to work with, or in, your State?</p> <p><i>N.B. the name(s) and address(es) of any authorised foreign accredited bodies should be communicated by your State to the Permanent Bureau of the HCCH.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – <b><u>go to Question 8</u></b></p>
<p>b) Please indicate the number of foreign accredited bodies authorised to work with, or in, your State. If this number is limited in any way, please indicate on what basis your State limits the number.<sup>8</sup></p>	
<p>c) Please briefly describe the role of authorised foreign accredited bodies in your State.</p>	
<p>d) Are there any requirements concerning the way foreign accredited bodies must operate in your State?</p> <p><i>Please tick any which apply.</i></p>	<p><input type="checkbox"/> Yes:</p> <p><input type="checkbox"/> The foreign accredited body must establish an office in your State with a representative and professional staff (from the receiving State or from your State – please specify): <b>OR</b></p>

<sup>7</sup> “Authorised foreign accredited bodies” are adoption bodies based in another Contracting State to the 1993 Adoption Convention (usually a receiving State) which your State has authorised, under Art. 12, to work with, or in, your State on intercountry adoption. See further GGP No 2, *ibid.*, Chapter 4.2.

<sup>8</sup> See GGP No 2, *ibid.*, Chapter 4.4 on “limiting the number of accredited bodies authorised to act in States of origin”.

	<input type="checkbox"/> The foreign accredited body must work with your State through a representative, acting as an intermediary, but an office is not required: <b>OR</b> <input type="checkbox"/> The foreign accredited body must be in direct contact with the Central Authority but need not have an office or a representative in your State: <b>OR</b> <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No
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<b>7.1 The authorisation procedure</b>	
a) Which authority / body in your State is responsible for the authorisation of foreign accredited bodies?	
b) Please briefly describe the <i>procedure</i> for granting authorisation and the most important authorisation <i>criteria</i> . <sup>9</sup> If your State does not have authorisation criteria, please explain on what basis decisions concerning authorisation are made.	
c) For how long is authorisation granted?	
d) Please briefly describe the criteria and procedure used to determine whether authorisation will be <i>renewed</i> .	
<b>7.2 Monitoring of authorised foreign accredited bodies</b>	
a) Does your State monitor / supervise the activities of authorised foreign accredited bodies? <sup>10</sup>	<input type="checkbox"/> Yes <input type="checkbox"/> No - <b><u>go to Question 8</u></b>
b) Which authority is competent to monitor / supervise the activities of authorised foreign accredited bodies?	
c) Please briefly describe how the activities of authorised foreign accredited bodies are monitored / supervised in your State ( <i>e.g.</i> , if inspections are undertaken, how frequently).	

<sup>9</sup> In relation to authorisation criteria, *ibid.*, Chapters 2.3.4.2 and 4.2.4.

<sup>10</sup> *ibid.*, Chapter 7.4 and, in particular, para. 290.



d) Please briefly describe the circumstances in which the authorisation of foreign accredited bodies can be revoked ( <i>i.e.</i> , withdrawn).	
e) If authorised foreign accredited bodies do not comply with the 1993 Adoption Convention, is it possible for sanctions to be applied?	<input type="checkbox"/> Yes, please specify possible sanctions ( <i>e.g.</i> , fine, withdrawal of authorisation): <input type="checkbox"/> No

8. Approved (non-accredited) persons (Art. 22(2)) <sup>11</sup>	
<p>a) Is the involvement of approved (non-accredited) persons <i>from your State</i> permitted in intercountry adoption procedures in your State?</p> <p><i>N.B. see Art. 22(2) and check whether your State has made a declaration according to this provision. You can verify this on the <a href="#">Status Table</a> for the 1993 Adoption Convention, available on the <a href="#">Adoption Section</a> of the HCCH website. If your State has made a declaration according to Art. 22(2), the Permanent Bureau of the HCCH should be informed of the names and addresses of these bodies and persons (Art. 22(3)).<sup>12</sup></i></p>	<input type="checkbox"/> Yes, our State has made a declaration according to Article 22(2). Please specify the role of these approved (non-accredited) persons in your State: <input checked="" type="checkbox"/> No
<p>b) Is the involvement of approved (non-accredited) persons <i>from other Contracting States</i> permitted in intercountry adoption procedures in your State?</p> <p><i>N.B. see Art. 22(4) and check whether your State has made a declaration according to this provision. You can verify this on the <a href="#">Status Table</a> for the 1993 Adoption Convention, available on the <a href="#">Adoption Section</a> of the HCCH website.</i></p>	<input type="checkbox"/> Yes. Please specify the role of these approved (non-accredited) persons in your State: <input checked="" type="checkbox"/> No, our State has made a declaration according to Article 22(4).

#### PART IV: THE CHILDREN PROPOSED FOR INTERCOUNTRY ADOPTION

9. The profile of children in need of intercountry adoption	
Please briefly describe the general profile of the children usually in need of intercountry adoption in your State ( <i>e.g.</i> , age, sex, state of health).	Average profile of the child - Age - Sex - State of health of previous illness - Social Background

<sup>11</sup> *Ibid.*, Chapter 13.

<sup>12</sup> *Ibid.*, Chapter 13.2.2.5.

	- Development (physical, emotional and social and language etc..)
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<b>10. The adoptability of a child (Art. 4(a))</b>	
a) Which authority is responsible for establishing that a child is adoptable?	The Department of Children and Youth
b) Which criteria are applied to determine whether a child is adoptable?	<p>Following the Civil and Commercial Code, Chapter IV Adoption (Section 1598/21, 1598/22 and 1598/23)</p> <p>Section 1598/21 If the person who is to be adopted is the minor, the adoption cantake place only with the consent of his parents, but if one of his parents died or has been deprived of his or her parents power, consent thereto has to be given by his father or mother who has parental power.</p> <p>If there is no person to give consent under paragraph one or the father or mother , or parents can not express his or her consent thereto or refuses to give his or her consent, and the refusal has been made unreasonably and has abversely affected the health, progress and welfare of the minor, the mother or father, the person intending to be the adopter or the Public Prosecutor may apply to the Court for an order allowing the adoption in lieu of giving the consent thereto under paragraph one.</p> <p>Section 1598/22 In case the minor to be adopted has been deserted and been under supervision of an institution for child welfare under the law on child welfare and protection, the insitutionn shall give consent on behalf of his parents. If the institution refuses to give such consent, the provisions of paragraph two of Section 1598/21 shall apply, mutatis mutandis.</p> <p>Section 1598/23 In case the minor to be adopted has not been deserted but has been under supervision of an institution for child welfare under the law on child welfare and protection, the parents or one of the parents, in case the other died or whose parental power has been deprived, may make a letter of power entrusting the said institution to give consent to the adoption, and the provisions of Section 1598/22 shall apply, mutatis mutandis</p>

<p>c) Please briefly describe the procedures used in your State to determine whether a child is adoptable (<i>e.g.</i>, search for the child's birth family).</p> <p><i>N.B. the issue of consent is dealt with at Question 12 below.</i></p>	<ul style="list-style-type: none"> <li>- Tracing the child's parents at the residence (if any) and trace them through various kinds of mass media</li> <li>- If attempts have been made and the birth parents are untraceable, DCY terminates the family investigation of the child, then the child is considered to be legally available for adoption</li> <li>- if the birth parents give up for adoption, they must sign on the consent and then, the child is considered to be legally available for adoption</li> </ul>
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<b>11. The best interests of the child and subsidiarity (Art. 4(b))</b>	
<p>a) Please briefly describe how your State ensures that the principle of subsidiarity is respected when undertaking intercountry adoptions (<i>e.g.</i>, through the provision of family support services, the promotion of family reunification and domestic alternative care solutions).</p>	<ul style="list-style-type: none"> <li>- providing guidance services to help keep families together and provide intensive services to reunite families.</li> <li>- providing impoverished families who can not adequately support the nutritional needs of their children such as subsidies, milk and garment providing counseling services</li> </ul>
<p>b) Which authority determines, after consideration of the subsidiarity principle, that an intercountry adoption is in a child's best interests?</p>	<p>The Child Adoption Board of Thailand</p>
<p>c) Please briefly explain how that decision is reached (<i>e.g.</i>, whether there are specific legal criteria which are applied) and at what stage of the intercountry adoption procedure.</p>	<ul style="list-style-type: none"> <li>- A child should be raised by his or her birth family /extended family</li> <li>- If not possible, other forms of permanent care should be considered.</li> </ul> <p>Only after due consideration has been given to national solution, intercountry adoption should be considered. Institutional care should be considered as a last resort</p>

<b>12. Counselling and consents (Art. 4(c) and (d))</b>	
<p>a) According to your State's domestic legislation, please explain which person, institution or authority has to consent to</p>	<ul style="list-style-type: none"> <li>(i) both parents</li> <li>(ii) one of remain parents</li> <li>(iii) The child's parents could be traced. If they are married, both of them must give consents to DCY, if not,</li> </ul>

<p>the adoption of a child in the following scenarios – where:</p> <ul style="list-style-type: none"> <li>(i) Both parents are known;</li> <li>(ii) One parent is unknown or deceased;</li> <li>(iii) Both parents are unknown or deceased;</li> <li>(iv) One or both parents have been deprived of his / her / their parental responsibilities (<i>i.e.</i>, the rights and responsibilities which attach to being a parent).</li> </ul> <p>In each case, please remember to specify in which circumstances a <i>father</i> will have to consent to his child's adoption. Please also specify whether your answer would be different if any of the known parents had not yet reached the age of majority.</p>	<p>the child's mother must give consent to DCY according to the law stipulates that " A child born of a woman who is not married to a man shall be deemed to be a legitimate child of such woman unless otherwise provided by the law"</p> <ul style="list-style-type: none"> <li>(iv) The Director- General</li> <li>(v)</li> <li>(vi)</li> <li>(vii)</li> </ul>
<p>b) Please describe the procedure for:</p> <ul style="list-style-type: none"> <li>(i) counselling and informing the birth parents / family regarding the consequences of a domestic / intercountry adoption; and</li> <li>(ii) obtaining their consent(s) to an adoption.<sup>13</sup></li> </ul>	<ul style="list-style-type: none"> <li>(i) The social worker will inform the birth mother /family regarding DCY's welfare services (accommodation, vocational training and financial support etc..) that could be provided for them</li> <li>(ii) However, if the child's mother still insists to relinquish the child for adoption, the social worker will inform her that she will lose her parental right before giving her consent for adoption. The signing of consent must be performed in front of the authorized official and the information above must be obtained</li> <li>(iii)</li> </ul>
<p>c) Does your State use the model form "Statement of consent to the adoption" developed by the Permanent Bureau of the HCCH?</p> <p><i>The model form is available on the <a href="#">Adoption section</a> of the HCCH website.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No – please provide (or link to) any form(s) which your State uses for this purpose:</p>
<p>d) Having regard to the age and degree of maturity of a child, please briefly describe how your State ensures that consideration is given to the child's wishes and opinions when determining</p>	<p>1. The child has been counselled and duly informed of the effects of the adoption and of his or her consent to the adoption, where such consent is required.</p>

<sup>13</sup> See also Part VIII below on "Simple and Full Adoption" and Art. 27 of the 1993 Adoption Convention.

<p>whether an intercountry adoption should proceed.</p> <p><i>See Art. 4(d)(2).</i></p>	<p>2. Consideration has been given to the child's wishes and opinions,</p> <p>3. The child's consent to the adoption, where such consent is required, has been given freely, in the required legal form, and expressed or evidenced in writing</p> <p>4. Such consent has not been induced by payment or compensation of any kind</p>
<p>e) Please briefly describe the circumstances in which a child's <u>consent</u> to an intercountry adoption is required in your State.</p> <p>Where the child's consent is required, please describe the procedure which is used to ensure that the child has been counselled and duly informed of the effects of the adoption.</p> <p><i>See Art. 4(d)(1).</i></p>	<p>In case that he or she is over 15 years old, he or she has to sign the consent with the presence of authorized official</p>

<b>13. Children with special needs</b>	
<p>a) In the context of intercountry adoption, please describe what is meant in your State by "children with special needs".</p>	<ul style="list-style-type: none"> <li>- Minor health problems that are treatable</li> <li>- serious health problems</li> <li>- Handicap</li> <li>- older children (over than 4 years old)</li> <li>- sibling groups</li> <li>- Anti HIV positive</li> <li>- others : parental background e.g. history of drug and alcohol use and psychological or intellectual impairments etc</li> </ul>
<p>b) What, if any, procedures does your State use to expedite the adoption of children with special needs?</p>	<ul style="list-style-type: none"> <li>- Prepare the child's background (social, health and development report) and photos</li> <li>- Send such report to the competent authority or child welfare organisations to seek for adoptive family</li> <li>- Allowing or create a special project for an child welfare organisations /competent authority to visit the orphanages to make a child's history in Thailand in order to find a suitable family that can accept this type of children in their country</li> </ul>

14. The preparation of children for intercountry adoption	
<p>Is there a special procedure in your State to prepare a child for an intercountry adoption?</p>	<p><input checked="" type="checkbox"/> Yes, please provide details (<i>e.g.</i>, the stage at which the preparation is undertaken, which persons / bodies are responsible for preparing the child and the methods used): We request the PAPS for sending us "Welcome Album" with photos of members of the family and the home area for preparing the child before the placement.</p> <ul style="list-style-type: none"> <li>- An older child will learn some basic English words and sentences</li> <li>- The orphanage will take the children out to acquaint them off-site with the various locations. such as shopping malls, hospitals, airports etc..</li> </ul> <p><input type="checkbox"/> No</p>

15. The nationality of children who are adopted intercountry <sup>14</sup>	
<p>Are children who are nationals of your State and who are adopted intercountry permitted to retain their nationality?</p>	<p><input type="checkbox"/> Yes, always</p> <p><input checked="" type="checkbox"/> It depends – please specify which factors are taken into consideration (<i>e.g.</i>, the nationality of the foreign resident prospective adoptive parents ("PAPs"), whether the child acquires the nationality of the receiving State): The adopted child can choose his or her nationality when he or she reaches 20 years of age.</p> <p>An adopted child can renounce Thai citizenship by contacting the Thai embassy or Thai consulate in the adopted child's country of residence. However, the adopted child can hold dual citizenship, the passport can be renewed at the Thai embassy or Thai consulate in the child's country of residence.</p> <p><input type="checkbox"/> No, the child will never retain this nationality</p>

## PART V: PROSPECTIVE ADOPTIVE PARENTS ("PAPs")

16. Limits on the acceptance of files
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<sup>14</sup> Regarding nationality, see further the *Guide to Good Practice No 1 on the implementation and operation of the 1993 Hague Intercountry Adoption Convention* ("GGP No 1"), available on the **Error! Hyperlink reference not valid.** of the HCCH website < [www.hcch.net](http://www.hcch.net) >, at Chapter 8.4.5.

<p>Does your State place any limit on the number of PAPs' files which are accepted from receiving States?<sup>15</sup></p>	<p><input checked="" type="checkbox"/> Yes, please specify the limit applied and the basis on which it is determined: There are quota system for limitation of adoption files from more than 20 countries. The numbers of quotas are varied and depending on the numbers of children who were adopted in each year and numbers of adoption files at the Child Adoption Cener that still left.</p> <p>Additionally, CAC considers how good practices they work in the filed of intercountry adoption including the period of the relationships between two contracting states</p> <p><input type="checkbox"/> No</p>
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17. Eligibility criteria for PAPs wishing to undertake an intercountry adoption in your State <sup>16</sup>	
<p>a) Do PAPs wishing to undertake an intercountry adoption in your State have to fulfil any criteria concerning their relationship status(es)?</p> <p><i>Please tick any / all boxes which apply and indicate in the space provided whether any further conditions are imposed (e.g., duration of marriage / partnership / relationship, cohabitation).</i></p>	<p><input checked="" type="checkbox"/> Yes, the following person(s) may apply in our State for an intercountry adoption:</p> <p><input type="checkbox"/> Married, heterosexual couples:</p> <p><input type="checkbox"/> Married, same-sex couples:</p> <p><input type="checkbox"/> Heterosexual couples in a legally registered partnership:</p> <p><input type="checkbox"/> Same-sex couples in a legally registered partnership:</p> <p><input type="checkbox"/> Heterosexual couples that have not legally formalised their relationship:</p> <p><input type="checkbox"/> Same-sex couples that have not legally formalised their relationship:</p> <p><input type="checkbox"/> Single men:</p> <p><input checked="" type="checkbox"/> Single women: allow to adopt only a special needs children</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No, there are no relationship status criteria for PAPs.</p>
<p>b) Are there any age requirements for PAPs wishing to undertake an intercountry adoption in your State?</p>	<p><input type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> Minimum age requirements: mus be at least 25 years of age.</p> <p><input checked="" type="checkbox"/> Maximum age requirements: We do not have an applicant's maximumm</p>

<sup>15</sup> See GGP No 2 (*op. cit.* note 3), Chapter 3.4.2 and, in particular, para. 121.

<sup>16</sup> *I.e.*, this section refers to the eligibility criteria for PAPs who are habitually resident in *another* Contracting State to the 1993 Convention and who wish to adopt a child who is habitually resident in *your* State: see further Art. 2 of the 1993 Adoption Convention.

	<p>age. Determination is based on the the Child Adoption Board and the suitability between the applicant and the adopted child.</p> <p><input checked="" type="checkbox"/> Difference in years required between the PAPs and the child: be at least 15 years older than the child to be adopted.</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>
<p>c) Are there any <i>other</i> eligibility criteria which PAPs wishing to undertake an intercountry adoption in your State must fulfil?</p>	<p><input checked="" type="checkbox"/> Yes:</p> <p><input checked="" type="checkbox"/> Additional / differing criteria must be met for PAPs wishing to adopt a child with special needs (please specify): such as health problem, criminal record and psychosocial problem</p> <p><input checked="" type="checkbox"/> Couples must supply evidence of infertility: providing a medical certificate</p> <p><input checked="" type="checkbox"/> For persons with children already (biological or adopted), there are additional criteria (please specify): If PAPs have 2 children (biological or adopted) their applicaton will be considered by the Child Adoption Board to approve or disapprove their qualification for adoption</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>

<b>18. Preparation and counselling of PAPs (Art. 5(b))</b>	
<p>Does your State require that PAPs wishing to undertake an intercountry adoption in your State receive preparation and / or counselling concerning intercountry adoption <i>in the receiving State</i>?</p>	<p><input checked="" type="checkbox"/> Yes, please explain what kind of preparation is expected: adoption prepaation course according to Article 3 of Child Adoption Act B.E 2553 (2010).</p> <p>All PAPs have to go through the preparation process through the relevant authorities in their country. For PAPs resides in Thailand, CAC have our own training programs.</p> <p><input type="checkbox"/> No</p>

## PART VI: THE INTERCOUNTRY ADOPTION PROCEDURE

<b>19. Applications</b>
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<p>a) To which authority / body in your State does the adoption file of PAPs have to be submitted?</p>	
<p>b) Please indicate which documents must be submitted with an application:</p> <p><i>Please tick all which apply.</i></p>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> An application form for adoption completed by the PAPs</li> <li><input checked="" type="checkbox"/> A statement of “approval to adopt” issued by a competent authority in the receiving State</li> <li><input checked="" type="checkbox"/> A report on the PAPs including the “home study” and other personal assessments (see Art. 15)</li> <li><input checked="" type="checkbox"/> Copies of the PAPs’ passports or other personal identification documents</li> <li><input checked="" type="checkbox"/> Copies of the PAPs’ birth certificates</li> <li><input checked="" type="checkbox"/> Copies of the birth certificates of any children living with the PAPs</li> <li><input checked="" type="checkbox"/> Copies of marriage, divorce or death certificates, as applicable (please specify in which circumstances):</li> <li><input checked="" type="checkbox"/> Information concerning the health of the PAPs (please specify in which circumstances and what type of information is required):        Medical certificate stating that the applicant is in good health condition        A mental health certificate (psychological assessment) from a psychiatrist or psychologist must also be submitted separately from the physical health certificate.         If there is a health problem, details of the disease, treatment, and current disease status are required</li> <li><input checked="" type="checkbox"/> Evidence of the financial circumstances of the family (please specify in which circumstances and what type of information is required):</li> <li><input checked="" type="checkbox"/> Information concerning the employment status of the PAPs (please specify in which circumstances and what type of information is required): statement or documents indicating work position, salary, work contract issuing from PAPs' company</li> <li><input checked="" type="checkbox"/> Proof of no criminal record</li> <li><input checked="" type="checkbox"/> Other(s): please explain Psychological assessment and preparation training are required</li> </ul>

<p>c) Is it compulsory in your State for an accredited body to be involved in an intercountry adoption procedure?<sup>17</sup></p>	<p><input type="checkbox"/> Yes, please specify whether it must be a <i>national</i> accredited body, a <i>foreign authorised</i> accredited body or whether it may be either of these accredited bodies.<sup>18</sup> Please also specify at which stage(s) of the procedure an accredited body must be involved (<i>e.g.</i>, for the preparation of the home study, for the submission of the adoption file to your State, for all stages of the procedure):</p> <p><input checked="" type="checkbox"/> No</p>
<p>d) Are any <i>additional</i> documents required if PAPs apply through an accredited body?</p> <p><i>Please tick all which apply.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> A power of attorney issued by the PAPs to the accredited body (<i>i.e.</i>, a written document provided by the PAPs to the accredited body in which the PAPs formally appoint the accredited body to act on their behalf in relation to the intercountry adoption):</p> <p><input type="checkbox"/> A contract signed by the accredited body and the PAPs:</p> <p><input checked="" type="checkbox"/> A document issued by a competent authority of the receiving State certifying that the accredited body may undertake intercountry adoptions:</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>
<p>e) Please specify the language(s) in which any documents must be submitted:</p>	<p>English and Thai</p>
<p>f) Do any of the required documents need to be legalised or apostilled?</p>	<p><input checked="" type="checkbox"/> Yes, please specify which documents:</p> <p><input type="checkbox"/> No – <b>go to Question 20</b></p>
<p>g) Is your State party to the <i>Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents</i> (the Apostille Convention)?</p> <p><i>This information is available on the <a href="#">Status Table for the Apostille Convention</a> (see the <a href="#">Apostille Section</a> of the HCCH website).</i></p>	<p><input type="checkbox"/> Yes, please specify the date of the entry into force of the Apostille Convention in your State:</p> <p><input checked="" type="checkbox"/> No</p>

## 20. The report on the child (Art. 16(1)(a))

<sup>17</sup> See GGP No 1 (*op. cit.* note 14), paras 4.2.6 and 8.6.6: “independent” and “private” adoptions are not consistent with the system of safeguards established under the 1993 Adoption Convention.

<sup>18</sup> See the definitions provided at notes 3 and 7 above.

a) Who is responsible for preparing the report on the child?	The Child Adoption Center / Provincial Social Development and Human Security Office in 77 provinces
b) Is a “standard form” used for the report on the child?	<input checked="" type="checkbox"/> Yes, please provide a link to the form or attach a copy: medical files, photos and birth certificate <input type="checkbox"/> No. Please indicate whether your State has any requirements concerning the information which should be included in the report on the child and / or the documentation which should be attached to it:
c) Does your State use the “ <i>Model Form – Medical Report on the Child</i> ” and the “ <i>Supplement to the general medical report on the child</i> ”?  <i>See GGP No 1 – Annex 7, available <a href="#">here</a>.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>21. The report on the PAPs (Art. 15(2))</b>	
a) For how long is the report on the PAPs valid in your State?	CAC requires the update report of the PAPs' circumstances every two years
b) Once a report on PAPs is no longer valid, please indicate what steps must be taken to renew it.  <i>E.g., does an updated report have to be submitted or is an entirely new report required? In either case, what is the procedure?</i>	The updated report has to be submitted

<b>22. Matching of the child and the PAPs (Art. 16(1)(d) and (2))</b>	
<b>22.1 The authorities and the matching procedure</b>	
a) Who is responsible for the matching of the child and the PAPs in your State?	The matching panel. It's called “Committee for selection of foreign adoptive families for children”
b) What measures are taken to ensure that the matching process is performed by an independent, duly qualified authority?	The Matching Panel consists of : 1. The Director of Child Adoption Center is the chairman

	<p>2. The superintendent of 8 Babies' Home</p> <p>3. Social worker / Social Development official.</p> <p>4. Representative of Babies' Home such as nurse, child development official, psychologist etc.</p> <p>5. Staff or official of Secretariate to Child Adoption Board</p>
c) What methodology is used for the matching in your State?	<p>1. Consequences of application receiving</p> <p>2. Rotation of each state /countries receiving</p> <p>3. In order of priority such as childless, the PAPs' age are suitable for the child's age, and etc.</p> <p>4. waiting time</p>
d) Is any preference given to PAPs who have a close connection with your State (e.g., nationals of your State who have emigrated to a receiving State)?	<p><input type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> No</p>
e) Who is responsible for notifying the receiving State of the matching?	CAC
f) How does your State ensure that the prohibition on contact in Article 29 is respected?	<p>The institutions are under supervision of DCY.</p> <p>The foreign applicants could not specify or contact directly to the institution for the adoption's propose.</p>
<b>22.2 Acceptance of the match</b>	
a) Does your State require that the matching be approved by the relevant authorities / bodies of the receiving State?	<p><input checked="" type="checkbox"/> Yes, please provide details of the required procedure:</p> <p><input type="checkbox"/> No</p>
b) How much time is the receiving State given to decide whether to accept a match?	30 days
c) If the relevant authorities / bodies of the receiving State and / or the PAPs refuse the match, what, if any, are the consequences in your State?	<p>If a match is cancelled, we will submit the reason for cancellation of the adoptive family to the Matching panel for consideration and re-match. It's depend on the reason why they refuse the matcing. If it's not reasonable, their application file has to be cancelled.</p> <p>If it is the case of disruption, whether the adoptive family is in process to collect the child in Thailand or the child is living with them abroad. It will be presented to the Child</p>

	Adoption Board for consideration.
<b>22.3 Information following acceptance of the match</b>	
Once the match has been accepted, do PAPs receive information regularly concerning the child and his / her development ( <i>i.e.</i> , during the remainder of the intercountry adoption procedure and prior to entrustment)?	<input checked="" type="checkbox"/> Yes, please specify who is responsible for providing this information: CAC <input type="checkbox"/> No

<b>23. Agreement under Article 17(c)</b>	
a) Which competent authority / body agrees that the adoption may proceed in accordance with Article 17(c)?	CAC
b) At what point in the adoption procedure is the Article 17(c) agreement given in your State?	<input type="checkbox"/> Our State sends the Article 17(c) agreement to the receiving State with the proposed match; <b>OR</b> <input checked="" type="checkbox"/> The receiving State must accept the match first and then our State will provide its Article 17(c) agreement; <b>OR</b> <input type="checkbox"/> Other (please specify):

<b>24. Travel of the PAPs to your State<sup>19</sup></b>	
a) In order to undertake an intercountry adoption in your State, is it mandatory for PAPs to travel to your State at any point?	<input checked="" type="checkbox"/> Yes, in which case please specify: <ul style="list-style-type: none"> <li>- At what stages) in the intercountry adoption procedure the PAPs must travel to your State: As required by law</li> <li>- How many trips are required to complete the intercountry adoption procedure: only 1 trip for the normal case</li> <li>- How long the PAPs need to stay for each trip: about 2 weeks</li> <li>- Any other conditions: : <ul style="list-style-type: none"> <li>- CAC prefers the PAPs to pick the child up at the Babies' Home in such province</li> <li>- The PAPs are required to visit and make acquaintance of the child at the Babies' Home for at least one day before taking the child into their care.</li> </ul> </li> </ul>

<sup>19</sup> See GGP No 1 (*op. cit.* note 14), Chapter 7.4.10.

	<p>- The competent authority / body informed the itinerary of the PAPs at least 2 weeks in advance before the date of the Child Adoption Board Meeting.</p> <p>- CAC ensure that the prohibition on contact in Article 29 is respected because the information of the child background has never disclosed about the names and address of the child's parents</p> <p><input type="checkbox"/> No</p>
b) Does your State permit an escort to be used to take the child to the adoptive parents in the receiving State in any circumstances?	<p><input checked="" type="checkbox"/> Yes, please specify in which circumstances: For second adoption of a Thai child, it could be possible to a reasonable request for DCY social worker to escort the child to the PAPs' country with responsibility of PAPs' cost. This is according to the Child Adoption Act B.E. 2522 (1979) (2) (b) of Chapter 4 : Probationary placement of a child</p> <p><input type="checkbox"/> No</p>

<b>25. Entrustment of the child to the PAPs (Art. 17)</b>	
<p>After the procedures in Article 17 have been completed, what is the procedure for the physical entrustment of the child to the PAPs?</p> <p>Please include an explanation of the procedures used to prepare the child for entrustment (<i>e.g.</i>, counselling, visits with the PAPs, being in the temporary care of the PAPs for increasing periods).</p>	<p>The PAPS will fly to pick up the child at the Babies' Home in the province by themselves if the child is in the care of the Babies' Home in the province.</p> <p>If adopting a child in the Babies' Home in Bangkok. An appointment can be made with the CAC to pick up the child at the Babies' Home, and PAPs are acquainted with the child at a hotel or accommodation provided by the PAPs to wait to meet with the Child Adoption Board.</p> <p>Once the committee has met, the applicant will be able to proceed with the visa application for the child at the applicant's embassy before returning to their country</p> <p>Welcome Album is required for preparing the child.</p>

<b>26. Transfer of the child to the receiving State (Arts 5(c) and 18)</b>	
a) Which documents does your State require in order for the child to be permitted to leave your State and travel	- An official of CAC will apply for the child's passport in case the child is under the care of

<p>to the receiving State (<i>e.g.</i>, passport, visa, exit permit)?</p>	<p>DCY.</p> <ul style="list-style-type: none"> <li>- An official of the Babies' Home will bring the child to check his or her medical for applying the child's visa (according to request from each country)</li> <li>- Submitting the documents to DCY's Director-General approved for pre-adoption placement.</li> <li>- Once the Director-General issues an order for the PAPs to carry out the pre-adoption placement of a child, the Director-General shall submit to the Minister for an order authorizing the PAPs to take the child out of Kingdom for the purpose adoption.</li> <li>- An official of CAC will prepare all documents to be required such as Memorandum of Agreement, the letter certified that the Child Adoption Board has granted approval the PAPs to receive the child for pre-adoption placement and etc.</li> </ul>
<p>b) Which of the documents listed in response to Question 26 a) above does your State issue?</p> <p>Please list the documents including, in each case, which public / competent authority is responsible for issuing the document.</p>	<ul style="list-style-type: none"> <li>- Once the Director-General issues an order for the PAPs to carry out the pre-adoption placement of a child, the Director-General shall submit to the Minister for an order authorizing the PAPs to take the child out of Kingdom for the purpose adoption.</li> <li>- An official of CAC will prepare all documents to be required such as Memorandum of Agreement, the letter certified that the Child Adoption Board has granted approval the PAPs to receive the child for pre-adoption placement and etc.</li> </ul>
<p>c) Other than the issuance of the documentation mentioned above, are there any other administrative or procedural matters which must be completed in order for the child to be permitted to leave your State and travel to the receiving State?</p>	<p><input type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> No</p>

<p>a) In intercountry adoption cases, is the final adoption decision made in your State or in the receiving State?</p>	<p><input checked="" type="checkbox"/> In our State – <b><u>go to Question 27 c)</u></b>  <input type="checkbox"/> In the receiving State – <b><u>go to Question 27 b)</u></b></p>
<p>b) Following the making of the final adoption decision in the receiving State:</p> <p>(i) Are any further steps required in your State to complete the procedure (<i>e.g.</i>, obtaining a copy of the final adoption decision from the receiving State)?</p> <p>(ii) Which authority or body in your State should receive a copy of the Article 23 certificate issued by the receiving State?</p>	<p>(i) (ii) <b><u>Go to Question 28</u></b></p>
<p>c) If the final adoption decision is made in your State, which competent authority:</p> <p>(i) Makes the adoption decision; and (ii) Issues the certificate under Article 23 of the 1993 Adoption Convention?</p> <p><i>N.B. According to Art. 23(2), the authority responsible for issuing the Art. 23 certificate should be formally designated at the time of ratification of / accession to the 1993 Adoption Convention. The designation (or any modification of a designation) should be notified to the depositary of the Convention.</i></p> <p><i>The answer to (ii) above should therefore be available on the <a href="#">Status Table</a> for the 1993 Adoption Convention (under “Authorities”), available on the <a href="#">Adoption Section</a> of the HCCH website.</i></p>	<p>(i) The Child Adoption Board of Thailand. (ii) The Child Adoption Center (Central Authority of Thailand)</p>
<p>d) Does your State use the “Recommended model form – Certificate of conformity of intercountry adoption”?</p> <p><i>See GGP No 1 – Annex 7, available <a href="#">here</a>.</i></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>e) Please briefly describe the procedure for issuing the Article 23 certificate. <i>E.g.</i>, how long does it take to issue the certificate? Is a copy of the certificate always given to the PAPs? Is a copy sent to the Central Authority in the receiving State?</p>	<p>After receiving a copy of adoption registration done at the Royal Thai Embassy / Consulate or at the District office in Thailand, CAC will issue the certificate to the Central Authority of the receiving State. It takes 1-2 months.</p>

**28. Duration of the intercountry adoption procedure**



<p>Where possible, please indicate the average time which it takes to:</p> <ul style="list-style-type: none"> <li>(i) Match a child who has been declared adoptable with PAPs for the purposes of an intercountry adoption;</li> <li>(ii) Physically entrust a child to PAPs once a match has been accepted by the PAPs and approved by the relevant authorities / bodies in the receiving State, if applicable;</li> <li>(iii) Make a final adoption decision following the entrustment of a child to PAPs (if applicable in your State: <i>i.e.</i>, if the final adoption decision is made in your State and not in the receiving State).</li> </ul>	<ul style="list-style-type: none"> <li>(i)</li> <li>(ii)</li> <li>(iii) <ol style="list-style-type: none"> <li>1. When all of required documents are received, CAC scrutinize of documents and then send the application on the waiting list (3-6 months)</li> <li>2. On waiting list period/matching the child (minimum 1-2 years ).</li> <li>3. The Child Adoption Board approves the PAPs and child background (2-6 months)</li> <li>4. Child's photograph &amp; background ( social and medical) send to receiving country agreeing the adoption may proceed (Art.16) (2-6 months)</li> <li>5. Minister of Ministry of Social Development and Human Security's approval for the child leaving Thailand (2 weeks)</li> <li>6. The PAPs travel to Thailand for receiving the child and meeting with the Child Adoption Board/ Memorandum of Agreement is signed (2 weeks excluded the child's visa procedure which up to each Embassy of the receiving country)</li> <li>7. Pre-adoption placement period of not less than six months as from when the PAPs receive the child into the custody/ the date of meeting with the Child Adoption Board (at least 6 months).</li> <li>8. Bi-Monthly reports equal or more than 6 months send to DCY.</li> <li>9. Approval of adoption registration by Child Adoption Board (1-2 months).</li> <li>10, Informing the approval of adoption registration to the Thai Embassy to connect the PAPs signing registration adoption under Thai law (1-2 months).</li> <li>11, Certificate of Confirmity is issued (1-2 months).</li> </ol> </li> </ul>
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#### PART VII: INTRA-FAMILY INTERCOUNTRY ADOPTIONS

<p><b>29. Procedure for the intercountry adoption of a child who is a relative of the PAPs (“intra-family intercountry adoption”)</b></p>	
<p>a) Please explain the circumstances in which an intercountry adoption will be</p>	<p>1. An applicant who has a consanguineous relationship with the paternal side of the child to be adopted, i.e. being the paternal great-</p>

<p>classified as an “<i>intra-family</i> intercountry adoption” in your State. Please include an explanation of the degree of relationship which a child must have with PAPs to be considered a “relative” of those PAPs.</p>	<p>grandfather or maternal great-grandmother, grandfather, grandmother, uncle or aunt of the child in the case where the father and mother of the child did not register their marriage and the father of the child did not register his certification of the child;</p> <p>2. An applicant who is the spouse of a consanguineous relative to the paternal or maternal side of the child.</p>
<p>b) Does your State apply the procedures of the 1993 Adoption Convention to intra-family intercountry adoptions?</p> <p><i>N.B. If the child and PAPs are habitually resident in different Contracting States to the 1993 Adoption Convention, <b>the Convention is applicable</b>, irrespective of the fact that the child and PAPs are related: see further GGP No 1 at para. 8.6.4.</i></p>	<p><input checked="" type="checkbox"/> Yes – <b>go to Question 30</b></p> <p><input type="checkbox"/> Yes, in general, although there are some differences in the procedures for intra-family intercountry adoptions – please specify: <b>. Go to Question 30</b></p> <p><input type="checkbox"/> No – <b>go to Question 29 c)</b></p>
<p>c) If your State does not apply the Convention procedures to intra-family intercountry adoptions, please explain the laws / rules / procedures which are used in relation to:</p> <p>(i) The counselling and preparations which PAPs must undergo in the receiving State;</p> <p>(ii) The preparation of the child for the adoption;</p> <p>(iii) The report on the PAPs; and</p> <p>(iv) The report on the child.</p>	<p>(i)</p> <p>(ii)</p> <p>(iii)</p> <p>(iv)</p>

## PART VIII: SIMPLE AND FULL ADOPTION<sup>20</sup>

30. Simple and full adoption	
<p>a) Is “full” adoption permitted in your State?</p> <p><i>See GGP No 1 at Chapter 8.8.8 and note 20 below.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> In certain circumstances only – please specify:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>b) Is “simple” adoption permitted in your State?</p> <p><i>See GGP No 1 at Chapter 8.8.8 and note 20 below.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No – <b>go to Question 31</b></p> <p><input type="checkbox"/> In certain circumstances only (<i>e.g.</i>, for intra-family adoptions only) – please specify:</p>

<sup>20</sup> According to the 1993 Adoption Convention, a **simple** adoption is one in which the legal parent-child relationship which existed before the adoption is not terminated but a new legal parent-child relationship between the child and his / her adoptive parents is established. A **full** adoption is one in which the pre-existing legal parent-child relationship is terminated. See further Arts 26 and 27 and GGP No 1 (*op. cit.* note 14), Chapter 8.8.8.

	<input type="checkbox"/> Other (please explain):
<p>c) If a “simple” adoption is to be undertaken in your State in an intercountry adoption case, does your State nonetheless usually seek the birth mother / family’s consent(s)<sup>21</sup> to a “full” adoption where this is in the child’s best interests (<i>i.e.</i>, so that a “conversion” of the adoption may be undertaken in the receiving State if the other conditions in Art. 27(1) are fulfilled)?</p> <p><i>See Art. 27(1)(b) and Art. 4 (c) and (d).</i></p>	<input checked="" type="checkbox"/> Yes – please provide details of how this is undertaken: <input type="checkbox"/> No
<p>d) How does your State respond to requests from receiving States to obtain the consent(s) of a child’s birth mother / family<sup>22</sup> to the conversion of a “simple” adoption into a “full” adoption (in accordance with Art. 27) when the request is made many years after the original adoption?</p>	

#### PART IX: POST-ADOPTION MATTERS

<b>31. Preservation of, and access to, information concerning the child’s origins (Art. 30) and the adoption of the child</b>	
a) Which authority is responsible for preserving information concerning the child’s origins, as required by Article 30?	The Child Adoption Center (post adoption service group) , the Children’s Home or the Babies’ Home and the local accredited agencies/bodies in Thailand
b) For how long is the information concerning the child’s origins preserved?	The records must be preserved as long as possible
<p>c) Does your State permit the following persons to have access to information concerning the child’s origins and / or information concerning the adoption of the child:</p> <p>(i) the adoptee and / or his / her representatives;</p> <p>(ii) the adoptive parents;</p> <p>(iii) the birth family; and / or</p> <p>(iv) any other persons?</p>	<p>(i) <input type="checkbox"/> Yes – please explain any criteria: The post adoption section under the supervision of Child Adoption Center will assist them to trace for their parents or relatives. The consent must be given by the adoption triad.  <input type="checkbox"/> No</p> <p>(ii) <input checked="" type="checkbox"/> Yes – please explain any criteria: The PAPs are permitted to access to information about adoption, the age of</p>

<sup>21</sup> Or other person(s) whose consent to the adoption is required under Art. 4 (c) and (d) of the 1993 Adoption Convention.

<sup>22</sup> *Ibid.*

<p>If so, are there any criteria which must be met for access to be granted (<i>e.g.</i>, age of the adopted child, consent of the birth family to the release of information concerning the child's origins, consent of the adoptive parents to the release of information concerning the adoption)?</p> <p><i>See Art. 9(a) and (c) and Art. 30.</i></p>	<p>the child between 10 -18 years with DCY permission. For the adoptees under 10 years, the birth family search may be requested only when in need of a serious physical or mental treatment (doctor's medical report is required)</p> <p><input type="checkbox"/> No</p> <p>(iii) <input checked="" type="checkbox"/> Yes – please explain any criteria: The birth family are permitted to access to information about adoption with DCY permission</p> <p><input type="checkbox"/> No</p> <p>(iv) <input type="checkbox"/> Yes – please explain any criteria:</p> <p><input checked="" type="checkbox"/> No</p>
<p>d) Where access to such information is provided, is any counselling or other guidance / support given in your State?</p>	<p><input checked="" type="checkbox"/> Yes – please specify: CAC counselling service is provided.</p> <p><input type="checkbox"/> No</p>
<p>e) Once access to such information has been provided, is any <i>further</i> assistance offered to the adoptee and / or others (<i>e.g.</i>, regarding making contact with his / her biological family, tracing extended family)?</p>	<p><input checked="" type="checkbox"/> Yes – please specify: CAC should develop additional guides to Good Practice or other tools to improve the functioning of the process and provide up to date information on development relatibg to intercountry adoption</p> <p><input type="checkbox"/> No</p>

32. Post-adoption reports	
<p>a) Is there a model form which is used by your State for post-adoption reports?</p>	<p><input checked="" type="checkbox"/> Yes – please specify whether use of the form is mandatory and indicate where it may be accessed (<i>e.g.</i>, provide a link or attach a copy):</p> <p><input type="checkbox"/> No – in which case, please specify the content expected in a post-adoption report (<i>e.g.</i>, medical information, information about the child's development, schooling):</p>
<p>b) What are the requirements of your State in relation to post-adoption reports? Please indicate:</p> <p>(i) How frequently such reports should be submitted (<i>e.g.</i>, every year, every two years);</p>	<p>(i) every 5 years</p> <p>(ii) when the child reaches 18 years ofd</p> <p>(iii) English or Thai</p> <p>(iv) adoptive parents</p> <p>(v)</p>

<p>(ii) For how long (<i>e.g.</i>, until the child is a certain age);</p> <p>(iii) The language in which the report must be submitted;</p> <p>(iv) Who should write the reports; and</p> <p>(v) Any other requirements.</p>	
<p>c) What, if any, are the consequences in your State if post-adoption reports are either:</p> <p>(i) Not submitted at all; or</p> <p>(ii) Submitted, but not in accordance with your requirements?</p>	<p>(i) CAC will send an official letter to follow up the PAPs</p> <p>(ii) Request the accredited agency to follow up again and send us information as required</p>
<p>d) What does your State do with post-adoption reports? (<i>i.e.</i>, to what use are they put?)</p>	<p>The post adoption reports will provide information on the dimensions of child development in terms of physical, health, emotional, social, learning, adaptation. and in the progress of children in matters of study, career, work and in terms of the need to find a birth family etc. We use all information to develop child care system and in collaboration with child care homes such as the Babies' Home etc.</p>

#### PART X: THE FINANCIAL ASPECTS OF INTERCOUNTRY ADOPTION<sup>23</sup>

*States of origin are also kindly requested to complete the "Tables on the costs associated with intercountry adoption", available on the [Adoption Section](#) of the HCCH website.*

33. The costs <sup>24</sup> of intercountry adoption	
<p>a) Are the costs of intercountry adoption regulated by law in your State?</p>	<p><input type="checkbox"/> Yes – please specify any relevant legislation / regulations / rules and indicate how they may be accessed (<i>e.g.</i>, link to a website or attach a copy). Please also briefly explain the legal framework:</p> <p><input checked="" type="checkbox"/> No</p>
<p>b) Does your State monitor the payment of the costs of intercountry adoption?</p>	<p><input checked="" type="checkbox"/> Yes – please briefly describe how this monitoring is undertaken: It's a requirement that the adoptive families have to pay for passport fee, photos and medical fees.. อัฟใหม่</p> <p><input type="checkbox"/> No</p>

<sup>23</sup> See the tools developed by the "Experts' Group on the Financial Aspects of Intercountry Adoption"; available on the [Adoption Section](#) of the HCCH website: *i.e.*, the *Terminology on the financial aspects of intercountry adoption* ("Terminology"), the *Note on the financial aspects of intercountry adoption* ("Note"), the *Summary list of good practices on the financial aspects of intercountry adoption* and the *Tables on the costs associated with intercountry adoption*.

<sup>24</sup> See the definition of "costs" provided in the *Terminology*, *ibid.*

<p>c) Are the costs of intercountry adoption which must be paid in your State paid through the accredited body involved in the particular intercountry adoption (if applicable – see Question 19 c) above) or directly by the PAPs themselves?</p> <p><i>See the “Note on the Financial Aspects of Intercountry Adoption” at para. 86.</i></p>	<p><input checked="" type="checkbox"/> Through the accredited body:</p> <p><input checked="" type="checkbox"/> Directly by the PAPs:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>d) Are the costs of intercountry adoption which must be paid in your State paid in cash or only by bank transfer?</p> <p><i>See the “Note on the Financial Aspects of Intercountry Adoption” at para. 85.</i></p>	<p><input type="checkbox"/> Only by bank transfer:</p> <p><input checked="" type="checkbox"/> In cash: such as passport, photos and medical fees</p> <p><input type="checkbox"/> Other (please explain): Thailand does not have any laws. The operating expenses of CAC are carried out using the budget of our government, the Department of Children and Youth, such as staff salaries, travel expenses, office expenses, according to fiscal years etc.</p> <p>For adoption, we have no adoption fee. The cost incurred in connection with the adoption will be collected to help the adoptive family complete the adoption process.</p> <p>Regarding the collection of costs incurred in the matter of adoption or the costs incurred in the implementation of the international adoption process, some will be collected from the applicants to act on behalf of the applicants, such as passport fees, extra health check fees, translating documents and legalized documents for applicants to apply for a child’s visa at their embassy, etc. For the cost of general health checks to support the submission of the child’s history to the adoptive family, we use our government budget</p> <p>The purpose of Child Adoption Center’s operations is transparency in its operations and control over its operations in accordance with the laws and regulations. Any donation or assistance which is the purpose of the applicants, must occur after the adoption process has been completed. In the future we may be able to charge an international adoption fee, which we will need to amend the</p>

	laws and regulations.
e) Which body / authority in your State receives the payments?	
f) Does your State provide PAPs (and other interested persons) with information about the costs of intercountry adoption (e.g., in a brochure or on a website)?  <i>N.B. Please also ensure that your State has completed the "Tables on the costs associated with intercountry adoption" (see above).</i>	<input type="checkbox"/> Yes – please indicate how this information may be accessed: <input checked="" type="checkbox"/> No

<b>34. Contributions, co-operation projects and donations<sup>25</sup></b>	
a) Is it mandatory for a receiving State (either through its Central Authority or authorised foreign accredited bodies) to pay a contribution <sup>26</sup> to your State if it wishes to engage in intercountry adoption in your State?  <i>For good practices relating to contributions, see the "Note on the financial aspects of intercountry adoption" at Chapter 6.</i>	<input checked="" type="checkbox"/> Yes – please explain: <ul style="list-style-type: none"> <li>• What type of contribution is required: Humanitarian aids such as natural disaster, flood disaster, Covid etc.. or administration support of CAC, Babies' Home such as salary of caretaker in Babies' Home or assistant</li> <li>• Who is responsible for paying it (i.e., the Central Authority or the relevant authorised foreign accredited body): the authorised foreign accredited body and PAPs</li> <li>• How it is ensured that contributions do not influence or otherwise compromise the integrity of the intercountry adoption process: Thailand has no adoption fees, our financial operations are transparent and verifiable..</li> </ul> <input type="checkbox"/> No

<sup>25</sup> See the definitions of these terms provided in the Terminology. In addition, on contributions and donations, see Chapter 6 of the Note, *supra*, note 23.

<sup>26</sup> See further the Terminology, *supra*, note 23, which states that there are two types of contributions: (1) contributions demanded by the State of origin, which are mandatory and meant to improve either the adoption system or the child protection system. The amount is set by the State of origin. These contributions are managed by the authorities or others appropriately authorised in the State of origin which decide how the funds will be used; (2) contributions demanded by the accredited body from PAPs. These contributions may be for particular children's institutions (e.g., for maintenance costs for the child) or for the co-operation projects of the accredited body in the State of origin. The co-operation projects may be a condition of the authorisation of that body to work in the State of origin. The amount is set by the accredited body or its partners. The payment may not be a statutory obligation and accredited bodies may present the demand in terms of "highly recommended contribution", but in practice it is "mandatory" for the PAPs in the sense that their application will not proceed if the payment is not made.

<p>b) Are receiving States (either through their Central Authority or authorised foreign accredited bodies) permitted to undertake co-operation projects in your State?</p>	<p><input checked="" type="checkbox"/> Yes – it is a <i>mandatory</i> requirement for authorisation to be granted to a foreign accredited body.</p> <p><input type="checkbox"/> Yes – it is <i>permitted</i> but not required.</p> <p>In either of the above cases, please explain:</p> <ul style="list-style-type: none"> <li>• What type of co-operation projects are permitted:</li> <li>• Who may undertake such projects (<i>i.e.</i>, the Central Authority and / or authorised foreign accredited bodies):</li> <li>• Whether such projects are monitored by an authority / body in your State:</li> <li>• How it is ensured that co-operation projects do not influence or otherwise compromise the integrity of the intercountry adoption process:</li> </ul> <p><input type="checkbox"/> No</p>
<p>c) Does your State permit PAPs or authorised foreign accredited bodies to make donations to orphanages, institutions or birth families in your State?</p> <p><b><i>N.B. This is <u>not</u> recommended as a good practice. see further the "Note on the Financial Aspects of Intercountry Adoption" at Chapter 6 (in particular, Chapter 6.4).</i></b></p>	<p><input checked="" type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> <li>• To whom may donations may be made (<i>e.g.</i>, to orphanages, other institutions and / or birth families): It's depend on PAPs's purpose</li> <li>• What donations are used for: It's depend on PAPs' s purpose</li> <li>• Who is permitted to pay donations (<i>e.g.</i>, only authorised foreign accredited bodies or also PAPs):</li> <li>• At what stage of the intercountry adoption procedure donations are permitted to be paid: after the adoption is finalized.</li> <li>• How it is ensured that donations do not influence or otherwise compromise the integrity of the intercountry adoption process: Thailand has no adoption fees, our financial operations are transparent and verifiable.</li> </ul> <p><input type="checkbox"/> No</p>



a) Which authority is responsible for preventing improper financial or other gain in your State as required by the Convention?	The Central Authority of Thailand
b) What measures have been taken in your State to prevent improper financial or other gain?	The receipt and thank you letter will be given to every contribution.
c) Please explain the sanctions which may be applied if Articles 8 and / or 32 are breached.	controlled by law

## PART XI: ILLICIT PRACTICES<sup>27</sup>

36. Response to illicit practices in general	
Please explain how your Central Authority and / or other competent authorities respond to intercountry adoption cases involving alleged or actual illicit practices. <sup>28</sup>	Before the Child Adoption Act of 1979 enforced, Adoption in Thailand was governed under the Civil and Commercial Law which adoption could be taken at the District Office under the Department of Local Administration. At present, the adoption in Thailand is proceeded under the Department of Children and Youth (DCY). Therefore, it's controlled by Thai Adoption Laws and Hague Convention on the Child Protection and Co-operation in Respect of Intercountry Adoption.

37. The abduction, sale of and traffic in children	
a) Please indicate which laws in your State seek to prevent the abduction, sale of and traffic in children in the context of your State's intercountry adoption programmes.  Please also specify which bodies / persons the laws target (e.g., accredited bodies (national or foreign), PAPs, directors of children's institutions).	- Cabinet's Resolution on the Measures on preventing the sale or children (1979)  - Thailand has formally acceded to the Hague Convention on the Child Abduction. Thailand has also promulgated its own domestic law to provide for enforcement of the Hague Convention and its terms within Thailand legal system. This means that currently an aggrieved parent can request Thailand Courts or the Attorney General Office of Thailand to take

<sup>27</sup> "Illicit practices" in this Country Profile refers to "situations where a child has been adopted without respect for the rights of the child or for the safeguards of the Hague Convention. Such situations may arise where an individual or body has, directly or indirectly, misrepresented information to the biological parents, falsified documents about the child's origins, engaged in the abduction, sale or trafficking of a child for the purpose of intercountry adoption, or otherwise used fraudulent methods to facilitate an adoption, regardless of the benefit obtained (financial gain or other)" (from p. 1 of the *Discussion Paper: Co-operation between Central Authorities to develop a common approach to preventing and addressing illicit practices in intercountry adoption cases*, available on the **Error! Hyperlink reference not valid.** of the HCCH website < [www.hcch.net](http://www.hcch.net) >).

<sup>28</sup> *Ibid.*

	action pursuant to the Hague Treaty of Child Abduction
b) Please explain how your State monitors respect for the above laws.	
c) If these laws are breached, what sanctions may be applied (e.g., imprisonment, fine, withdrawal of accreditation)?	

38. Private and / or independent adoptions	
<p>Are private and / or independent adoptions permitted in your State?</p> <p><i>N.B. "Independent" and "private" adoptions are <u>not</u> consistent with the system of safeguards established under the 1993 Adoption Convention: see further GGP No 1 at Chapters 4.2.6 and 8.6.6.</i></p> <p><i>Please tick all which apply.</i></p>	<p><input type="checkbox"/> Private adoptions are permitted – please explain how this term is defined in your State:</p> <p><input type="checkbox"/> Independent adoptions are permitted – please explain how this term is defined in your State:</p> <p><input checked="" type="checkbox"/> <u>Neither</u> private nor independent adoptions are permitted</p>

## PART XII: INTERNATIONAL MOBILITY

39. The scope of the 1993 Adoption Convention (Art. 2)	
<p>a) If foreign national PAPs, habitually resident in your State, wish to adopt a child habitually resident in your State, are they permitted to do so under the law of your State?</p> <p><i>Example: French national PAPs are habitually resident in Guinea and wish to adopt a child habitually resident in Guinea.</i></p>	<p><input checked="" type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i> adoption in your State<sup>29</sup> and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: This would be treated as domestic adoption</p> <p><input type="checkbox"/> No</p>
<p>b) If foreign national PAPs, habitually resident in your State, wish to adopt a child from another Contracting State to the 1993 Adoption Convention, are they permitted to do so under the law of your State?</p> <p><i>Example: French national PAPs are habitually resident in Guinea and wish to adopt a child habitually resident in India.</i></p>	<p><input type="checkbox"/> Yes – please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply:</p> <p><input checked="" type="checkbox"/> No</p>
<p>c) If nationals of your State, habitually resident in another Contracting State to the 1993 Adoption Convention, wish to</p>	<p><input checked="" type="checkbox"/> Yes – please explain whether this would be treated as an <i>intercountry</i> or <i>domestic</i></p>

<sup>29</sup> According to the 1993 Adoption Convention (see Art. 2), this is a *domestic* adoption due to the fact that the habitual residence of the PAPs and the child is in the same Contracting State: see further, GGP No 1 (*op. cit.* note 14), Chapter 8.4.

<p>adopt a child habitually resident in your State, are they permitted to do so under the law of your State?</p> <p><i>Example: Guinean national PAPs are habitually resident in Germany and wish to adopt a child habitually resident in Guinea.</i></p>	<p>adoption in your State<sup>30</sup> and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply:</p> <p><input type="checkbox"/> No</p>
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### PART XIII: SELECTION OF PARTNERS FOR INTERCOUNTRY ADOPTION<sup>31</sup>

40. Selection of partners	
<p>a) With which receiving States does your State currently partner on intercountry adoption?</p>	
<p>b) How does your State determine with which receiving States it will partner?</p> <p>In particular, please specify whether your State only partners with other <i>Contracting States</i> to the 1993 Adoption Convention.</p> <p><i>To see which States are Contracting States to the 1993 Adoption Convention, please refer to the <a href="#">Status Table</a> for the 1993 Adoption Convention (accessible via the <a href="#">Adoption Section</a> of the HCCH website &lt; <a href="http://www.hcch.net">www.hcch.net</a> &gt;).</i></p>	
<p>c) If your State also partners with <i>non-Contracting States</i>, please explain how it is ensured that the safeguards of the 1993 Adoption Convention are complied with in these cases.<sup>32</sup></p>	<p><input checked="" type="checkbox"/> Not applicable: our State only partners with other <i>Contracting States</i> to the 1993 Adoption Convention.</p>
<p>d) Are any formalities required in order to commence intercountry adoptions with a particular receiving State (<i>e.g.</i>, the conclusion of a formal agreement<sup>33</sup> with that receiving State)?</p>	<p><input checked="" type="checkbox"/> Yes – please explain the content of any agreements or other formalities:<sup>34</sup></p> <p><input type="checkbox"/> No</p>

<sup>30</sup> According to the 1993 Adoption Convention (see Art. 2), this is an *intercountry* adoption due to the differing habitual residences of the PAPs and the child (despite their common nationality). The Convention procedures, standards and safeguards should therefore be applied to such adoptions: see further, GGP No 1 (*op. cit.* note 14), Chapter 8.4.

<sup>31</sup> In relation to the choice of foreign States as partners in intercountry adoption arrangements, see further GGP No 2 (*op. cit.* note 3), Chapter 3.5.

<sup>32</sup> See GGP No 1 (*op. cit.* note 14), Chapter 10.3 regarding the fact that “it is generally accepted that States Party to the Convention should extend the application of its principles to non-Convention adoptions”.

<sup>33</sup> See note 2 above concerning Art. 39(2) and the requirement to transmit a copy of any such agreements to the depositary for the 1993 Adoption Convention.

<sup>34</sup> *Ibid.*