

Recommended Model Forms for use under the 1993 Adoption Convention

Birth Family



Recommended Model Form No 1

Statement of consent of the legal parents or
the legal representative of the child to the
adoption (Art. 4(c))

Recommended Model Form No 1

**Statement of consent of the legal parents or
the legal representative of the child to the adoption
(Art. 4(c))**

Recommended Model Form No 1

Statement of consent of the legal parents or the legal representative of the child to the adoption (Art. 4(c))

ARTICLE 4(c) OF THE 1993 ADOPTION CONVENTION

Article 4(c)

An adoption within the scope of the Convention shall take place only if the competent authorities of the State of origin - [...]

(c) have ensured that

- (1) the persons, institutions and authorities whose consent is necessary for adoption, have been counselled as may be necessary and duly informed of the effects of their consent, in particular whether or not an adoption will result in the termination of the legal relationship between the child and his or her family of origin,*
- (2) such persons, institutions and authorities have given their consent freely, in the required legal form, and expressed or evidenced in writing,*
- (3) the consents have not been induced by payment or compensation of any kind and have not been withdrawn, and*
- (4) the consent of the mother, where required, has been given only after the birth of the child; [...].*

EXPLANATORY SECTION

1. What has been included in this Recommended Model Form?

This Form includes the different aspects of consent as per Article 4(c) of the 1993 Adoption Convention.

It is designed to document the consent to the adoption of a child by their legal parents or the legal representative when it is required by domestic law.

2. When should this Model Form be used?

This Form should be used to record the consent to the adoption of a child by their legal parents or the legal representative.

Before proceeding, the official attesting the consent should determine whether free and informed consent can be obtained.

Competent authorities of the relevant Contracting State should ensure that this form is preserved (see Arts 9(a), 30 and 31 of the Convention).

3. Is the use of this Model Form compulsory?

No, it is only a Recommended Model Form, which may need to be adapted by each State.

RECOMMENDED MODEL FORM

Statement of consent of the legal parents or the legal representative of the child to the adoption

Read the following statements carefully before completing them. Sign below only when you fully understand each statement. You have the right to receive any counselling or information which you may want to have about the effects of your consent. You have the right, if you so desire, to receive a copy of this document.

You should not have received any payment or compensation of any kind made or offered for the purpose of obtaining your consent to the adoption of the child.

I, the undersigned: _____

Family name: _____

Given name(s): _____

Date of birth: _____

Habitual residence: _____

Mother Father Legal representative of the child

Family name: _____

Given name(s): _____

Gender: _____

Date of birth: _____

Place of birth: _____

Habitual residence: _____

declare as follows:

- I freely consent, without threat or coercion, to the adoption of this child.
- I understand that my child may be adopted by spouses or a person residing abroad.
- I understand that the adoption of this child will create a permanent parent-child relationship with the adoptive parent(s).
- I give my consent for the purpose of an adoption that terminates the pre-existing legal parent-child relationship between the child and his or her mother and father.
- I have been informed that I may withdraw my consent until _____ and that after that date my consent will be irrevocable.
- I declare that I have fully understood the above statements.

Done at _____ on _____.
City, State Date

Signature or Mark:

DECLARATION OF WITNESS(ES) (where required by law or by the circumstances, e.g., in the case of illiterate person or person with a disability)

CERTIFICATION OF THE AUTHORITY AUTHORISED TO ATTEST THE CONSENT

Name: _____

Title: _____

I hereby certify that the person (and the witness(es)) named or identified above appeared before me this date and signed this document in my presence.

Done at _____ on _____.
City, State Date

Signature / Seal:

HCCH - Permanent Bureau

Churchillplein 6b
2517 JW The Hague
Netherlands

Tel.: +31 70 363 3303
Fax: +31 70 360 4867
secretariat@hcch.net
www.hcch.net



Hague Conference on Private International Law
Conférence de La Haye de droit internationa privé
Conferencia de La Haya de Derecho Internacional Privado