

COUNTRY PROFILE

1993 HAGUE INTERCOUNTRY ADOPTION CONVENTION¹

STATE OF ORIGIN

COUNTRY NAME: CHINA

PROFILE UPDATED ON: AUG 27, 2019

PART I: CENTRAL AUTHORITY

1. Contact details ²	
Name of office:	Department of Children's Welfare, Ministry of Civil Affairs
Acronyms used:	MCA
Address:	No. 147, Beiheyuan Street, Dongcheng District, Beijing, China. 100721
Telephone:	0086 10 58123287
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E-mail:	wujianan@mca.gov.cn
Website:	www.mca.gov.cn
Contact person(s) and direct contact details (please indicate language(s) of communication):	Wu Jian'an
<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>	
China Center for Children's Welfare and Adoption	
Contact person: Liu Tao(Director-General), Chu Xiaoying(Deputy Director-General)	
Address: No. 16 Wangjiayuan Lane, Dongcheng District, Beijing, China. 100027	
Tel: 0086 10 65548882	
Fax: 0086 10 65545966	
Email:cxy@cccwa.cn	

¹ Full title: the *Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption* (referred to as the "1993 Hague Intercountry Adoption Convention" or the "1993 Convention" in this Country Profile). Please note that any reference to "Articles" (or Art. / Arts for short) in this Country Profile refers to Articles of the 1993 Hague Intercountry Adoption Convention.

² Please verify whether the contact details on the Hague Conference website < www.hcch.net > under "Intercountry Adoption Section" then "Central Authorities" are up to date. If not, please e-mail the updated contact information to < secretariat@hcch.net >.

PART II: RELEVANT LEGISLATION

2. The 1993 Hague Intercountry Adoption Convention and domestic legislation	
<p>a) When did the 1993 Hague Intercountry Adoption Convention enter into force in your State?</p> <p><i>This information is available on the Status Table for the 1993 Hague Intercountry Adoption Convention (accessible via the Intercountry Adoption Section of the Hague Conference website < www.hcch.net >).</i></p>	<p>Jan 1, 2006</p>
<p>b) Please identify the legislation / regulations / procedural rules which implement or assist with the effective operation of the 1993 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>Adoption Law of the People's Republic of China (April 1, 1992)</p> <p>Measures for Registration of Adoption of Children by Foreigners in the People's Republic of China (May 25, 1999)</p> <p>Please access this information through www.mca.gov.cn or www.cccwa.cn.</p>

3. Other international agreements on intercountry adoption³	
<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> <p><input type="checkbox"/> Regional agreements (please specify):</p> <p><input type="checkbox"/> Bilateral agreements (please specify):</p> <p><input type="checkbox"/> Non-binding memoranda of understanding (please specify):</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input checked="" type="checkbox"/> No</p>

PART III: THE ROLE OF AUTHORITIES AND BODIES

4. Central Authority(ies)	
<p>Please briefly describe the functions of the Central Authority(ies) designated under the 1993 Convention in your State.</p> <p><i>See Arts 6-9 and Arts 14-21 if accredited bodies are not used.</i></p>	<p>Ministry of Civil Affairs is China's Central Authority for intercountry adoption. China Center for Children's Welfare and Adoption (hereinafter referred to as CCCWA) is authorized by the Chinese government to conduct the functions of central authority in Articles 15-21 of the Convention.</p>

³ 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).

5. Public and competent authorities	
<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>Registry offices with departments of civil affairs of local provincial government are in charge of registration for inter-country adoption and issuance of Certificate of Conformity in accordance with Article 23 (1).</p>

6. National accredited bodies⁴	
<p>a) Has your State accredited its own adoption bodies?</p> <p><i>See Arts 10-11.</i></p> <p>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 Hague Conference (see Art. 13).⁵</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – go to Question 7</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.⁶</p>	
<p>c) Please briefly describe the role of national accredited bodies in your State.</p>	
6.1 The accreditation procedure (Arts 10-11)	
<p>a) Which authority / body is responsible for the accreditation of national adoption bodies in your State?</p>	
<p>b) Please briefly describe the <i>procedure</i> for granting accreditation and the most important accreditation <i>criteria</i>.</p>	
<p>c) For how long is accreditation granted in your State?</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>	
6.2 Monitoring of national accredited bodies⁷	
<p>a) Which authority is competent to monitor / supervise national accredited</p>	

⁴ "National accredited bodies" in this Country Profile means adoption bodies based within your State (State of origin) which have been accredited under the 1993 Convention by the competent authorities in your State. See further *Guide to Good Practice No 2 on Accreditation and Adoption Accredited Bodies* (hereinafter "GGP No 2"), available on the [Intercountry Adoption Section](http://www.hcch.net) of the Hague Conference website < www.hcch.net > at Chapters 3.1 *et seq.*

⁵ See GGP No 2, *ibid.*, Chapter 3.2.1 (para. 111).

⁶ See GGP No 2, *supra*, note 4, Chapter 3.4.

⁷ See GGP No 2, *supra*, note 4, Chapter 7.4.

bodies in your State? <i>See Art. 11 c).</i>	
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b) Please briefly describe how national accredited bodies are monitored / supervised in your State (e.g., if inspections are undertaken, how frequently).	
c) Please briefly describe the circumstances in which the accreditation of bodies can be revoked (i.e., withdrawn).	
d) If national accredited bodies do not comply with the 1993 Convention, is it possible for sanctions to be applied?	<input type="checkbox"/> Yes, please specify possible sanctions (e.g., fine, withdrawal of accreditation): <input type="checkbox"/> No

7. Authorised foreign accredited bodies⁸ (Art. 12)	
a) Has your State authorised any foreign accredited adoption bodies to work with, or in, your State? <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 Hague Conference.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No – go to Question 8
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. ⁹	We do not authorise foreign accredited bodies, but rather selects foreign accredited bodies to work with in inter-country adoption. There are 91 foreign accredited bodies currently working with China, with a small number of agency-merging-and-closing cases not concluded. We do not limit the number of these bodies. At present, China does not have an accreditation system for adoption agencies.
c) Please briefly describe the role of authorised foreign accredited bodies in your State.	The foreign accredited bodies working with China are providing services as follows: screening adoption applicants, providing pre-adoption training for prospective adoptive parents, preparing adoption application documents, submitting adoption application to CCCWA, transferring letters for seeking confirmation from adopters and central authority as well as letter for travelling to China for adoption, assisting with the travel of adopters to China, making post-placement follow-ups and submitting post-placement reports to CCCWA.
d) Are there any requirements concerning the way foreign accredited bodies must operate in your State?	<input type="checkbox"/> Yes: <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

⁸ "Authorised foreign accredited bodies" are adoption bodies based in another Contracting State to the 1993 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, *supra*, note 4, Chapter 4.2.

⁹ See GGP No 2, *supra*, note 4, Chapter 4.4 on "limiting the number of accredited bodies authorised to act in States of origin".

<p><i>Please tick any which apply.</i></p>	<p>State – please specify): OR</p> <p><input checked="" type="checkbox"/> The foreign accredited body must work with your State through a representative, acting as an intermediary, but an office is not required: OR</p> <p><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: OR</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>
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7.1 The authorisation procedure	
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> . ¹⁰ 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> .	
7.2 Monitoring of authorised foreign accredited bodies	
a) Does your State monitor / supervise the activities of authorised foreign accredited bodies? ¹¹	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – go to Question 8
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 (e.g., if inspections are undertaken, how frequently).	
d) Please briefly describe the circumstances in which the authorisation of foreign accredited bodies can be revoked (i.e., withdrawn).	
e) If authorised foreign accredited bodies do not comply with the 1993 Convention, is it possible for sanctions to be applied?	<input checked="" type="checkbox"/> Yes, please specify possible sanctions (e.g., fine, withdrawal of authorisation): termination of cooperation with the foreign accredited body <input type="checkbox"/> No

8. Approved (non-accredited) persons (Art. 22(2))¹²	
a) Is the involvement of approved (non-accredited) persons <i>from your State</i> permitted in intercountry adoption procedures in your State? 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 Status Table for the 1993 Convention,	<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

¹⁰ In relation to authorisation criteria, please see GGP No 2, *supra*, note 4, Chapters 2.3.4.2 and 4.2.4.

¹¹ See GGP No 2, *supra*, note 4, Chapter 7.4 and, in particular, para. 290.

¹² See GGP No 2, *supra*, note 4, Chapter 13.

<p>available on the Intercountry Adoption Section of the Hague Conference website.</p> <p>If your State has made a declaration according to Art. 22(2), the Permanent Bureau of the Hague Conference should be informed of the names and addresses of these bodies and persons (Art. 22(3)).¹³</p>	
<p>b) Is the involvement of approved (non-accredited) persons from other Contracting States permitted in intercountry adoption procedures in your State?</p> <p>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 Status Table for the 1993 Convention, available on the Intercountry Adoption Section of the Hague Conference website.</p>	<p><input checked="" type="checkbox"/> Yes. Please specify the role of these approved (non-accredited) persons in your State: Social workers who prepare home-study report for foreign adopters living in China</p> <p><input type="checkbox"/> No, our State has made a declaration according to Article 22(4).</p>

PART IV: THE CHILDREN PROPOSED FOR INTERCOUNTRY ADOPTION

9. The profile of children in need of intercountry adoption	
<p>Please briefly describe the general profile of the children usually in need of intercountry adoption in your State (e.g., age, sex, state of health).</p>	<p>Minors under the age of 14, as enumerated below, may be adopted.</p> <p>(1) orphans bereaved of parents;</p> <p>(2) abandoned infants or children whose parents cannot be ascertained or found; or</p> <p>(3) children whose parents are unable to rear them due to unusual difficulties.</p>

10. The adoptability of a child (Art. 4 a))	
<p>a) Which authority is responsible for establishing that a child is adoptable?</p>	<p>Provincial departments of Civil Affairs</p>
<p>b) Which criteria are applied to determine whether a child is adoptable?</p>	<p>Please see 9.</p>
<p>c) Please briefly describe the procedures used in your State to determine whether a child is adoptable (e.g., search for the child's birth family).</p> <p>N.B. the issue of consent is dealt with at Question 12 below.</p>	<p>When an abandoned child is found, the public security office shall first of all try to locate his/her biological parents. Provincial departments of Civil Affairs will review the background of the child and decide his/her adoptability according to the adoption law. The file of the child who is judged as eligible for inter-country adoption according to Chinese Adoptive Law will be forwarded to CCCWA.</p>

11. The best interests of the child and subsidiarity (Art. 4 b))	
<p>a) Please briefly describe how your State</p>	<p>The procedure for domestic adoption is much</p>

¹³ See GGP No 2, *supra*, note 4, Chapter 13.2.2.5.

<p>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>	<p>easier than intercountry adoption and requirements for adoptive parents are not less strict than in intercountry adoption. When an abandoned child is found, the public security office shall first of all try to locate his/her biological parents. Provincial departments of Civil Affairs will post announcements on the local provincial-level news paper to look for the biological parents of the abandoned child. If neither the biological parents nor the other guardians come to claim the child after 60 days of publication, the child is considered as abandoned child and then be placed for adoption.</p>
<p>b) Which authority determines, after consideration of the subsidiarity principle, that an intercountry adoption is in a child's best interests?</p>	<p>Provincial departments of Civil Affairs of the province where the child's residence registration belongs to.</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>	<p>Provincial departments of Civil Affairs will make sure there is no possible domestic adoption options for the child and then make the decision that the child is to be adopted internationally. This decision is made before the report of the child is filed with CCCWA for intercountry adoption.</p>

12. Counselling and consents (Art. 4 c) and d))

<p>a) According to your State's domestic legislation, please explain which person, institution or authority has to consent to the adoption of a child in the following scenarios – where:</p> <ul style="list-style-type: none"> (i) Both parents are known; (ii) One parent is unknown or deceased; (iii) Both parents are unknown or deceased; (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). <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>	<ul style="list-style-type: none"> (i) consent of both parents (ii) consent of the other parent and the parents of the unknown parent (iii) consent of the legal guardian, parents of both birth parents and other parties with legal caring responsibilities (iv) N/A (v) There is no difference whether the known parents have reached the age of majority. (vi) All the above consents must be submitted to the Provincial departments of Civil Affairs and be approved by the departments.
<p>b) Please describe the procedure for:</p> <ul style="list-style-type: none"> (i) counselling and informing the birth parents / family regarding the consequences of a domestic / intercountry adoption; and 	<ul style="list-style-type: none"> (i) When receiving the application from the birth parents/family to place the child for adoption, the Provincial departments of Civil Affairs will provide counselling to the birth parents/family on the consequences

(ii) obtaining their consent(s) to an adoption. ¹⁴	of the adoption. (ii) Making sure that the birth parents/family knows the consequences of the adoption and that they voluntarily intend to place the child for adoption, they will sign the consent.
c) Does your State use the model form "Statement of consent to the adoption" developed by the Permanent Bureau of the Hague Conference? <i>The model form is available on the Inter-country Adoption section of the Hague Conference website.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No – please provide (or link to) any form(s) which your State uses for this purpose:
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 whether an intercountry adoption should proceed. <i>See Art. 4 d) 2).</i>	If the minor to be adopted is over 10 years old, his/her consent shall also be sought on the adoption.
e) Please briefly describe the circumstances in which a child's <u>consent</u> to an intercountry adoption is required in your State. 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. <i>See Art. 4 d) 1).</i>	See above.

13. Children with special needs

a) In the context of intercountry adoption, please describe what is meant in your State by "children with special needs".	Special needs children mainly refer to handicapped children and children older than 6 years old.
b) What, if any, procedures does your State use to expedite the adoption of children with special needs?	In China, a green channel is employed for the adoption of special needs children. All the information of special needs children is released on-line where only authorised foreign adoption agencies can have access to. Agencies will seek suitable prospective adoptive families for these children. CCCWA will expedite the translation, review of the application papers and matching for families who intend to adopt special needs children, so that they can be with families as soon as

¹⁴ See also Part VIII below on "Simple and Full Adoption" and Art. 27 of the 1993 Convention.

	possible.
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14. The preparation of children for intercountry adoption

Is there a special procedure in your State to prepare a child for an intercountry adoption?	<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): After the papers of the child are filed to CCCWA, the welfare institutions take back children in foster care back to the institution and keep close observation of the development and growth of the child before adoption. On receipt of the "Notice of Inter-country Adoption" issued by CCCWA, the institution shall inform the older adopted child about the information of the adoptive parents and conduct psychological counseling for them. Besides, the institutions prepare for the entrustment of child and adoption registration. <input type="checkbox"/> No
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15. The nationality of children who are adopted intercountry¹⁵

Are children who are nationals of your State and who are adopted intercountry permitted to retain their nationality?	<input type="checkbox"/> Yes, always <input 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): <input checked="" type="checkbox"/> No, the child will never retain this nationality
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PART V: PROSPECTIVE ADOPTIVE PARENTS ("PAPs")

16. Limits on the acceptance of files

Does your State place any limit on the number of PAPs' files which are accepted from receiving States? ¹⁶	<input type="checkbox"/> Yes, please specify the limit applied and the basis on which it is determined: <input checked="" type="checkbox"/> No
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17. Eligibility criteria for PAPs wishing to undertake an intercountry adoption in your State¹⁷

¹⁵ Regarding nationality, see further the *Guide to Good Practice No 1 on the implementation and operation of the 1993 Hague Intercountry Adoption Convention* (hereinafter, "GGP No 1"), available on the [Intercountry Adoption Section](#) of the Hague Conference website < www.hcch.net >, at Chapter 8.4.5.

¹⁶ See GGP No 2, *supra*, note 4, Chapter 3.4.2 and, in particular, para. 121.

¹⁷ *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 Convention.

<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 checked="" type="checkbox"/> Married, heterosexual couples: In case that both the husband and wife do not have any ex-marriage, the length of marriage has to reach two years. In case that either the husband or wife has ex-marriages (not more than 2), the length of the current marriage has to reach 5 years. Either the husband or wife must have no more than two ex-marriages.</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: under very special circumstances</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 checked="" type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> Minimum age requirements: 30</p> <p><input checked="" type="checkbox"/> Maximum age requirements: The age difference between adoptive parents and the children has to be less than 50 years.</p> <p><input checked="" type="checkbox"/> Difference in years required between the PAPs and the child: In case of adoption of children above 6 years of age, age difference must be less than 50.</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):</p> <p><input type="checkbox"/> Couples must supply evidence of infertility:</p> <p><input checked="" type="checkbox"/> For persons with children already (biological or adopted), there are additional criteria (please specify): If the adopted child is an orphan, disabled, or abandoned child living in social welfare institutions, the adopter is not required to be childless. The number of children in family under the age of 18 years does not reach 5, and the youngest one should have reached</p>

	<p>the age of 3 years. Adoption of special needs children will be exempt from the limitation of "the number of children in family under the age of 18 years does not reach 5".</p> <p><input type="checkbox"/> Other (please specify):</p> <p><input type="checkbox"/> No</p>
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18. Preparation and counselling of PAPs (Art. 5 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: possible risks and problems in inter-country adoptions, nurture and education of children, laws and regulations related, features and procedures of inter-country adoption in China, establishment of attachment, ways to promote child-family integration, ways to seek assistance when encountering difficulties, and requirements regarding post-placement services, for families intending to adopt children with special needs, in particular, knowledge and skills in medical treatment, rehabilitation, nurturing and caring of such children will be focused on.</p> <p><input type="checkbox"/> No</p>
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PART VI: THE INTERCOUNTRY ADOPTION PROCEDURE

19. Applications

<p>a) To which authority / body in your State does the adoption file of PAPs have to be submitted?</p>	<p>PAPs shall file adoption application with CCCWA through government departments or adoption agencies authorized by the government.</p>
<p>b) Please indicate which documents must be submitted with an application:</p> <p><i>Please tick all which apply.</i></p>	<p><input checked="" type="checkbox"/> An application form for adoption completed by the PAPs</p> <p><input checked="" type="checkbox"/> A statement of "approval to adopt" issued by a competent authority in the receiving State</p> <p><input checked="" type="checkbox"/> A report on the PAPs including the "home study" and other personal assessments (see Art. 15)</p> <p><input checked="" type="checkbox"/> Copies of the PAPs' passports or other personal identification documents</p> <p><input checked="" type="checkbox"/> Copies of the PAPs' birth certificates</p> <p><input type="checkbox"/> Copies of the birth certificates of any children living with the PAPs</p> <p><input checked="" type="checkbox"/> Copies of marriage, divorce or death certificates, as applicable (please specify in which circumstances):</p> <p><input checked="" type="checkbox"/> Information concerning the health of the PAPs (please specify in which circumstances and what type of information is required):</p>

	<input checked="" type="checkbox"/> Evidence of the financial circumstances of the family (please specify in which circumstances and what type of information is required): <input checked="" type="checkbox"/> Information concerning the employment status of the PAPs (please specify in which circumstances and what type of information is required): <input checked="" type="checkbox"/> Proof of no criminal record <input checked="" type="checkbox"/> Other(s): please explain Two passport photos of each adoptive parent and six photos of family life are also required.
<p>c) Is it compulsory in your State for an accredited body to be involved in an intercountry adoption procedure?¹⁸</p>	<input checked="" 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. ¹⁹ 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): It must be a national accredited body authorised by CCCWA to work in China program. This agency should be involved from the very beginning of the application process, starting from the preparation of the home study. <input type="checkbox"/> No
<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>	<input type="checkbox"/> Yes <input 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): <input type="checkbox"/> A contract signed by the accredited body and the PAPs: <input type="checkbox"/> A document issued by a competent authority of the receiving State certifying that the accredited body may undertake intercountry adoptions: <input checked="" type="checkbox"/> Other (please specify): If the homestudy is prepared by an agency unauthorised by CCCWA but cooperating with the agency authorised by CCCWA through which the PAPs submits application, a contract signed between the two agencies must be provided (only for USA agencies). <input type="checkbox"/> No
<p>e) Please specify the language(s) in which any documents must be submitted:</p>	<p>Official language of the adoptive parents' native country</p>

¹⁸ See GGP No 1, *supra*, note 15, paras 4.2.6 and 8.6.6: "independent" and "private" adoptions are not consistent with the system of safeguards established under the 1993 Convention.

¹⁹ See the definitions provided at notes 4 and 8 above.

<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: All the certificates except the passport copies and photos must be authenticated by diplomatic organization of the resident country or agencies authorized by the diplomatic organization and legalized by the embassy or consulate of the People's Republic of China in that country.</p> <p><input type="checkbox"/> No – go to Question 20</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 Hague Apostille Convention)?</p> <p><i>This information is available on the Status Table for the Hague Apostille Convention (see the Apostille Section of the Hague Conference website).</i></p>	<p><input type="checkbox"/> Yes, please specify the date of the entry into force of the Hague Apostille Convention in your State:</p> <p><input checked="" type="checkbox"/> No</p>

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

<p>a) Who is responsible for preparing the report on the child?</p>	<p>Welfare institution, which acts as the guardian of the child, prepares the report.</p>
<p>b) Is a "standard form" used for the report on the child?</p>	<p><input checked="" type="checkbox"/> Yes, please provide a link to the form or attach a copy:</p> <p><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:</p>
<p>c) Does your State use the "Model Form – Medical Report on the Child" and the "Supplement to the general medical report on the child"?</p> <p><i>See GGP No 1 – Annex 7, available here.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>

21. The report on the PAPs (Art. 15(2))

<p>a) For how long is the report on the PAPs valid in your State?</p>	<p>The validity period of this report is the same as that of the approval certificate issued by the competent authority of the receiving country.</p>
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<p>b) Once a report on PAPs is no longer valid, please indicate what steps must be taken to renew it.</p> <p><i>E.g.</i>, does an updated report have to be submitted or is an entirely new report required? In either case, what is the procedure?</p>	<p>An updated report and approval certificate should be provided through the government departments or adoption agency through which the original report was submitted.</p>
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22. Matching of the child and the PAPs (Art. 16(1) d) and (2))	
22.1 The authorities and the matching procedure	
a) Who is responsible for the matching of the child and the PAPs in your State?	CCCWA
b) What measures are taken to ensure that the matching process is performed by an independent, duly qualified authority?	CCCWA is the only authority designated by law to be in charge of intercountry adoption including the matching process.
c) What methodology is used for the matching in your State?	Taking into consideration laws of both China and the receiving state, and the wish of the PAPs, CCCWA matches children with PAPs based on their background, educational level, characteristics, personalities, hobbies, etc. All matches are made in consequence of the time when PAPs' application documents are registered in CCCWA.
d) Is any preference given to PAPs who have a close connection with your State (<i>e.g.</i> , nationals of your State who have emigrated to a receiving State)?	<input checked="" type="checkbox"/> Yes, please specify: CCCWA expedites the processing of adoption files of adoption applicants who are born in China or whose parents are born in China, and files of foreign applicants who have been working or continuously residing in China for more than one year. The consideration is that families with Chinese origin have the same cultural background as the adopted children, which is better for the growth of the child and is also in accordance with the spirit of the Hague Convention. Foreign families who have been residing in China for over one year and file adoption papers through their Embassies or Consulates in China know better about Chinese culture. <input type="checkbox"/> No
e) Who is responsible for notifying the receiving State of the matching?	CCCWA
f) How does your State ensure that the prohibition on contact in Article 29 is respected?	PAPs shall go to the provincial department of civil affairs in the province where the child habitually resides for adoption registration AFTER their central authority agrees on the match. Only then can the PAPs get into contact with the person that places the child for adoption.
22.2 Acceptance of the match	
a) Does your State require that the matching be approved by the relevant	<input checked="" type="checkbox"/> Yes, please provide details of the required procedure: According to the requirement

authorities / bodies of the receiving State?	of Hague Convention, CCCWA requires the matching to be approved by the Central Authority of countries which are member states of the Convention. <input type="checkbox"/> No
b) How much time is the receiving State given to decide whether to accept a match?	45 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?	Depends on different reasons of rejection, CCCWA will re-match for the PAPs or terminate the adoption process (many times required by the PAPs).
22.3 Information following acceptance of the match	
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: The time between the match being accepted and the final adoption registration is very short (one-three months), so welfare institutions where the child is from will only provide updated child information if required by PAPs. <input type="checkbox"/> No

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

24. Travel of the PAPs to your State²⁰	
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"> - At what stage(s) in the intercountry adoption procedure the PAPs must travel to your State: After both the central authority and the PAPs agree with the match, PAPs will receive a Notice of Travelling to China for Adoption, and with that document they can go to the provincial department of civil affairs in the province where the child habitually resides for adoption registration. - How many trips are required to complete the intercountry adoption procedure: One - How long the PAPs need to stay for each trip: There is no limit on the time. Normally about 15 days. - Any other conditions: None. <input type="checkbox"/> No
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?	<input type="checkbox"/> Yes, please specify in which circumstances: <input checked="" type="checkbox"/> No

25. Entrustment of the child to the PAPs (Art. 17)	
<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 (e.g., counselling, visits with the PAPs, being in the temporary care of the PAPs for increasing periods).</p>	<p>When the PAPs come to China for adoption registration, the provincial department of civil affairs will arrange the PAPs to meet the child to be adopted and the person placing the child for adoption in a specific spot. After verification of identity of the three parties, the person placing the child for adoption introduces the basic situation of the child to PAPs, and entrusts the child to them after signing an Agreement on Entrustment of Guardianship during Integration Period. After the integration period, if the parties involved in adoption have no disagreement, the adoptive</p>

²⁰ See GGP No 1, *supra*, note 15, Chapter 7.4.10.

	<p>parents and the person placing the child for adoption shall sign a written adoption agreement and go through registration formalities and the adoption decree is issued. The adoption legally comes into force since the date of issuance.</p>
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26. Transfer of the child to the receiving State (Arts 5 c) and 18)	
<p>a) Which documents does your State require in order for the child to be permitted to leave your State and travel to the receiving State (e.g., passport, visa, exit permit)?</p>	<p>The adoptive parents shall apply for passport and visa of the child to the receiving country for the adopted child to leave China.</p>

<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>	N/A
<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>	<input type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> No

27. Final adoption decision and the Article 23 certificate	
<p>a) In intercountry adoption cases, is the final adoption decision made in your State or in the receiving State?</p>	<input checked="" type="checkbox"/> In our State – <u>go to Question 27 c)</u> <input type="checkbox"/> In the receiving State – <u>go to Question 27 b)</u>
<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 (e.g., 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) <u>Go to Question 28</u></p>
<p>c) If the final adoption decision is made in your State, which competent authority:</p> <p>(i) Makes the adoption decision; and</p> <p>(ii) Issues the certificate under Article 23 of the 1993 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 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 Status Table for the 1993 Convention (under "Authorities"), available on the Intercountry Adoption Section of the Hague Conference website.</i></p>	<p>(i) Provincial department of civil affairs</p> <p>(ii) Registry office of the provincial department of civil affairs</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 here.</i></p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

<p>e) Please briefly describe the procedure for issuing the Article 23 certificate.</p> <p><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>The PAPs gets the Article 23 certificate at the same time as they gets the adoption certificate. A copy is always given to the PAPs. No copy is sent to the central authority in the receiving state.</p>
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28. Duration of the intercountry adoption procedure

<p>Where possible, please indicate the average time which it takes to:</p> <p>(i) Match a child who has been declared adoptable with PAPs for the purposes of an intercountry adoption;</p> <p>(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;</p> <p>(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).</p>	<p>(i) For special needs child adoption, 3-6 months; for healthy child adoption, about eight years.</p> <p>(ii) 30-100 days.</p> <p>(iii) Within one week.</p>
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PART VII: INTRA-FAMILY INTERCOUNTRY ADOPTIONS

29. Procedure for the intercountry adoption of a child who is a relative of the PAPs ("intra-family intercountry adoption")

<p>a) Please explain the circumstances in which an intercountry adoption will be classified as an "<i>intra-family intercountry adoption</i>" in your State.</p> <p>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>Relative adoption includes step child adoption by step parents and the adoption of a child belonging to a collateral relative by blood of the same generation and up to the third degree of kinship.</p>
<p>b) Does your State apply the procedures of the 1993 Convention to intra-family intercountry adoptions?</p> <p><i>N.B.</i> <i>If the child and PAPs are habitually resident in different Contracting States to the 1993 Convention, the Convention is applicable, 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 – <u>go to Question 30</u></p> <p><input type="checkbox"/> Yes, in general, although there are some differences in the procedures for intra-family intercountry adoptions – please specify: <u>. Go to Question 30</u></p> <p><input type="checkbox"/> No – <u>go to Question 29 c)</u></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>(i)</p> <p>(ii)</p> <p>(iii)</p> <p>(iv)</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>	
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PART VIII: SIMPLE AND FULL ADOPTION²¹

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 21 below.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input 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 21 below.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No – <u>go to Question 31</u></p> <p><input type="checkbox"/> In certain circumstances only (<i>e.g.</i>, for intra-family adoptions only) – please specify:</p> <p><input type="checkbox"/> Other (please explain):</p>
<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)²² 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>	<p><input type="checkbox"/> Yes – please provide details of how this is undertaken:</p> <p><input type="checkbox"/> No</p>
<p>d) How does your State respond to requests from receiving States to obtain the consent(s) of a child's birth mother / family²³ 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

<p>31. Preservation of, and access to, information concerning the child's origins (Art. 30) and the adoption of the child</p>
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²¹ According to the 1993 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, *supra*, note 15, Chapter 8.8.8.

²² Or other person(s) whose consent to the adoption is required under Art. 4 c) and d) of the 1993 Convention.

²³ *Ibid.*

a) Which authority is responsible for preserving information concerning the child's origins, as required by Article 30?	CCCWA, social welfare institutes and registry office of the provincial department of civil affairs preserve the information.
b) For how long is the information concerning the child's origins preserved?	For ever.

<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 representative(s);</p> <p>(ii) the adoptive parents;</p> <p>(iii) the birth family; and / or</p> <p>(iv) any other persons?</p> <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>(i) <input checked="" type="checkbox"/> Yes – please explain any criteria: Adoptee above 18 can have access to the documents independently. Those younger than 18 need to be accompanied by their adoptive parents.</p> <p><input type="checkbox"/> No</p> <p>(ii) <input checked="" type="checkbox"/> Yes – please explain any criteria: They need to apply through their adoption agency through the adoption was processed.</p> <p><input type="checkbox"/> No</p> <p>(iii) <input type="checkbox"/> Yes – please explain any criteria:</p> <p><input checked="" 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 type="checkbox"/> Yes – please specify:</p> <p><input checked="" 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 type="checkbox"/> Yes – please specify:</p> <p><input checked="" 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 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 checked="" 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): medical information, schooling, development, naturalization status, bonding with the adoptive family, etc.</p>
<p>b) What are the requirements of your State in relation to post-adoption reports?</p> <p>Please indicate:</p> <p>(i) How frequently such reports should be submitted (<i>e.g.</i>, every year, every two years);</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</p>	<p>(i) Six reports should be prepared, respectively at one month, six months and twelve months after adoption, and then at the second, third and fifth year after adoption. For adoptees who are close to fourteen years old at adoption, the reports should be prepared according to the above requirements until the child turns eighteen.</p> <p>(ii) see above</p> <p>(iii) native language of the adoptive</p>

<p>must be submitted;</p> <p>(iv) Who should write the reports; and</p> <p>(v) Any other requirements.</p>	<p>parents</p> <p>(iv) Social workers hired by the government or adoption agencies</p> <p>(v) Please see "Requirements of Guarantee of Adopted Children's Rights and Interests by Intensive Protection Measures" for detailed 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) We will contact the adoption agency and urge them to submit the reports. Compliance with post-adoption reports is a indicator in the performance of the adoption agency in our annual evaluation of them.</p> <p>(ii) We will contact the adoption agency to improve.</p>
<p>d) What does your State do with post-adoption reports? (<i>i.e.</i>, to what use are they put?)</p>	<p>CCCWA and the welfare institutions need to know how the adoptee is doing in the receiving state from these reports. With the best interests of the adoptees as priority, if anything of concern is detected in the report, we will contact the adoption agency to follow up.</p>

PART X: THE FINANCIAL ASPECTS OF INTERCOUNTRY ADOPTION²⁴

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

33. The costs²⁵ of intercountry adoption	
<p>a) Are the costs of intercountry adoption regulated by law in your State?</p>	<p><input checked="" 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: It is clearly defined by the State Commission of Development and Reform and Ministry of Finance in forms of official documents. Please refer to Notice on Charge of Adoption Registration by State Administration for Commodity Prices and Ministry of Finance.</p> <p><input 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: Finance Department and Auditing Department of all levels are responsible for monitoring the cost in inter-country adoption. There are annual review of such cost at all levels.</p> <p><input type="checkbox"/> No</p>

²⁴ See the tools developed by the "Experts' Group on the Financial Aspects of Intercountry Adoption", available on the [Intercountry Adoption Section](#) of the Hague Conference 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*.

²⁵ 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: <input type="checkbox"/> Directly by the PAPs: <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 checked="" type="checkbox"/> Only by bank transfer: <input type="checkbox"/> In cash: <input type="checkbox"/> Other (please explain):</p>
<p>e) Which body / authority in your State receives the payments?</p>	<p>Welfare institutions.</p>
<p>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)?</p> <p>N.B. Please also ensure that your State has completed the "Tables on the costs associated with intercountry adoption" (see above).</p>	<p><input checked="" type="checkbox"/> Yes – please indicate how this information may be accessed: through announcements to adoption agencies <input type="checkbox"/> No</p>

34. Contributions, co-operation projects and donations²⁶	
<p>a) Is it mandatory for a receiving State (either through its Central Authority or authorised foreign accredited bodies) to pay a contribution²⁷ to your State if it wishes to engage in intercountry adoption in your State?</p> <p><i>For good practices relating to contributions, see the "Note on the financial aspects of intercountry adoption" at Chapter 6.</i></p>	<p><input type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> • What type of contribution is required: • Who is responsible for paying it (<i>i.e.</i>, the Central Authority or the relevant authorised foreign accredited body): • How it is ensured that contributions do not influence or otherwise compromise the integrity of the intercountry adoption process: <p><input checked="" type="checkbox"/> No</p>
<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 type="checkbox"/> Yes – it is a <i>mandatory</i> requirement for authorisation to be granted to a foreign accredited body.</p> <p><input checked="" 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"> • What type of co-operation projects are permitted: one-to-one assistance project with welfare institutions • Who may undertake such projects (<i>i.e.</i>, the Central Authority and / or authorised foreign accredited bodies): authorised foreign accredited bodies • Whether such projects are monitored by an authority / body in your State: yes • How it is ensured that co-operation projects do not influence or otherwise compromise the integrity of the intercountry adoption process: <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><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></p>	<p><input checked="" type="checkbox"/> Yes – please explain:</p> <ul style="list-style-type: none"> • To whom may donations may be made (<i>e.g.</i>, to orphanages, other institutions and / or birth families): to orphanages • What donations are used for: for improving the life standard of the children cared in the orphanages • Who is permitted to pay donations (<i>e.g.</i>, only authorised foreign

²⁶ See the definitions of these terms provided in the Terminology. In addition, on contributions and donations, see Chapter 6 of the Note, *supra*, note 24.

²⁷ See further the Terminology, *supra*, note 24, 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>accredited bodies or also PAPs):</p> <ul style="list-style-type: none"> • At what stage of the intercountry adoption procedure donations are permitted to be paid: After the adoption is completed. • How it is ensured that donations do not influence or otherwise compromise the integrity of the intercountry adoption process: Donations are made after the intercountry adoption process and all voluntary. Donors will sign a donation agreement with the welfare institutions specifying the uses the donations will be put in. <p><input type="checkbox"/> No</p>
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35. Improper financial or other gain (Arts 8 and 32)	
a) Which authority is responsible for preventing improper financial or other gain in your State as required by the Convention?	Civil Affairs Department, Finance Department and Auditing Department of all levels are responsible for preventing improper financial or other gain in intercountry adoption.
b) What measures have been taken in your State to prevent improper financial or other gain?	Annual auditing review and a complaining system.
c) Please explain the sanctions which may be applied if Articles 8 and / or 32 are breached.	Administrative penalty will be imposed, and under severe circumstance where a law is broken, the person involved will be charged.

PART XI: ILLICIT PRACTICES²⁸

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. ²⁹	Investigation will be conducted and persons involves will be imposed an administrative penalty or under severe circumstances be charged.

37. The abduction, sale of and traffic in children	
<p>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.</p> <p>Please also specify which bodies / persons the laws target (e.g., accredited</p>	Law of the People's Republic of China on the Protection of Minors (September 4, 1991, amended December 29, 2006). This law is not made specifically for intercountry adoption, but covers a wide range of issues concerning the protection of minors. The law targets schools, families, social organizations

²⁸ "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 [Intercountry Adoption Section](http://www.hcch.net) of the Hague Conference website < www.hcch.net >).

²⁹ *Ibid.*

bodies (national or foreign), PAPs, directors of children's institutions).	and judicial bodies.
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)?	Imprisonment or fine depending on different circumstances.

38. Private and / or independent adoptions

<p>Are private and / or independent adoptions permitted in your State?</p> <p>N.B. "Independent" and "private" adoptions are <i>not</i> consistent with the system of safeguards established under the 1993 Convention: see further GGP No 1 at Chapters 4.2.6 and 8.6.6.</p> <p>Please tick all which apply.</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>
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PART XII: INTERNATIONAL MOBILITY

39. The scope of the 1993 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 State³⁰ and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: This will be treated as an intercountry adoption case. The procedure for such adoptions is the same as other intercountry adoptions. For some receiving countries where this is considered a non-Hague case, no article 17 agreement is sought after the match of a child.</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 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 checked="" type="checkbox"/> Yes – please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: We recommend the foreign applicant to approach their nationality country for such adoption applications.</p> <p><input type="checkbox"/> No</p>

³⁰ According to the 1993 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, *supra*, note 15, Chapter 8.4.

<p>c) If nationals of your State, habitually resident in another Contracting State to the 1993 Convention, 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: Guinean national PAs are habitually resident in Germany 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 State³¹ and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply: Present law in China considers this adoption as domestic adoption, but is amending the law to include such adoptions into intercountry adoptions.</p> <p><input type="checkbox"/> No</p>
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³¹ According to the 1993 Convention (see Art. 2), this is an *intercountry* adoption due to the differing habitual residences of the PAs 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, *supra*, note 15, Chapter 8.4.

PART XIII: SELECTION OF PARTNERS FOR INTERCOUNTRY ADOPTION³²

40. Selection of partners	
a) With which receiving States does your State currently partner on intercountry adoption?	Australia, Belgium, Canada, Denmark, Finland, France, Iceland, Ireland, New Zealand, Holland, Norway, Singapore, Spain, Sweden, U.K., U.S.A. and Italy.
b) How does your State determine with which receiving States it will partner? In particular, please specify whether your State only partners with other <i>Contracting States</i> to the 1993 Convention. <i>To see which States are Contracting States to the 1993 Convention, please refer to the Status Table for the 1993 Convention (accessible via the Intercountry Adoption Section of the Hague Conference website < www.hcch.net >).</i>	Establishing cooperation with other states is decided under the negotiation and discussion of the two governments based on laws of two countries. We do not only partner with Contracting States to the 1993 Convention.
c) If your State also partners with <i>non-Contracting States</i> , please explain how it is ensured that the safeguards of the 1993 Convention are complied with in these cases. ³³	The procedure for intercountry adoption is the same for non-Hague sates (in our case, only Singapore) except the step of seeking agreement from central authority required by Article 17. <input type="checkbox"/> Not applicable: our State only partners with other <i>Contracting States</i> to the 1993 Convention.
d) Are any formalities required in order to commence intercountry adoptions with a particular receiving State (e.g., the conclusion of a formal agreement ³⁴ with that receiving State)?	<input checked="" type="checkbox"/> Yes – please explain the content of any agreements or other formalities: ³⁵ <input type="checkbox"/> No

³² In relation to the choice of foreign States as partners in intercountry adoption arrangements, see further GGP No 2, *supra*, note 4, Chapter 3.5.

³³ See GGP No 1, *supra*, note 15, Chapter 10.3 regarding the fact that “[i]t is generally accepted that States Party to the Convention should extend the application of its principles to non-Convention adoptions”.

³⁴ See note 3 above concerning Art. 39(2) and the requirement to transmit a copy of any such agreements to the depositary for the 1993 Convention.

³⁵ *Ibid.*