

## RECEIVING STATE

**COUNTRY NAME:** England and Wales

**PROFILE UPDATED ON:** June 2025

### PART I: CENTRAL AUTHORITY

1. Contact details <sup>1</sup>	
Name of office:	Department for Education (England) Welsh Government (Wales)
Acronyms used:	DfE (England)
Address:	Department for Education Intercountry Adoption Team Level 0, Riverside Bishopsgate House Feethams Darlington DL1 5QE  Wales: The Welsh Government Cathays Park Cardiff CF10 3NQ
Telephone:	08700002288 (England) 0300 060 4400 (Wales)
Fax:	n/a
E-mail:	ica.darlington@gov.uk (England) PlantSynDerbynGofal@llyw.cymru (Wales)

<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) >.

Website:	www.education.gov.uk (England) https://www.gov.wales/ (Wales)
Contact person(s) and direct contact details (please indicate language(s) of communication):	Joanna Taylor (England) Catherine Pitman / Clare Diamond (Wales) English (England) English / Welsh (Wales)

*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.*

In the United Kingdom, adoption is a devolved matter, with England and Wales each having their own Central Authorities, as indicated above.

## PART II: RELEVANT LEGISLATION

2. The 1993 Adoption Convention and domestic legislation	
<p>a) When did the 1993 Adoption Convention enter into force in your State?</p> <p><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></p>	1 June 2003
<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>Adoption (Intercountry Aspects) Act 1999 (27 July 1999); the Adoption and Children Act 2002 (7 November 2002); the Adoption Agencies Regulations 2005 (30 December 2005); the Adoptions with a Foreign Element Regulations 2005 (30 December 2005); The Children and Adoption Act 2006 (21 June 2006).</p> <p>Procedures and requirements for intercountry adoption can be found in Annex C of the Statutory Guidance to the Adoption and Children Act 2002.</p>
3. Other international agreements on intercountry adoption <sup>2</sup>	
<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>

<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).

	<input type="checkbox"/> Non-binding memoranda of understanding (please specify): <input type="checkbox"/> Other (please specify): <input checked="" type="checkbox"/> No
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### 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 Adoption Convention in your State.</p> <p><i>See Arts 6-9 and Arts 14-21 if accredited bodies are not used.</i></p>	<p>The Department for Éducation is the Central Authority for England under the 1993 Convention.</p> <p>The Welsh Government is the Central Authority for Wales under the 1993 Convention.</p> <p>The functions of the Central Authority includes the following :</p> <p>The Central Authority will issue certification confirming the requirements of Article 5 of the Convention.</p> <p>The Central Authority will check and transmit reports under Articles 15 of the Convention.</p> <p>The Central Authority will make its agreement under Article 17c of the Convention.</p> <p>Where appropriate, the Central Authority will issue its certification under Article 23 of the Convention that the by the adoption has been made in accordance with the Convention.</p>
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>Registered adoption agencies (which will be either a local authority or a voluntary adoption agency registered with The Office for Standards in Education, Children's Services and Skills (Ofsted) for the purposes of intercountry adoption(England), shall assess the suitability to adopt of prospective adoptive parents and where they are assessed as suitable to adopt, prepare the reports under Articles 15 of the Convention.</p>
6. National accredited bodies <sup>3</sup>	

<sup>3</sup> "National accredited bodies" in this Country Profile means adoption bodies based within your State (receiving State) which have been accredited under the 1993 Adoption Convention by the competent authorities in your State. See further *Guide to*

<p>a) Has your State accredited its own adoption bodies?</p> <p><i>See Arts 10-11.</i></p> <p><b>N.B.</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></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No – <b><u>go to Question 8</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>Voluntary adoption agencies are registered and assessed by Ofsted and they vary in scale: some are regionally based while others are major national organisations.</p>
<p>c) Please briefly describe the role of national accredited bodies in your State.</p>	<p>England a local authority or a voluntary adoption agency registered with The Office for Standards in Education, Children's Services and Skills (Ofsted) for the purposes of intercountry adoption are able to assess prospective adopter's suitability to adopt.</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>England - Office for Standards in Education (OFSTED)</p> <p>Wales - Care Inspectorate Wales (CIW)</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>	
<p><b>6.2 Monitoring of national accredited bodies<sup>6</sup></b></p>	
<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>OFSTED</p>
<p>b) Please briefly describe how national accredited bodies are monitored / supervised in your State (<i>e.g.</i>, if</p>	

*Good Practice No 2 on Accreditation and Adoption Accredited Bodies* ("GGP No 2"), available on the [Adoption Section](#) 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.

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

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

7. Authorisation of national accredited bodies to work in other Contracting States (Art. 12) <sup>7</sup>	
7.1 The authorisation procedure	
a) Which authority / body in your State is responsible for the authorisation of national accredited bodies to work with, or in, other Contracting States?	Central Authority
b) Is authorisation granted as part of the accreditation procedure or is a separate authorisation procedure undertaken?	<input type="checkbox"/> Authorisation is granted as part of the accreditation procedure. <input checked="" type="checkbox"/> A separate procedure is undertaken for authorisation.
c) Is authorisation granted to national accredited bodies to work in <i>all</i> States of origin or must national accredited bodies apply for authorisation to work in specific, pre-identified State(s) of origin?	<input type="checkbox"/> Authorisation is granted generally: once authorised, national accredited bodies are able to work in <i>all</i> States of origin.  <input checked="" type="checkbox"/> Authorisation is granted specifically: national accredited bodies must apply for authorisation to work in one or more pre-identified State(s) of origin.  Accredited Adoption Agencies are only authorised to operate within the UK.
d) Please briefly describe the <i>procedure</i> for granting authorisation and the most important authorisation <i>criteria</i> . <sup>8</sup>  If your State does not have authorisation criteria, please explain on what basis decisions concerning authorisation are made.  Please also explain whether your State has any criteria concerning how the national accredited body must establish itself in the State(s) of origin or whether	

<sup>7</sup> In relation to authorisation of accredited bodies, *ibid.*, Chapter 4.2.

<sup>8</sup> In relation to authorisation criteria, *ibid.*, Chapters 2.3.4.2 and 4.2.4.

<p>this is left entirely to the requirements of the State of origin (<i>e.g.</i>, requirements that the body must have a local representative in the State of origin, or must establish a local office).</p>	
e) For how long is authorisation granted?	
f) Please briefly describe the criteria and procedure used to determine whether authorisation will be <i>renewed</i> .	
<b>7.2 Monitoring the work of your authorised national accredited bodies in other Contracting States</b>	
<p>a) Please briefly describe how your State ensures that authorised national accredited bodies (including their representatives, co-workers and any other staff<sup>9</sup> in the State of origin) are monitored / supervised by your State in relation to their work / activities <i>in the State of origin</i>.</p>	<p>OFSTED complete an inspection and report every 3 years.</p>
<p>b) Please briefly describe the circumstances in which the authorisation of national accredited bodies can be revoked (<i>i.e.</i>, withdrawn).</p>	<p>If the standards set out via the Office for Standards in Education (OFSTED) are not met.</p>

<b>8. Approved (non-accredited) persons (Art. 22(2))<sup>10</sup></b>	
<p>Is the involvement of approved (non-accredited) persons permitted in intercountry adoption procedures in your State?</p> <p><b>N.B.</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.</p> <p>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>11</sup></p>	<p><input type="checkbox"/> Yes, our State has made a declaration under Article 22(2) and the involvement of approved (non-accredited) persons is possible. Please specify their role:</p> <p><input type="checkbox"/> No</p>

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

<b>9. The adoptability of a child (Art. 4(a))</b>	
<p>Does your State have its own criteria concerning the adoptability of a child (<i>e.g.</i>,</p>	<p><input checked="" type="checkbox"/> Yes – please specify: An application for an adoption order may only be made if the</p>

<sup>9</sup> For an explanation of the terminology used concerning the staff of the national accredited body working in the State of origin, *ibid.*, Chapters 6.3 and 6.4.

<sup>10</sup> *Ibid.*, Chapter 13.

<sup>11</sup> *Ibid.*, Chapter 13.2.2.5.

maximum age) which must be applied <i>in addition to</i> the requirements of the State of origin?	<p>person to be adopted has not attained the age of 18 years on the date of the application.</p> <p><input type="checkbox"/> No, there are no additional criteria concerning adoptability – the requirements of the State of origin are determinative.</p>
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#### 10. The best interests of the child and subsidiarity (Art. 4(b))

Does your State request information / evidence from the State of origin to satisfy itself that the State of origin has respected the principle of subsidiarity ( <i>i.e.</i> , proof that family reunification was attempted, or that the possibility of in-country permanent family placements has been explored)?	<p><input checked="" type="checkbox"/> Yes – please specify: Relevant legal confirmation</p> <p><input type="checkbox"/> No</p>
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#### 11. Children with special needs

Does your State have its own definition of the term “special needs children” which is applied in intercountry adoption cases?	<p><input type="checkbox"/> Yes – please provide the definition used in your State:</p> <p><input checked="" type="checkbox"/> No – the definition used in the State(s) of origin is determinative.</p>
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#### 12. The nationality of children who are adopted intercountry<sup>12</sup>

Do children who are adopted intercountry to your State acquire the nationality of your State?	<p><input type="checkbox"/> Yes, always. Please specify:</p> <p>(i) At what stage nationality is acquired by the child: ; and</p> <p>(ii) The procedure which must be undertaken (or whether acquisition of nationality is <i>automatic</i> upon the occurrence of a particular event, <i>e.g.</i>, the making of the final adoption decision):</p> <p><input checked="" type="checkbox"/> It depends – please specify which factors are taken into consideration (<i>e.g.</i>, the nationality of the prospective adoptive parents (“PAPs”), whether the child loses his / her nationality of the State of origin): If (i) the adopter or, in the case of a joint adoption, one of the adopters is a British citizen and (ii) the adopter or, in the case of a joint adoption, both of the adopters are habitually resident in the UK (or a territory designated for the purposes of the British Nationality Act 1981), then the child will automatically acquire British citizenship when the adoption is validly certified, by the</p>
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<sup>12</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 [Adoption Section](#) of the HCCH website < [www.hcch.net](http://www.hcch.net) >, at Chapter 8.4.5.

	issuing of an Article 23 certificate, as having been effected in accordance with the Hague Convention. <input type="checkbox"/> No, the child will never acquire this nationality.
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**PART V: PROSPECTIVE ADOPTIVE PARENTS (“PAPs”)**

<b>13. Limits on the acceptance of files</b>	
a) Does your State place any limit on the total number of applications for intercountry adoption which are accepted at any one time?	<input type="checkbox"/> Yes, please specify the limit applied and the basis on which it is determined: <input checked="" type="checkbox"/> No
b) Does your State allow PAPs to apply to adopt from more than one State of origin at the same time?	<input type="checkbox"/> Yes, please specify whether any limits are applied: <input checked="" type="checkbox"/> No – PAPs may only apply to adopt from one State of origin at any one time.

<b>14. Determination of the eligibility and suitability of PAPs wishing to undertake an intercountry adoption<sup>13</sup> (Art. 5(a))</b>	
<b>14.1 Eligibility criteria</b>	
a) Do PAPs wishing to undertake an intercountry adoption have to fulfil any criteria in your State concerning their relationship status(es)?  <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>	<input type="checkbox"/> Yes, the following person(s) may apply in our State for an intercountry adoption: <input type="checkbox"/> Married, heterosexual couples: <input type="checkbox"/> Married, same-sex couples: <input type="checkbox"/> Heterosexual couples in a legally registered partnership: <input type="checkbox"/> Same-sex couples in a legally registered partnership: <input type="checkbox"/> Heterosexual couples that have not legally formalised their relationship:  <input type="checkbox"/> Same-sex couples that have not legally formalised their relationship:  <input type="checkbox"/> Single men: <input type="checkbox"/> Single women: <input type="checkbox"/> Other (please specify): <input checked="" type="checkbox"/> No, there are no relationship status criteria for PAPs.
b) Are there any age requirements in your State for PAPs wishing to undertake an intercountry adoption?	<input checked="" type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> Minimum age requirements: 21 <input type="checkbox"/> Maximum age requirements:

<sup>13</sup> *I.e.*, this section refers to the eligibility criteria applied, and suitability assessment undertaken, in relation to PAPs who are habitually resident in your State and who wish to adopt a child who is habitually resident in another Contracting State to the 1993 Adoption Convention: see further Art. 2 of the Convention.



	<input type="checkbox"/> Difference in years required between the PAPs and the child: <input type="checkbox"/> Other (please specify): <input type="checkbox"/> No
c) Are there any <i>other</i> eligibility criteria which your State requires PAPs to fulfil?	<input type="checkbox"/> Yes, please specify: <input type="checkbox"/> Additional / differing criteria must be met for PAPs wishing to adopt a child with special needs (please specify):  <input type="checkbox"/> Couples must supply evidence of infertility: <input type="checkbox"/> For persons with children already (biological or adopted), there are additional criteria (please specify):  <input type="checkbox"/> Other (please specify): <input checked="" type="checkbox"/> No
<b>14.2 Suitability assessment<sup>14</sup></b>	
a) Which body(ies) / expert(s) perform the assessment of whether the PAPs are suitable persons to undertake an intercountry adoption?	Registered adoption agencies (which will be either a local authority or a voluntary adoption agency registered with The Office for Standards in Education, Children's Services and Skills (Ofsted) for the purposes of intercountry adoption (England), shall assess the suitability to adopt of prospective adopters and prepare the reports under Articles 15 (where England is the receiving State).
b) Please briefly describe the procedure which is used to assess the PAPs and determine their suitability to undertake an intercountry adoption.	<p>Stage 1 - After an initial interview, PAPs will be offered a Registration of Interest Form to complete and return. If PAPs meet the criteria, their Registration of Interest is accepted. Once the Registration of Interest is accepted, PAPs will be allocated a social worker.</p> <p>This first stage is centred on taking up statutory checks, references and medicals. Training is also provided in terms of adopting. If approved, PAPs move to stage 2.</p> <p>Stage 2 - Social worker will visit PAPs at home and talk through strengths and suitability. Also invited to more detailed training to prepare for adoption.</p>

<sup>14</sup> This suitability assessment will usually form one part of the report on the PAPs (Art. 15): as to which, see GGP No 1 (*op. cit.* note 12), Chapter 7.4.3 and Question 17 below.

	Once the assessment is completed, the social worker compiles a report and presents to an Independent Adoption Panel. They will make a recommendation on the PAPs suitability to be an adoptive parent to the decision maker.
<b>14.3 Final approval</b>	
Which body / person gives the final approval that the PAPs are eligible and suited to undertake an intercountry adoption?	Where prospective adoptive parents are assessed as suitable to adopt by a resistered adoption agency this will be verified by the Agency Decision Maker (ADM). The Central Authority will then confirm their eligibility by virtue of the issuance of a Certificate of Eligibility and Approval under Article 5 of the Convention.

15. Preparation and counselling of PAPs (Art. 5(b))	
<p>a) In your State, are courses provided to prepare PAPs for intercountry adoption?</p>	<p><input checked="" type="checkbox"/> Yes, please specify the following:</p> <ul style="list-style-type: none"> <li>- Whether the courses are mandatory: yes</li> <li>- At what stage of the adoption procedure they are offered: Before and during the adoption process</li> <li>- Who provides the courses: Accredited agencies (UKAAs and VAAs)</li> <li>- Whether they are provided to PAPs individually or collectively (<i>i.e.</i>, in a group): Both</li> <li>- Whether they are provided “in person” or electronically:</li> <li>- How many hours the courses last: Preparation days are a 3 day training course. Additional full day courses on transracial adoption, adopting again, identified children and sibling adoption are available as needed.</li> <li>- The content of the courses: To inform and prepare for dealing with issues that are usual when adopting children. For instance, learning about children’s early experiences and the effects these can have on their behaviour and their ability to make new attachments.</li> <li>- Whether there are specific courses for PAPs wishing to adopt a child with special needs: This aspect of preparation is covered in the assessment for adoption process. The assessment process usually requires about 8 sessions, but for special needs applicants a further 2 - 3 sessions would be provided to prepare for the additional challenges, and ensure PAPs are aware of the many organizations and services which will be available for support.</li> <li>- Whether the courses are (or can be) targeted at preparing PAPs for the adoption of a child from specific States of origin:</li> </ul> <p><input type="checkbox"/> No</p>
<p>b) Aside from any courses provided, what, if any, (other) counselling or preparation is provided to individual</p>	<p>Accredited agencies (UKAAs and VAAs) provide counselling at the beginning of the adoption process and advice and support throughout the adoption process.</p>

<p>PAPs (e.g., meeting with adoptive parents, language and culture courses)?</p> <p>Please specify, in each case:</p> <p>(i) If it is mandatory for PAPs to use the service;</p> <p>(ii) Who provides the service; and</p> <p>(iii) At what stage in the adoption procedure the service is provided.</p>	
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## PART VI: THE INTERCOUNTRY ADOPTION PROCEDURE

16. Applications	
<p>a) To which authority / body should PAPs apply for an intercountry adoption?</p>	<p>PAPs should initially approach a registered adoption agency (which will be either a local authority or a voluntary adoption agency registered with The Office for Standards in Education, Children's Services and Skills (Ofsted) for the purposes of intercountry adoption (England).</p>
<p>b) Please indicate which documents your State requires to be included within the PAPs' file for transmission to the State of origin:<sup>15</sup></p> <p><i>Please tick all which apply.</i></p>	<p><input 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</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> <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):</p>

<sup>15</sup> Please remember that a specific State of origin may have other / additional requirements concerning the documentation that must be submitted to it. A list of documents required by the specific State of origin can be found in the State of origin's Country Profile.

	<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 - the report of visit to 3 independent referees (2 of which must be non-family members). - Written confirmation of the decision from the Agency Decision Maker and any recommendation the agency has made about: the country from which the prospective adopters wish to adopt; the number of children to be adopted; their age range and/or gender and likely needs and background
c) Is it compulsory in your State for an accredited body to be involved in an intercountry adoption procedure? <sup>16</sup>	<input checked="" type="checkbox"/> Yes, please specify at which stage(s) of the procedure an accredited body must be involved (e.g., for the preparation of the home study, for the submission of the adoption file to the State of origin, for all stages of the procedure):  <input type="checkbox"/> No. Please specify who assists PAPs if no accredited body is involved in the adoption procedure:
d) Are any <i>additional</i> documents required if PAPs apply through an accredited body?  <i>Please tick all which apply.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> A power of attorney issued by the PAPs to the accredited body (i.e., 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): Depending on the country <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 type="checkbox"/> Other (please specify): <input type="checkbox"/> No

## 17. The report on the PAPs (Arts 5(a) and 15(1))

<sup>16</sup> See GGP No 1 (*op. cit.* note 12), 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.

a) Which body(ies) / expert(s) prepare the report on the PAPs? Please include all those involved with the preparation of any of the documents which are included within such a report.	Accredited agencies (UKAAs and VAAs)
b) Is a “standard form” used for the report on the PAPs in your State?	<input checked="" type="checkbox"/> Yes, please provide a link to the form or attach a copy: <input type="checkbox"/> No. Please indicate whether your State has any requirements concerning the information which must be included in the report on the PAPs and / or the documentation which must be attached to it:
c) For how long is the report on the PAPs valid in your State?	12 months subjext to annual review
d) Who is responsible in your State for renewing the report on the PAPs if the period of validity expires before the intercountry adoption is completed and what is the procedure for renewal?	Accredited agencies (UKAAs and VAAs)

<b>18. Transmission of the PAPs’ file to the State of origin</b>	
a) Who sends the finalised application file of the PAPs to the State of origin?	The Central Authority
b) If no accredited body is involved with the intercountry adoption application (see Question 16(c) above), who assists the PAPs with compiling and transmitting their application file?	<input checked="" type="checkbox"/> Not applicable – an accredited body will always be involved (see response to Question 16(c) above).

<b>19. Receipt of the report on the child (Art. 16(2)) and acceptance of the match (Art. 17(a) and (b))</b>	
<b>19.1 Receipt of the report on the child (Art. 16(2))</b>	
Which authority / body in your State receives the report on the child from the State of origin?	The Central Authority
<b>19.2 Acceptance of the match</b>	
a) Does your State require that the matching be accepted by a competent authority in your State?	<input checked="" type="checkbox"/> Yes, please provide the following details: <ul style="list-style-type: none"> <li>- Which authority determines whether to accept the match (e.g., the Central Authority or another competent authority): The registered adopton agency and</li> <li>- The procedure which is followed (e.g., the report on the child is transmitted</li> </ul>

	<p><u>first</u> to the competent authority to determine whether the match is accepted and only if this authority accepts the match is the report sent to the PAPs): -The Central Authority will send the child referral to the</p> <ul style="list-style-type: none"> <li>- registered adoption agency which will arrange to hold a discussion with the PAPs. Following discussions with the PAP, the adoption agency will confirm to the Central Authority that it is (or is not) content for the adoption to proceed</li> </ul> <p><b><u>Go to Question 19.2 b)</u></b></p> <p><input type="checkbox"/> No. Please explain the procedure which is followed once the authority / body referred to in Question 19.1 has received the report on the child from the State of origin:</p> <p><b><u>Go to Question 19.2 c)</u></b></p>
b) Which criteria must be fulfilled for the relevant authority in your State to accept the match?	
c) Does your State impose any requirements on PAPs concerning the length of time they are given to decide whether to accept a match?	<p><input type="checkbox"/> Yes, in addition to any requirements of the State of origin, our State has a time-limit – please specify:</p> <p><input checked="" type="checkbox"/> No, the requirements of the State of origin are determinative in this regard.</p>
d) Do PAPs receive any kind of assistance from your State when deciding whether to accept a match?	<p><input checked="" type="checkbox"/> Yes – please specify what type of assistance is provided (e.g., counselling): Registered adoption agency can provide independent medical advice on the child's needs.</p> <p><input type="checkbox"/> No</p>

<b>20. Agreement under Article 17(c)</b>	
a) Which competent authority / body agrees that the adoption may proceed in accordance with Article 17(c)?	The Central Authority
b) At what point in the adoption procedure is the Article 17(c) agreement given in your State?	<p><input type="checkbox"/> Our State waits for the State of origin to provide its agreement first <b>OR</b></p> <p><input type="checkbox"/> Our State sends its agreement to the State of origin with a notice that the match has been accepted <b>OR</b></p> <p><input checked="" type="checkbox"/> Other (please specify): Non specific order</p>

<b>21. Travel of the PAPs to the State of origin<sup>17</sup></b>
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<sup>17</sup> See GGP No 1 (op. cit. note 12), Chapter 7.4.10.

a) Does your State impose any travel requirements / restrictions on PAPs in addition to those imposed by the State of origin?	<input type="checkbox"/> Yes, please specify the additional requirements / restrictions: <input checked="" type="checkbox"/> No
b) Does your State permit an escort to be used to bring the child to the adoptive parents in your State in any circumstances?	<input type="checkbox"/> Yes, please specify in which circumstances: <input checked="" type="checkbox"/> No

22. Authorisation for the child to enter and reside permanently (Arts 5(c) and 18)	
a) Please specify the procedure to obtain authorisation for the child to enter and reside permanently in your State.	<p>The Certificate of Eligibility and Approval issued by the Central Authority to the Central Authority in the child's State of origin confirms that, following the agreement under Article 17(c) of the Convention that (i) in the case, where the requirements specified in section 1(5A) of the British Nationality Act 1981 are met that the child will be authorised to enter and reside permanently in the United Kingdom OR (ii) in any other case, if entry clearance and leave to enter and remain, as may be necessary, is granted and not revoked or curtailed and a Convention adoption order or Convention adoption is made, the child will be authorised to enter and reside permanently in the United Kingdom.</p> <p>The PAP will apply for entry clearance for the child at the relevant British Diplomatic Post (BDP) in the child's State of Origin. The BDP may contact the Central Authority for confirmation that procedures have been followed.</p>
b) Which documents are necessary for a child to be able to enter and reside permanently in your State (e.g., passport, visa)?	
c) Which of the documents listed in response to Question 22(b) above must be issued by your State?  Please indicate which public / competent authority is responsible for issuing each document.	
d) Once the child has arrived in your State, what is the procedure, if any, to notify	A prospective adopter must within the period of 14 days beginning with the date on which



the Central Authority or accredited body of his / her arrival?	the child enters the United Kingdom give notice to the relevant local authority.
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23. Final adoption decision and the Article 23 certificate	
<p>a) If the final adoption decision is made in your State, which competent authority:</p> <p>(i) Makes the final adoption decision; and</p> <p>(ii) Issues the certificate under Article 23?</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 to 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 adoption order will be made in a court in England &amp; Wales</p> <p>(ii) The Central Authority</p>
<p>b) Does your State use the "Recommended model form – Certificate of conformity of intercountry adoption"?</p> <p><i>See GGP No 1 – Annex 7.</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p>c) Please briefly describe the procedure for issuing the Article 23 certificate.</p> <p><i>E.g., 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 State of origin?</i></p>	<p>The original Article 23 Certificate will be sent to the PAPs and a copy sent to the Central Authority in the child's State of origin.</p> <p>Article 23 Certificates will be issued</p>
<p>d) In cases in which the Article 23 certificate is issued in the State of origin, which authority or body in your State should receive a copy of this certificate?</p>	<p>A copy of the Article 23 Certificate should be sent to the Central Authority .</p>

## PART VII: INTRA-FAMILY INTERCOUNTRY ADOPTIONS

24. 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 "intra-family intercountry adoption" in your State.</p> <p>Please include an explanation of the degree of relationship which a child</p>	<p>N/A</p>

must have with PAPs to be considered a “relative” of those PAPs.	
<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><u>go to Question 25</u></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><u>Go to Question 25</u></b></p> <p><input type="checkbox"/> No – <b><u>go to Question 24 c)</u></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 your 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>18</sup>

25. 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 18 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 18 below.</i></p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> In certain circumstances only (e.g., for intra-family adoptions only) – please specify:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>c) Does the law in your State permit “simple” adoptions to be converted into “full” adoptions in accordance with Article 27 of the 1993 Adoption Convention?</p>	<p><input type="checkbox"/> Yes – please provide details of how this is undertaken and please specify whether this is done on a regular basis when a State of origin grants a “simple” adoption or only in specific cases:</p> <p><input type="checkbox"/> No – <b><u>go to Question 26</u></b></p>

<sup>18</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 12), Chapter 8.8.8.

<i>See Art. 27(1)(a).</i>	
<p>d) If conversion of a “simple” adoption into a “full” adoption is sought in your State following an intercountry adoption, how does your State ensure that the consents referred to in Article 4(c) and (d) of the 1993 Adoption Convention have been given in the State of origin to a “full” adoption (as required by Art. 27(1)(b))?</p> <p><i>See Art. 27(1)(b) and Art. 4(c) and (d).</i></p>	N/A
<p>e) Following a conversion in your State, please explain which authority is responsible for issuing the Article 23 certificate in relation to the conversion decision. Please also explain the procedure which is followed.</p>	<p><input type="checkbox"/> The competent authority and the procedure is the same as stated in response to Question 23 above.</p> <p><input type="checkbox"/> Other (please specify):</p>

#### PART IX: POST-ADOPTION MATTERS

26. Preservation of, and access to, information concerning the child’s origins (Art. 30) and the adoption of the child	
<p>a) Which authority in your State is responsible for preserving information concerning the child’s origins, as required by Article 30?</p>	<p>Registered adoption agencies are required to keep all information about an adoption case, including the child's background information for 100 years from the date of the adoption order being made. Should an agency close during that time, the records will be formally transferred to another adoption agency for safekeeping for the remainder of the statutory period that they must be retained.</p>
<p>b) For how long is the information concerning the child’s origins preserved?</p>	<p>100 Years</p>
<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> <ul style="list-style-type: none"> <li>(i) the adoptee and / or his / her representative(s);</li> <li>(ii) the adoptive parent(s);</li> <li>(iii) the birth family; and / or</li> <li>(iv) any other person(s)?</li> </ul> <p>If so, are there any criteria which must be met for access to be granted (e.g., age of the adopted child, consent of the birth</p>	<p>(i) <input checked="" type="checkbox"/> Yes – please explain any criteria: An adoptee can access their information, if they are over the age of 18. People adopted before 12 November 1975 will need to attend a free counselling session with an approved adoption advisor first. Consent of adopters and/or birth parents is not required once over the age of 18.</p> <p><input type="checkbox"/> No</p> <p>(ii) <input checked="" type="checkbox"/> Yes – please explain any criteria: Any information available about the child</p>

<p>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>would have been shared with the adoptive parents at the time of the adoption.</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 checked="" type="checkbox"/> Yes – please specify: Where there is no statutory requirement to offer counseling, this would nevertheless be offered, should the adoptee express any wish for counseling or support in seeking or learning more about their adoption. There are a range of adoption support services available to adoptees which could be accessed depending on their need at time.</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: If seeking or learning more about their adoption, there are a range of adoption support services available to adoptees which could be accessed depending on their need.</p> <p><input type="checkbox"/> No</p>

27. Post-adoption reports	
<p>a) Absent specific requirements of the State of origin in this regard, who is responsible in your State for <i>writing</i> post-adoption reports and <i>sending</i> such reports to the State of origin?</p>	<p>Local Authorities</p>
<p>b) Absent any specific requirements of the State of origin in this regard, 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 by <i>your</i> State in a post-adoption report (<i>e.g.</i>, medical information, information about the child's development, schooling):</p>

c) How does your State ensure that the requirements of the State of origin in relation to post-adoption reporting are fulfilled?	The Restriction on the Preparation of Adoption Reports Regulations 2005
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28. Post-adoption services and support (Art. 9(c))	
<p>Apart from the matters raised in Question 26 above, what, if any, post-adoption services and support is / are provided by your State to the child and / or PAPs following completion of an intercountry adoption (e.g., counselling, support to preserve cultural links)?</p> <p>In particular, please state whether any specific post-adoption services or support are provided in your State in the case of special needs children.</p>	

## PART X: THE FINANCIAL ASPECTS OF INTERCOUNTRY ADOPTION<sup>19</sup>

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

29. The costs <sup>20</sup> of intercountry adoption	
a) Are the costs of intercountry adoption regulated by law in your State?	<input checked="" type="checkbox"/> Yes – please specify any relevant legislation / regulations / rules and indicate how they may be accessed (e.g., link to a website or attach a copy). Please also briefly explain the legal framework:  <input type="checkbox"/> No
b) Does your State monitor the payment of the costs of intercountry adoption?	<input checked="" type="checkbox"/> Yes – please briefly describe how this monitoring is undertaken: Fixed fee to The English Central Authority is reviewed regularly.  <input type="checkbox"/> No
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 16 (c) above) or directly by the PAPs themselves?  <i>See the “Note on the financial aspects of intercountry adoption” at para. 86.</i>	<input type="checkbox"/> Through the accredited body: <input checked="" type="checkbox"/> Directly by the PAPs: <input type="checkbox"/> Other (please explain):

<sup>19</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 adopted by the Experts’ Group 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>20</sup> See the definition of “costs” provided in the harmonised Terminology, *ibid*.

<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:</p> <p><input type="checkbox"/> In cash:</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>e) Which body / authority in your State receives the payments?</p>	<p>Fees for the approval process are paid directly to the accredited adoption agencies.</p> <p>The English Central Authority charge a fixed fee payable to the Central Authority, however The Welsh Government Central Authority do not charge a fee.</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><i>N.B. Please also ensure that your State has completed the "Tables on the costs associated with intercountry adoption" (see above).</i></p>	<p><input checked="" type="checkbox"/> Yes – please indicate how this information may be accessed: Child adoption: Adopting a child from overseas - GOV.UK</p> <p>Adoption Agency fees are available via the specific agency.</p> <p><input type="checkbox"/> No</p>

### 30. Contributions, co-operation projects and donations<sup>21</sup>

<p>a) Does your State permit contributions<sup>22</sup> to be paid (either through your State's Central Authority or a national accredited body) to a State of origin in order to engage in intercountry adoption with that 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"> <li>- What type of contribution is permitted by your State:</li> <li>- Who is permitted to pay it (i.e., the Central Authority or a national accredited body):</li> <li>- How it is ensured that contributions do not influence or otherwise compromise the integrity of the intercountry adoption process:</li> </ul> <p><input checked="" type="checkbox"/> No</p>
<p>b) Does your State undertake (either through the Central Authority or national accredited bodies) co-operation projects in any States of origin?</p>	<p><input type="checkbox"/> Yes - please explain:</p> <ul style="list-style-type: none"> <li>- What type of co-operation projects are permitted by your State:</li> </ul>

<sup>21</sup> See the definitions of these terms provided in the harmonised Terminology. In addition, on contributions and donations, see Chapter 6 of the Note (*op. cit.* note 19).

<sup>22</sup> See further the harmonised Terminology, *supra*, note 19, 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.

	<ul style="list-style-type: none"> <li>- Who undertakes such projects (<i>i.e.</i>, the Central Authority and / or national accredited bodies):</li> <li>- Whether such projects are mandatory according to the law of your State:</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> <input checked="" type="checkbox"/> No
<p>c) If permitted in the State of origin, does your State permit PAPs or accredited bodies to make donations to orphanages, institutions or birth families in the State of origin?</p> <p><b>N.B. This is <u>not</u> recommended as a good practice:</b> see further the "Note on the financial aspects of intercountry adoption" at Chapter 6 (in particular, Chapter 6.4).</p>	<input type="checkbox"/> Yes – please explain: <ul style="list-style-type: none"> <li>- To whom donations may be made (<i>e.g.</i>, to orphanages, other institutions and / or birth families):</li> <li>- What donations are intended to be used for:</li> <li>- Who is permitted to pay donations (<i>e.g.</i>, only accredited bodies or also PAPs):</li> <li>- At what stage of the intercountry adoption procedure donations are permitted to be paid:</li> <li>- How it is ensured that donations do not influence or otherwise compromise the integrity of the intercountry adoption procedure:</li> </ul> <input checked="" type="checkbox"/> No

31. 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?	Central Authority
b) What measures have been taken in your State to prevent improper financial or other gain?	<p>Follow Hague requirements and best practice.</p> <p>Adoption and Children Act 2002</p> <p>The Adoptions with a Foreign Element Regulations 2005</p> <p>The UK holds a restricted country list which is regularly reviewed and sets out the reasons for each restriction.</p>
c) Please explain the sanctions which may be applied if Articles 8 and / or 32 are breached.	Custodial sentence/fines

PART XI: ILLICIT PRACTICES<sup>23</sup>

32. 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>24</sup>	The Secretary of State may by order impose special restrictions on bringing a child from a country into the UK for the purpose of adoption. This applies where the Secretary of State has reason to believe that practices taking place in a country in connection with the adoption of children, it would be contrary to public policy to further the bringing in of children from the country to the UK for the purposes of adoption.

  

33. 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 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).	Follow Hague requirements and best practice. Adoption and Children Act 2002 The Adoptions with a Foreign Element Regulations 2005 The UK holds a restricted country list which is regularly reviewed and sets out the reasons for each restriction.
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.)	Custodial sentence/fines

  

34. Private and / or independent adoptions	
Are private and / or independent adoptions permitted in your State?  <b>N.B.</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.  Please tick all which apply.	<input type="checkbox"/> Private adoptions are permitted – please explain how this term is defined in your State:  <input type="checkbox"/> Independent adoptions are permitted - please explain how this term is defined in your State:  <input checked="" type="checkbox"/> <b>Neither</b> private nor independent adoptions are permitted.

<sup>23</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 [Adoption Section](http://www.hcch.net) of the HCCH website < [www.hcch.net](http://www.hcch.net) >).

<sup>24</sup> *Ibid.*



## PART XII: INTERNATIONAL MOBILITY

35. 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 another Contracting State to the 1993 Adoption Convention, are they permitted to do so under the law of your State?</p> <p><i>Example: Indian PAPs are habitually resident in the USA and wish to adopt a child habitually resident in India.</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>25</sup> and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply:</p> <p>PAPs should initially approach a registered adoption agencies (which will be either a local authority or a voluntary adoption agency registered with The Office for Standards in Education, Children's Services and Skills (Ofsted) for the purposes of intercountry adoption (England).</p> <p>Both PAPs (in the case of a couple) must be habitually resident in the British Islands for not less than one year ending with the date of application to be assessed by the adoption agency.</p> <p>Prospective adopters also need to ensure that they satisfy resident status conditions and have the immigration status to obtain the necessary clearance for that child to enter and reside in the UK.</p> <p><input type="checkbox"/> No</p>
<p>b) If foreign national PAPs, habitually resident in your State, wish to adopt a child also habitually resident in your State, are they permitted to do so under the law of your State?</p> <p><i>Example: Indian PAPs are habitually resident in the USA and wish to adopt a child also habitually resident in the USA.</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>26</sup> and please briefly explain the procedure which would be followed, as well as any specific criteria / conditions which would apply:</p> <p>This would be a domestic adoption provided that at least one of the PAPs (in the case of a couple) is domiciled in a part of the British Islands.</p> <p>The second condition is that both of the couple have been habitually resident in a part of the</p>

<sup>25</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. The Convention procedures, standards and safeguards should therefore be applied to such adoptions: see further, GGP No 1 (*op. cit.* note 12), Chapter 8.4.

<sup>26</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 12), Chapter 8.4.

	<p>British Islands for a period of not less than one year ending with the date of the application.</p> <p>PAPs interested in domestic adoption will need to approach a local council or a voluntary adoption agency registered with The Office for Standards in Education, Children's Services and Skills (Ofsted) (England).</p> <p><input type="checkbox"/> No</p>
<p>c) If a State of origin treats an adoption by PAPs habitually resident in your State as a <i>domestic</i> adoption when, in fact, it should be processed as an intercountry adoption under the 1993 Adoption Convention, how does your State deal with this situation?</p> <p><i>Example: PAPs who are nationals of State X habitually reside in your State. They wish to adopt a child from State X. Due to their nationality, the PAPs are able to adopt a child in State X in a domestic adoption procedure (in breach of the Convention). They then seek to bring the child back to your State.</i></p>	<p>We would advise the PAPs that they need to comply with Section 83 of the Adoption and Children Act 2002 and the penalties for not doing so.</p> <p>UK Visa and Immigration requirements may not be satisfied and entry clearance could be rejected.</p> <p>We also inform the Central Authority in the state of origin.</p>

### PART XIII: SELECTION OF PARTNERS FOR INTERCOUNTRY ADOPTION<sup>27</sup>

36. Selection of partners	
a) With which States of origin does your State currently partner on intercountry adoption?	None
<p>b) How does your State determine with which States of origin 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 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>	
c) If your State also partners with <i>non-Contracting States</i> , please explain how it is ensured that the safeguards of the	<p><input type="checkbox"/> Not applicable: our State only partners with other <i>Contracting States</i> to the 1993 Adoption Convention.</p>

<sup>27</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.

1993 Adoption Convention are complied with in these cases. <sup>28</sup>	
d) Are any formalities required in order to commence intercountry adoptions with a particular State of origin ( <i>e.g.</i> , the conclusion of a formal agreement <sup>29</sup> with that State of origin)?	<input type="checkbox"/> Yes – please explain the content of any agreements or other formalities: <sup>30</sup> <input checked="" type="checkbox"/> No

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<sup>28</sup> See GGP No 1 (*op. cit.* note 12), 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”.

<sup>29</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>30</sup> *Ibid.*