



## **FACTSHEET ON ADOPTION OF A RELATIVE OR AN UNRELATED SPECIFIC CHILD WHO LIVES IN AN OVERSEAS COUNTRY**

NSW DoCS Adoption and Permanent Care Services provide a range of adoption services: the provision of information to parents considering adoption for their child; training and assessment of families to determine their suitability to adopt; the placement of children for adoption and supporting families until a final adoption order is made.

Under the Commonwealth Migration Regulations 1994, DoCS may be able to issue an “approval letter” for the purpose of obtaining a Subclass 102 Adoption Visa for a child living overseas to reside in Australia, in the following circumstances:

### **CASE ONE:**

- An overseas welfare department contacts DoCS to advise there is a child in their country who needs placement with a family member in NSW or a person who has had direct care of the child for an extended period and request DoCS’ co-operation with facilitating an adoption. Generally the child is unable to stay with its family due to child protection reasons and there is no other family member in the child’s country of origin who can care for the child.
- The prospective adoptive family is subsequently trained, assessed and approved by DoCS as suitable to adopt the specific child.
- Where the child is related to the applicants, the NSW Adoption Act 2000 requires an established relationship of at least 2 years duration with the relative.

### **CASE TWO:**

- A prospective adoptive family has first been trained, assessed and approved by DoCS as suitable to adopt.
- DoCS forwards an adoption application on their behalf to an overseas country with which Australia has a bilateral intercountry adoption program.
- The overseas country’s welfare department makes an adoption proposal of a child to the family.
- This only applies to non-related children.

### **CASE THREE:**

- A prospective adoptive family has first been trained, assessed and approved by DoCS as suitable to adopt.
- DoCS forwards an adoption application on their behalf to an overseas country that is party to the *Hague Convention on the Protection of Children and Co-operation in respect of Intercountry Adoption* and with which Australia has an intercountry adoption program.
- The overseas country’s welfare department makes an adoption proposal of a child to the family.
- This only applies to non-related children.

NSW DoCS can only assist with relative or specific child adoptions if your circumstances meet the description in Case One. If you believe they do, you should contact us on (02) 9716 3004 and ask to speak to the Duty Officer to discuss the matter further. Unfortunately NSW DoCS can never guarantee that an adoption can take place, even in these circumstances.