

Application for an order for parental responsibility prior to adoption abroad

Section 84 Adoption and Children Act 2002

Name of court	
Serial no.	
Date received by the court	
Date issued	
Fee charged/Remission ID	

Notes to applicants

- Do not use this form if you intend to apply to a court in England and Wales for an adoption order including a Convention adoption order.
- Before filling in this form, please read the guidance notes on completing the form.
- Please complete every Part. If you are not sure of the answer to any question, or you do not think that it applies to you, please say so.
- If there is not enough room on the form for your reply, you may continue on a separate sheet. Please put the child's full name, the number of the Part and the paragraph reference at the head of the continuation sheet.
- Please use black ink when filling in the form.

I/We the undersigned _____
 (and _____)
 intend to adopt _____

See Note 1

under the law of a country or territory outside the British Islands and therefore want to be given parental responsibility prior to adoption abroad and give the following details in support of my/our application.

Part 1 About you

First applicant

a) Title

- Mr Mrs Miss
 Ms Other _____

b) My name is

First name(s) in full

Last name

Second applicant

a) Title

- Mr Mrs Miss
 Ms Other _____

b) My name is

First name(s) in full

Last name

See Note 2

c) My address is (including postcode)

c) My address is (including postcode)

d) My telephone number is

d) My telephone number is

e) My date of birth is

e) My date of birth is

f) My nationality is

f) My nationality is

g) My occupation is

g) My occupation is

See Note 3

h) I am

Male

Female

h) I am

Male

Female

i) My relationship to the child is

i) My relationship to the child is

See Note 4

j) My/Our solicitor in these proceedings is

Name of solicitor			
Name of firm			
Address (including postcode)			
Telephone no.		Fax no.	
DX no.			
E-mail address			

Domicile and residence

See Note 5

k) I am not /Neither of us is domiciled in the United Kingdom, the Channel Islands or the Isle of Man.

and

I have not /Neither of us has been habitually resident in the United Kingdom, the Channel Islands or the Isle of Man for a period of at least one year, ending with the date of this application.

Status

If you are applying for an order for parental responsibility prior to adoption abroad as a couple, please go straight to **Part 2 About the Child**. Paragraphs (l) to (r) do not apply to you.

If you are applying to adopt for an order for parental responsibility prior to adoption abroad alone, please tick the box at (l) to (r) below that applies to your circumstances.
If you have ticked (l), (m), (q) or (r), please give the additional information asked for.

- l) I am the partner of the child's
 Father Mother
or other parent

If you have ticked box (l), please go straight to Part 2 About the Child. Paragraphs (m) to (r) do not apply to you.

See Note 6

- m) I am the partner (not the spouse or civil partner) of a person who is not the child's parent and I am applying alone for an order for parental responsibility prior to adoption abroad because:

If you have ticked box (m), please go straight to Part 2 About the Child. Paragraphs (n) to (r) do not apply to you.

See Note 7

(please give reasons below, continuing on a separate sheet if necessary)

- n) I am not married/I do not have a civil partner
or

See Note 8

- o) I am divorced/my civil partnership has been dissolved
or

See Note 8

- p) I am a widow/a widower/a surviving civil partner
or

See Note 8

- q) I am married/I have a civil partner, and I can satisfy the court that:

See Note 9

- my spouse/civil partner cannot be found
or

- I have separated from my spouse/civil partner, we are living apart and the separation is likely to be permanent
or

- my spouse/civil partner is physically incapable of making an application or lacks capacity (within the meaning of the Mental Capacity Act 2005) to do so.

or

- r) I am applying alone for an order for parental responsibility prior to adoption abroad in respect of my own child and I can satisfy the court that

See Note 10

- the other natural parent has died
or

- the other natural parent cannot be found
or

- by virtue of section 28 of the Human Fertilisation and Embryology Act 1990, (disregarding subsections (5A) to (5I) of that section) and sections 34 to 47 of the Human Fertilisation and Embryology Act 2008 (disregarding sections 39, 40 and 46 of that Act) there is no other parent.

or

- the other natural parent's exclusion from this application is justified
(please give reasons below)

Part 2 About the child

a) The child is a

Boy Girl

b) The child was born on

--	--	--	--	--	--	--	--	--	--

and is the person to whom the attached certified copy of the entry in the Register of Live Births/Register of Adopted Children relates

or To the best of my/our knowledge the child was born on or about

--	--	--	--	--	--	--	--	--	--

in (give place and country of birth)

--

See Note 11

c) The child's nationality is

--

d) I/we confirm that the child is not and has never been married or a civil partner

Yes No

See Note 12

e) The child has had his/her home with me/us continuously since

--	--	--	--	--	--	--	--	--	--

f) The child was placed with me/us for adoption by an adoption agency

Yes (If you ticked this box, please complete paragraphs (g) and (h) and then go straight to paragraph (j). Paragraph (i) does not apply to you.)

No (If you ticked this box, please go straight to paragraph (i). Paragraphs (g) and (h) do not apply to you.)

g) The child was placed with me/us for adoption on

--	--	--	--	--	--	--	--	--	--

 by

Name of adoption agency	
Address (including post code)	

Name of your contact in the agency	
Telephone no.	

h) No other adoption agency has been involved in placing the child

or

The following adoption agency has also been involved in placing the child

Name of adoption agency	
Address (including post code)	

Name of your contact in the agency	
Telephone no.	

- i) I/we have notified in writing my/our local authority of my/our intention to apply for an order for parental responsibility prior to adoption abroad (give details)

See Note 13

Name of local authority	
Address (including post code)	
Date notified	
Name of your contact in the local authority	
Telephone no.	

- j) No placement order or freeing order has been made in respect of the child

See Note 14

or

- The following placement order/freeing order has been made in respect of the child:

Name of court	
Case number	
Type of order	
Date of order	

Care

- k) No local authority or voluntary organisation has parental responsibility for the child

or

- The following local authority/voluntary organisation has parental responsibility for the child:

Name of local authority or voluntary organisation	
Address (including post code)	
Name of your contact in the authority/organisation	
Telephone no.	

Maintenance

- l) No maintenance order/agreement or award of child support maintenance by the Child Support Agency has been made in respect of the child

See Note 15

or

- The following maintenance order/agreement/award of child support maintenance has been made

Person liable to pay maintenance	
Address (including post code)	
Court and date of order	
Date of maintenance agreement/child support maintenance award	

About other orders or proceedings that affect the child

m) To the best of my/our knowledge, no proceedings relating to the child (other than any maintenance order as given above) have been completed or commenced in any court

or

The following proceedings relating to the child have been completed/commenced (in addition to any maintenance order given above)

Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number (or serial number)

Cases concerning a related child

n) To the best of my knowledge, no proceedings relating to a full, half or step brother or sister of the child have been completed or commenced in any court

or

The following proceedings relating to a full, half or step brother or sister of the child have been completed/commenced (please give details below and, if you were a party to any proceedings that have been completed, attach a copy of the final order)

Relationship to child (eg. sister, half-brother)	Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number (or serial number)

Part 3 About the child's parents or guardian

The child's mother

a) The name of the child's mother

First name(s) in full

Last name

b) Her address is (if deceased, please write 'Deceased' in the address box)

c) Her nationality is

The child's father or other parent

d) What is their relationship to the child?

Father Other parent

The name of the child's father or other parent

First name(s) in full

Last name

e) Address is (if deceased, please write 'Deceased' in the address box)

f) Nationality is

g) Does the father or other parent have parental responsibility for the child?

Yes No

If No, does the father or other parent intend to apply for an order under section 4(1)(c) or section 4 ZA(1)(c) of the Children Act 1989 (a parental responsibility order) or a child arrangements order in respect of the child?

Yes No

See Note 17

See Note 18

The child's guardian

h) The name of the child's guardian is

First name(s) in full

Last name

i) His/Her address is

See Note 19

Parent/guardian consent to adoption

See Note 20

See Note 21

Note: You do not need to complete paragraph (j) if

- the child you intend to take abroad for adoption is the subject of a current placement order, the adoption agency has placed the child with you, and no parent/guardian of the child opposes the making of an order for parental responsibility adoption abroad;

or

- the child you intend to take abroad for adoption is the subject of a current freeing order.

Instead, go straight to Part 4 General. You should give the details of the placement order or freeing order in Part 2 About the Child above. Otherwise, please tick the box that applies to your circumstances and give any further information requested.

- j) The child's parent(s)/guardian(s) has/have consented to the making of an order for parental responsibility prior to adoption abroad

or

- The child was placed with me/us for adoption by an adoption agency with the consent of each parent/guardian (and the mother's consent was given when the child was at least 6 weeks old), and no parent/guardian opposes the making of an order for parental responsibility prior to adoption abroad

or

- The following parent(s)/guardian(s) of the child has/have not consented to the making of an order for parental responsibility prior to adoption abroad:
(give name(s) below)

and I/we ask the court to dispense with his/her/their consent on the following grounds:
(please tick the grounds that apply)

- he/she/they cannot be found
- he/she/they lack capacity (within the meaning of the Mental Capacity Act 2005) to give consent
- the welfare of the child requires it.

You must attach a brief statement of facts (and two copies of the statement) setting out a summary of the history of the case and any other facts to satisfy the court that the grounds for your request apply.

IMPORTANT: The court will send a copy of your statement of facts to each parent or guardian of the child. If you intend to ask the court to keep your identity confidential, you should make sure that the statement of facts does not include any information that could identify you, where you live, or where the child goes to school or nursery.

Part 4 General

Child's name on making of the order

See Note 22

If the order for parental responsibility prior to adoption abroad is made,
I/We want the child to be known as

First name(s) in full

Last name

Health reports

See Note 23

Separate reports on my/our health and the
health of the child made by a registered
medical practitioner on (give date(s))

are attached to this application.

Declarations

I/We have not received or given payment or reward in respect of the proposed adoption
(except as follows:) (give details below)

To the best of my/our knowledge, only the person(s) or organisation(s) named in Part 2 of
this application have taken part in the arrangements for the child's adoption.

Part 5 Statement of truth

Proceedings for contempt of court may be brought against a person who makes or causes
to be made, a false statement in a document verified by a statement of truth.

I believe that the facts stated in this
application are true.

I believe that the facts stated in this
application are true.

Signature of first applicant

Signature of second applicant

Print full name

Print full name

Signed

Signed

Date

Date

If you attend the court for a hearing

1. Do you/either of you have a disability for which you require special assistance or special facilities?

See Note 24

Yes No

If Yes, please say what your needs are below
(the court staff will get in touch with you about your requirements)

2. Do you/either of you want to use the services of an interpreter?

Yes No

If Yes, please specify which language
(court staff will get in touch with you about your requirements)

3. Are there any dates on which you know you will not be able to attend the court, or any particular dates that would especially suit you? If so, please give details below

Unavailable dates	Preferred dates

(Please note that, although the court will try to fit in with your preferences, it may not be always be possible to do so)

What to do now

Once you have completed and signed this form, you should take or send the form **and three copies** to the court, together with the court fee and the following documents:

- a certified copy of the full entry in the Register of Live Births that relates to the child or, where the child has been adopted, a certified copy of the entry in the Adopted Children Register;
- if you are asking the court to dispense with the consent of any parent or guardian, a brief statement of the facts relied on in support of the request **and two copies of the statement**;
- a copy of any placement order or freeing order relating to the child;
- if you were a party to the proceedings, a copy of any other final order relating to the child that has effect and if possible, a copy of any maintenance agreement or maintenance award relating to the child;
- if you were a party to the proceedings, a copy of any final order relating to a full, half or step brother or sister of the child that has effect;
- reports by a registered medical practitioner on the health of the child and the applicant(s) covering the matters specified in the Practice Direction 'Reports by a registered medical practitioner ("health reports")', **and two copies** of the reports.

Note: you do not have to supply health reports if:

- the child was placed with you for adoption by an adoption agency, or
- he/she is your child, or the child of the other applicant, or
- you are applying alone as the partner (including the spouse or civil partner) of the child's mother or father or other parent;
- where a parent of the child has died, a certified copy of the entry in the Register of Deaths;
- if you are submitting evidence of marriage or civil partnership, a certified copy of the entry in the Register of Marriages or the Register of Civil Partnerships;
- where your spouse or civil partner has died, a certified copy of the entry in the Register of Deaths;
- a copy of any decree absolute of divorce or decree of nullity of your marriage;
- in relation to a civil partnership, a copy of any dissolution order or nullity order of your civil partnership;
- any documentary evidence supporting the reasons why you are applying to for parental responsibility prior to adopting the child abroad without your spouse or civil partner, such as a decree of judicial separation;
- if your name as entered on the application form is different from the name shown on any evidence of marriage or civil partnership you are sending with your application, any documentary evidence to explain the difference.

You should normally make your application to the Designated Family Centre for your area. You can find this, and a full list of courts and what type of work they do online at courtribunalfinder.service.gov.uk

You may need to pay a fee with your application. You should read leaflet EX50 Civil and family court fees to find out what fee, if any, you need to pay. This leaflet is available from your local court or online at hmctsformfinder.justice.gov.uk

You may be exempt from paying all or part of the fee. The combined booklet and application form 'EX160A Court Fees - Do you have to pay them' gives more information. This leaflet is available from your local court or online at hmctsformfinder.justice.gov.uk