

Cais am orchymyn cyfrifoldeb rhiant cyn mabwysiadu dramor (Ffurflen A61)

Nodiadau ar lenwi'r ffurflen

Pwysig

Peidiwch â defnyddio'r ffurflen hon os yw'r plentyn y bwriadwch fynd ag ef dramor i'w fabwysiadu yn byw fel arfer y tu allan i'r Deyrnas Unedig, Ynysoedd y Sianel neu Ynys Manaw.

Yn y nodiadau hyn, mae unrhyw gyfeiriad at dystysgrif geni, tystysgrif farwolaeth, tystysgrif briodas neu dystysgrif partneriaeth sifil yn golygu copi ardystiedig o'r cofnod yn y Gofrestr Genedigaethau Byw, y Gofrestr Marwolaethau, y Gofrestr Priodasau neu'r Gofrestr Partneriaethau Sifil, fel y bo'n briodol. Nid yw llungopi'n dderbyniol. Rhaid i'r dystysgrif geni yr anfonwch i'r llys ar gyfer y plentyn yr ydych yn bwriadu mynd ag ef dramor i'w fabwysiadu, fod yn gopi ardystiedig o'r cofnod llawn yn y Gofrestr Genedigaethau Byw.

Os ydych chi'n gosod ynghlwm â'ch cais unrhyw orchymyn gan yr Uchel Lys neu lys teulu, rhaid iddo fod yn gopi wedi'i selio (hynny yw, copi a stampiwyd gyda sêl y llys). Os ydych chi'n atodi gorchymyn a wnaed gan lys ynadon, rhaid iddo fod yn gopi ardystiedig (copi yr ardystiwyd gan swyddog y llys ei fod yn gopi cywir o'r gorchymyn gwreiddiol), neu gopi sydd â stamp y llys gwreiddiol arno. Rhaid i orchymyn a gyflwynwyd gan unrhyw awdurdod arall gael ei ddilysu'n iawn gan yr awdurdod hwnnw. Os ydych yn ansicr ynghylch beth sydd ei angen, cysylltwch â'r llys am gymorth.

Ewch a'r ffurflen gais wedi'i chwblhau, ynghyd â **thri copi** ohoni i'r llys, neu ei hanfon yno, ynghyd â ffi'r llys ac unrhyw ddogfennau yr ydych yn eu hatodi i gefnogi'ch cais.

Fel arfer, dylech wneud eich cais i'r Ganolfan Deulu Ddynodedig yn eich ardal. Gallwch ddod o hyd i hyn, a rhestr lawn o lysoedd a'r math o waith y maent yn ei wneud, ar-lein yn courtribunalfinder.service.gov.uk.

Efallai bydd angen i chi dalu ffi gyda'ch cais. Dylech ddarllen taflen EX50 Ffioedd y Llys Sifil a'r Llys Teulu i weld beth fydd y ffi, os oes ffi o gwbl, y bydd angen i chi ei thalu. Mae'r daflen hon ar gael o'ch llys lleol neu ar ein gwefan yn hmctsformfinder.justice.gov.uk.

Application for an order for parental responsibility prior to adoption abroad (Form A61)

Notes on completing the form

Important

Do not use this form if the child you intend to take abroad for adoption is habitually resident outside the United Kingdom, the Channel Islands or the Isle of Man.

In these notes, any reference to a birth certificate, death certificate, marriage certificate or certificate of civil partnership means a certified copy of the entry in the Register of Live Births, the Register of Deaths, the Register of Marriages or the Register of Civil Partnerships, as appropriate. A photocopy is not acceptable. The birth certificate you send to the court for the child you are intending to take abroad for adoption must be a certified copy of the full entry in the Register of Live Births.

If you are attaching any order of the High Court or family court to your application, it must be a sealed copy of the order (that is, a copy that has been stamped with the seal of the court). If you are attaching an order made by a magistrates' court, it must be a certified copy (a copy certified by the court officer to be a true copy of the original order), or a copy that bears the stamp of the originating court. An order issued by any other authority must be properly authenticated by that authority. If you are in any doubt about what is needed, please contact the court for assistance.

Take or send the completed application form, **and three copies**, to the court, together with the court fee and any documents you are attaching in support of your application.

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

Efallai na fydd yn rhaid i chi dalu rhan o'r ffi neu ddim ohoni. Mae'r llyfryn a'r ffurflen gais ar y cyd, 'EX160A Ffioedd Llys – oes rhaid i mi eu talu?' yn rhoi rhagor o wybodaeth. Mae'r daflen hon ar gael o'ch llys lleol neu ar ein gwefan yn hmctsformfinder. justice.gov.uk.

Os ydych chi'n atodi datganiad ffeithiau i'ch cais (gweler nodyn 22 isod), a wnewch chi ddarparu **dau gopi ychwanegol o'r datganiad** os gwelwch yn dda. Os ydych chi'n atodi adroddiadau iechyd (gweler nodyn 24 isod), a wnewch chi ddarparu **dau gopi ychwanegol o'r adroddiadau** os gwelwch yn dda.

Nodiadau ar y ffurflen gais

Nodyn 1 Nodwch enw'r plentyn yr ydych yn bwriadu mynd ag ef dramor i'w fabwysiadu, gan roi'r cyfenw'n olaf. Rhaid i chi roi'r enw(au) cyntaf yn llawn a chyfenw'r plentyn yn union fel y dangosir hwy ar y dystysgrif geni (neu, os yw'r plentyn wedi'i fabwysiadu'n flaenorol, y copi ardystiedig o'r cofnod yn y Gofrestr Plant Mabwysiedig) yr ydych yn ei anfon gyda'ch cais (gweler nodyn 11 isod).

Rhan 1 Amdanoch chi

Nodyn 2 Os yw'r enw a nodwyd gennych yn wahanol i'ch enw fel yr ymddengys ar unrhyw dystiolaeth o briodas neu bartneriaeth sifil yr ydych yn ei hanfon gyda'ch ffurflen gais (er enghraifft, oherwydd eich bod wedi newid eich enw drwy weithred), atodwch ddalen barhau os gwelwch yn dda, yn egluro'r rheswm am y gwahaniaeth a chopi o unrhyw ddogfennau cefnogol (megis y weithred).

Nodyn 3 Bydd yr alwedigaeth a nodwch yma'n ymddangos ar y gorchymyn cyfrifoldeb rhiant cyn mabwysiadu dramor. Mae'n bwysig eich bod yn nodi teitl llawn eich galwedigaeth (neu alwedigaeth flaenorol os ydych wedi ymddeol), er enghraifft, 'athro/athrawes ysgol uwchradd', neu 'athro/athrawes bale' nid 'athro/athrawes'; 'saer hunangyflogedig' nid 'hunangyflogedig'; 'plismon wedi ymddeol', nid 'wedi ymddeol'. Ni ellir derbyn talfyriadau neu ddisgrifiadau cyffredinol megis 'hunangyflogedig', 'gweithiwr rhan-amser' neu 'wedi ymddeol'. Nodwch, os gwelwch yn dda, nad yw'n ddigonol nodi eich bod yn 'gyflogai' neu'n 'weithiwr' gydag unrhyw gwmni penodol, rhaid i chi roi eich galwedigaeth. Os ydych chi'n ddi-waith ar hyn o bryd, neu'n methu gweithio oherwydd anabledd, dylech nodi eich galwedigaeth ddiwethaf. Os ydych chi'n aelod o Luoedd Arfog Ei Mawrhydi, dylech nodi eich rheng a/neu eich proffesiwn.

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

If you are attaching a statement of facts to your application (see note 22 below), please supply **two additional copies of the statement**. If you are attaching health reports (see note 24 below), please supply **two additional copies of the reports**.

Notes on the application form

Note 1 Enter the name of the child you are intending to take abroad for adoption, surname last. You must enter the full first name(s) and the surname of the child exactly as they are shown on the birth certificate (or, if the child has previously been adopted, the certified copy of the entry in the Adopted Children Register) you are sending with your application (see note 11 below).

Part 1 About you

Note 2 If the name you have entered is different from your name as it is shown on any evidence of marriage or civil partnership you are sending with your application form (for example, because you have changed your name by deed), please attach a continuation sheet explaining the reason for the difference, and a copy of any supporting documents (such as the deed).

Note 3 The occupation you give here will appear on the order for parental responsibility prior to adoption abroad. It is important that you enter the full title of your occupation (or former occupation if you are retired), for example, 'secondary school teacher' or 'ballet teacher', not 'teacher'; 'self-employed carpenter', not 'self-employed'; 'retired police officer', not 'retired'. Abbreviations or general descriptions such as 'self-employed', 'part-time worker', or 'retired', cannot be accepted. Please note also that it is not sufficient to enter that you are an 'employee' or 'worker' with any particular company, you must give your occupation. If you are unemployed or currently unable to work because of disability, you should give your last occupation. If you are a member of HM Forces, you should give your rank and/or profession.

Nodyn 4

Nodwch eich perthynas â'r plentyn yr ydych yn bwriadu mynd ag ef dramor i'w fabwysiadu, er enghraifft llys-riant, rhiant maeth, taid neu nain, modryb, ewythr, perthynas arall (manylwch os gwelwch yn dda). Os nad oes gennych unrhyw berthynas â'r plentyn ar hyn o bryd, ar wahân i fod yn ddarpar fabwysiadwr, nodwch 'dim' os gwelwch yn dda.

Nodyn 5

Ni ellir gwneud gorchymyn cyfrifoldeb rhiant cyn mabwysiadu dramor

- os ydych chi (yn achos dau ymgeisydd, o leiaf un ohonoch) yn byw yn y Deyrnas Unedig, Ynysoedd y Sianel neu Ynys Manaw; neu
- os ydych chi (yn achos dau ymgeisydd, y ddau ohonoch) wedi bod yn preswyllo'n arferol yn y Deyrnas Unedig, Ynysoedd y Sianel neu Ynys Manaw am gyfnod o flwyddyn o leiaf, gan ddiweddu gyda dyddiad eich cais.

Mae'r Deyrnas Unedig yn golygu Cymru, Lloegr, Yr Alban a Gogledd Iwerddon.

Cymerir fel arfer fod 'byw' yn golygu lleoliad eich cartref parhaol. Yn gyffredinol, cymerir fod 'preswyllo'n arferol' yn cyfeirio at fyw yn arferol ac fel rheol mewn man penodol. Os oes gennych unrhyw amheuaeth a ydych yn cwrdd â'r gofynion hyn ai peidio, dylech geisio cyngor cyfreithiol.

Nodyn 6

Os ydych chi'n gwneud cais ar eich pen eich hun am orchymyn cyfrifoldeb rhiant cyn mabwysiadu dramor a'ch bod yn bartner (gan gynnwys priod neu bartner sifil) i dad neu fam neu riant arall y plentyn, dylech lenwi paragraff (l) ac yna fynd ymlaen ar eich union i Ran 2 Ynghylch y Plentyn. Nid yw paragraffau (m) i (r) yn berthnasol i chi.

Dyma'r diffiniadau ar gyfer 'Rhiant Arall';

- Menyw a oedd mewn Partneriaeth Sifil â'r fam adeg y cenhedlu â chymorth ac sy'n rhiant yn rhinwedd adran 42 Deddf Ffrwythloni Dynol ac Embryoleg 2008
- Menyw nad oedd mewn Partneriaeth Sifil â'r fam adeg y cenhedlu â chymorth ac sy'n rhiant yn rhinwedd adran 43 Deddf Ffrwythloni Dynol ac Embryoleg 2008

Note 4

Enter your relationship to the child you are intending to take abroad for adoption, for example, step-parent, foster parent, grandparent, aunt, uncle, other relative (please specify). If you do not currently have any relationship to the child, other than as prospective adopter, please enter 'none'.

Note 5

An order for parental responsibility prior to adoption abroad cannot be made if

- you are (in the case of two applicants, at least one of you is) domiciled in the United Kingdom, the Channel Islands or the Isle of Man; or
- you (in the case of two applicants, both of you) have 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 your application.

The United Kingdom means England, Wales, Scotland and Northern Ireland

'Domicile' is normally taken to mean the place where you have your permanent home. 'Habitual residence' is normally taken to refer to usual, or customary, residence in a particular place. If you are in any doubt as to whether you meet these conditions, you should seek legal advice.

Note 6

If you are applying alone for an order for parental responsibility prior to adoption abroad and you are the partner (including spouse or civil partner) of the child's father or mother or other parent, you should complete paragraph (l) and then go straight to Part 2 About the Child. Paragraphs (m) to (r) do not apply to you.

The definitions of 'Other Parent' are;

- A woman who was in a Civil Partnership with the mother at the time of assisted reproduction and who is a parent by virtue of section 42 of the Human Fertilisation and Embryology Act 2008
- A woman who was not in a Civil Partnership with the mother at the time of assisted reproduction and who is a parent by virtue of section 43 of the Human Fertilisation and Embryology Act 2008

Nodyn 7

Os ydych chi'n gwneud cais am orchymyn cyfrifoldeb rhiant cyn mabwysiadu dramor ar eich pen eich hun, a'ch bod yn bartner (ond ddim y priod na'r partner sifil) i'r unigolyn nad yw'n rhiant y plentyn yr ydych yn bwriadu mynd ag ef dramor i'w fabwysiadu, dylech lenwi paragraff (m). Rhowch eich rhesymau dros wneud cais ar eich pen eich hun, os gwelwch yn dda. Os nad oes digon o le ar gyfer eich ateb, gallwch barhau ar ddalen ar wahân. Dylech wedyn fynd ar eich union i Ran 2 Ynghylch y Plentyn. Nid yw paragraffau (n) i (r) yn berthnasol i chi.

Nodyn 8

Os ydych chi'n gwneud cais am orchymyn cyfrifoldeb rhiant cyn mabwysiadu dramor ar eich pen eich hun ac

- na fuoch erioed yn briod/ â phartner sifil, llenwch baragraff (n) os gwelwch yn dda;
- eich bod wedi ysgaru, neu fod eich partneriaeth sifil wedi'i diddymu, llenwch baragraff (o) os gwelwch yn dda, a rhowch gopi wedi'i selio o'r Dyfarniad Absoliwt neu'r Gorchymyn Diddymu ynghlwm â'ch cais;
- eich bod yn wraig weddw neu ŵr gweddw neu'n bartner sifil sy'n goroesi, llenwch baragraff (p) a rhowch dystysgrif farwolaeth eich diweddar ŵr, gwraig neu bartner sifil ynghlwm â'ch cais.

Nodyn 9

Os ydych chi'n gwneud cais ar eich pen eich hun am orchymyn cyfrifoldeb rhiant cyn mabwysiadu dramor a'ch bod yn briod neu fod gennych bartner sifil, bydd yn rhaid i chi fodloni'r llys o'r canlynol:

- na ellir dod o hyd i'ch priod neu bartner sifil, neu
- eich bod wedi gwahanu oddi wrth eich priod neu bartner sifil, eich bod yn byw ar wahân a bod y gwahanu'n debygol o fod yn barhaol, neu
- mae eich priod neu eich partner sifil yn analluog yn gorfforol i wneud cais neu'n analluog (o fewn ystyr Deddf Galluedd Meddyliol 2005) i wneud hynny.

Rhaid i chi nodi ar y ffurflen gais pa un o'r tair sail hyn sy'n berthnasol yn eich achos chi drwy dicio'r blwch priodol.

Dylech roi eich tystysgrif briodas (neu dystiolaeth arall o briodas) neu eich tystysgrif partneriaeth sifil (neu dystiolaeth arall o bartneriaeth sifil) ynghlwm wrth eich cais, ynghyd ag unrhyw dystiolaeth ddogfennol arall y bwriadwch ddibynnu arni, megis dyfarniad o wahaniad swyddogol, neu dystiolaeth

Note 7

If you are applying for an order for parental responsibility prior to adoption abroad alone and you are the partner (but not the spouse or civil partner) of a person who is not the parent of the child you intend to take abroad for adoption, you should complete paragraph (m). Please give your reasons for applying alone. If there is not enough room for your reply, you may continue on a separate sheet. You should then go straight to Part 2 About the Child. Paragraphs (n) to (r) do not apply to you.

Note 8

If you are applying for an order for parental responsibility prior to adoption abroad alone and

- you have never been married/ had a civil partner, please complete paragraph (n);
- you are divorced, or your civil partnership has been dissolved, please complete paragraph (o) and attach a sealed copy of the Decree Absolute or the Dissolution Order to your application;
- you are a widow or widower or a surviving civil partner, please complete paragraph (p) and attach the death certificate of your deceased spouse or civil partner to your application.

Note 9

If you are applying alone for an order for parental responsibility prior to adoption abroad and you are married or you have a civil partner, you will need to satisfy the court that:

- your spouse or civil partner cannot be found, or
- you have separated from your spouse or civil partner, you are living apart, and the separation is likely to be permanent, or
- your spouse or civil partner is physically incapable of making an application or lacks capacity (within the meaning of the Mental Capacity Act 2005) to do so.

You must show on the application form which of these three grounds applies in your case by ticking the appropriate box.

You should attach your marriage certificate (or other evidence of marriage) or certificate of civil partnership (or other evidence of civil partnership) to your application, together with any other documentary evidence on which you propose to rely, such as a decree of official separation,

feddygol o analluogrwydd corfforol neu ddiffyg galluedd o fewn ystyr Deddf Galluedd Meddyliol 2005. Dylech hefyd roi enw a chyfeiriad (os gwyddys) eich priod neu bartner sifil.

Nodyn 10 Os ydych chi'n gwneud cais ar eich pen eich hun am orchymyn cyfrifoldeb rhiant cyn mabwysiadu dramor mewn perthynas â'ch plentyn eich hun, bydd angen i chi fodloni'r llys fod:

- y rhiant naturiol arall wedi marw, neu
- na ellir ddod o hyd i'r rhiant naturiol arall, neu
- nad oes neb arall sy'n rhiant yn rhinwedd adran 28 Deddf Ffrwythloni Dynol ac Embryoleg 1990, (gan ddiystyru isadrannau (5A) i (5I) yr adran honno) ac adrannau 34 i 47 Deddf Ffrwythloni Dynol ac Embryoleg 2008 (gan ddiystyru adrannau 39, 40 a 46 y Ddeddf honno), nid oes dim rhiant arall neu
- fod rhyw reswm arall (y mae'n rhaid i chi ei nodi ar eich ffurflen gais) i gyfiawnhau eithrio'r rhiant arall o'ch cais.

Rhaid i chi nodi ar y ffurflen gais pa un o'r tair sail hyn sy'n berthnasol yn eich achos chi drwy dicio'r blwch priodol.

Dylech roi ynghlwm â'ch cais unrhyw dystiolaeth ddogfennol yr ydych yn bwriadu dibynnu arni, megis tystysgrif farwolaeth.

Rhan 2 Ynghylch y plentyn

Nodyn 11 Os ydy'r plentyn wedi cael ei fabwysiadu'n flaenorol, dylid atodi copi ardystiedig o'r cofnod yn y Gofrestr Plant Mabwysiedig ac nid copi ardystiedig o'r cofnod llawn yn y Gofrestr Genedigaethau Byw. Lle nad oes modd i chi atodi tystysgrif, nodwch leoliad geni'r plentyn (gan gynnwys y wlad), os gwyddoch.

Ni ellir gwneud cais mewn perthynas ag unigolyn sy'n 18 oed neu hyn adeg gwneud y cais.

Nodyn 12 Ni all y llys wneud gorchymyn cyfrifoldeb rhiant cyn mabwysiadu dramor mewn perthynas ag unrhyw unigolyn sy'n briod neu wedi bod yn briod, neu unrhyw unigolyn sy'n bartner sifil neu a fu'n bartner sifil.

or medical evidence of physical incapability or a lack of capacity within the meaning of the Mental Capacity Act 2005. You should also supply the name and address (if known) of your spouse or civil partner.

Note 10 If you are applying alone for an order for parental responsibility prior to adoption abroad in respect of your own child you will need to satisfy the court that:

- the other natural parent has died, or
- the other natural parent cannot be found, or
- there is no person who is a parent is 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
- there is some other reason (which you must set out on your application form) justifying the other parent's exclusion from your application.

You must show on the application form which of these grounds applies in your case by ticking the appropriate box.

You should attach to your application any documentary evidence on which you propose to rely, such as the death certificate.

Part 2 About the child

Note 11 If the child has previously been adopted, a certified copy of the entry in the Adopted Children Register should be attached and not a certified copy of the full entry in the Register of Live Births. Where you are unable to attach a certificate, enter the place (including the country) of the child's birth, if known.

No application may be made in respect of a person who is aged 18 or more at the time of the application.

Note 12 The court cannot make an order for parental responsibility prior to adoption abroad in relation to any person who is or has been married, or any person who is or has been a civil partner.

Nodyn 13

Os nad yw'r plentyn y bwriadwch fynd ag ef dramor i'w fabwysiadu, wedi'i roi gyda chi i'w fabwysiadu gan asiantaeth fabwysiadu, rhaid i chi roi gwybod yn ysgrifenedig i'r awdurdod lleol dros yr ardal yr ydych yn byw ynddi, eich bod yn bwriadu gwneud cais am orchymyn cyfrifoldeb rhiant cyn mabwysiadu dramor. Rhaid i chi hysbysu'r awdurdod lleol o'ch bwriad ddim mwy na dwy flynedd a ddim llai na thri mis cyn dyddiad eich cais i'r llys.

Nodyn 14

Rhowch fanylion am enw'r llys a wnaeth y gorchymyn lleoli neu'r gorchymyn rhyddhau, natur y gorchymyn, rhif yr achos a'r dyddiad y gwnaed y gorchymyn.

Dylech roi copi o orchymyn y llys ynghlwm â'ch cais.

Nodyn 15

Os oes rhyw unigolyn neu gorff yn atebol i dalu tâl cynhaliaeth ar gyfer y plentyn dan orchymyn llys neu gytundeb cynhaliaeth neu gynhaliaeth cynnal plant a ddyfarnwyd gan yr Asiantaeth Cynnal Plant, rhowch enw a chyfeiriad yr unigolyn neu'r corff sy'n atebol i dalu. Yn achos gorchymyn cynhaliaeth, rhowch enw'r llys a dyddiad gwneud y gorchymyn; fel arall, rhowch ddyddiad y cytundeb cynhaliaeth neu ddyfarniad cynhaliaeth cynnal plant.

Os yw'n bosibl, dylech atodi copi o unrhyw orchymyn cynhaliaeth neu gopi o'r cytundeb cynhaliaeth neu ddyfarniad cynhaliaeth, i'ch cais.

Nodyn 16

Os oes achosion llys blaenorol, neu gyfredol yn ymwneud â'r plentyn yr ydych yn bwriadu mynd ag ef dramor i'w fabwysiadu (er enghraifft, gwrandawiadau am orchymyn gofal, gorchymyn cyfrifoldeb rhiant neu orchymyn trefniadau plant), rhowch enw'r llys, natur y gwrandawriad a dyddiad ac effaith unrhyw orchymyn a wnaed, neu ddyddiad y gwrandawriad nesaf os yw'r achosion yn gyfredol. Nid oes angen i chi ailadrodd manylion unrhyw orchymyn lleoli neu orchymyn rhyddhau neu orchymyn cynhaliaeth neu gytundeb a roddwyd gennych eisoes.

Os oeddech chi'n barti i unrhyw achosion a gwblhawyd, dylech roi copi o'r gorchymyn terfynol ynghlwm â'ch cais.

Pwysig: Os ydych eisoes wedi gwneud cais am orchymyn mabwysiadu mewn perthynas â'r un plentyn ac y gwrthodwyd y gorchymyn, bydd angen

Note 13

If the child you intend to take abroad for adoption was not placed with you for adoption by an adoption agency, you must notify in writing the local authority for the area in which you live of your intention to apply for an order for parental responsibility prior to adoption abroad. You must give the local authority notice of your intention not more than two years, and not less than three months, before the date of your application to the court

Note 14

Give details of the name of the court that made the placement or freeing order, the nature of the order, the case number and the date the order was made.

You should attach a copy of the court order to your application.

Note 15

If some person or body is liable to pay maintenance for the child under a court order, or a maintenance agreement or child support maintenance awarded by the Child Support Agency, give the name and address of the person or body liable to pay. In the case of a maintenance order, give the name of the court and the date the order was made; otherwise, give the date of the maintenance agreement or child support maintenance award.

If possible, you should attach a copy of any maintenance order or a copy of the maintenance agreement or maintenance award to your application.

Note 16

If there are earlier, or current, court proceedings relating to the child you are intending to take abroad for adoption (for example, proceedings for a care order, a parental responsibility order or a child arrangements order), give the name of the court, the nature of the proceedings and the date and effect of any order made, or the date of the next hearing if proceedings are current. You do not need to repeat the details of any placement order, freeing order, or maintenance order or agreement you have already given.

If you were a party to any proceedings that have been completed, you should attach a copy of the final order to your application.

Important: if you have previously applied for an adoption order in respect of the same child and the order was refused, you will need to satisfy the court

i chi fodloni'r llys y bu newid mewn amgylchiadau ers i chi wneud cais ddiwethaf, neu fod rhyw reswm arall paham y dylai'r llys wrando ar eich cais presennol. Nodwch eich rhesymau dros wneud y cais hwn ar ddalen ar wahân os gwelwch yn dda, gan egluro paham y credwch y dylai'r cais gael ei wrando. Rhowch enw llawn y plentyn, rhif y Rhan a chyfeirnod y paragraff ar ben y ddalen barhau, a'i rhoi ynghlwm â'ch ffurflen gais.

Rhan 3 Yngylch rhiant/rhieni neu warcheidwad y plentyn

Nodyn 17 Os yw'r plentyn wedi'i fabwysiadu'n flaenorol, rhowch enwau'r rhieni a'i mabwysiadodd ef/hi ac nid y rhieni naturiol.

Nodyn 18 Os nad oedd rhieni'r plentyn yn briod â'i gilydd neu mewn partneriaeth sifil adeg ei enedigaeth ef/ei genedigaeth hi, gallai tad y plentyn neu'r rhiant arall fod wedi cael cyfrifoldeb rhiant oherwydd

- bod tad y plentyn a mam y plentyn wedi priodi ers i'r plentyn gael ei eni;
- bod rhiant arall y plentyn a mam y plentyn mewn partneriaeth sifil ers i'r plentyn gael ei eni
- bod gan dad y plentyn neu'r rhiant arall gytundeb cyfrifoldeb rhiant gyda'r fam, neu y dyfarnwyd gorchymyn cyfrifoldeb rhiant iddynt, neu
- bod tad y plentyn neu'r rhiant arall wedi cofrestru genedigaeth y plentyn ar y cyd â mam y plentyn (ers 1 Rhagfyr 2003)

Rhowch fanylion unrhyw orchymyn llys neu gytundeb mewn perthynas â chyfrifoldeb rhiant ym mharagraff (m) yn Rhan 2 Yngylch y Plentyn.

Nodyn 19 Os nad oes gan y plentyn warcheidwad, nodwch 'amherthnasol'. Fel arall, rhowch fanylion unrhyw unigolyn a benodwyd i fod yn warcheidwad i'r plentyn drwy weithred neu ewyllys neu fel arall yn ysgrifenedig yn unol ag adran 5(5) Deddf Plant 1989 neu drwy orchymyn a wnaed dan adran 5(1) neu 14A y Ddeddf honno. Os oes gan y plentyn fwy nag un gwarcheidwad, rhowch enw a chyfeiriad unrhyw warcheidwad/warcheidwaid eraill ar daflen ar wahân, gan nodi enw llawn y plentyn, rhif y Rhan a chyfeirnod y paragraff ar ben y daflen.

that there has been a change of circumstances since you last applied, or that there is some other reason why the court should hear your current application. Please set out your reasons for making this application on a separate sheet, explaining why you think the application should be heard. Please put the child's full name, the number of the Part and the paragraph reference at the head of the sheet and attach it to your application form.

Part 3 About the child's parent(s) or guardian

Note 17 If the child has previously been adopted, give the names of his/her adoptive parents, not those of his/her natural parents

Note 18 If the child's parents were not married to each other or in a civil partnership at the time of his/her birth, the child's father or other parent may have parental responsibility because

- the child's father and the child's mother have married since the child was born;
- the child's other parent and child's mother have entered into a civil partnership since the child was born
- the child's father or other parent has a parental responsibility agreement with the mother, or has been granted a parental responsibility order, or.
- the child's father or other parent registered the child's birth jointly with the child's mother (since 1 December 2003)

Give details of any court order or agreement in respect of parental responsibility in paragraph (m) of Part 2 About the Child.

Note 19 If the child has no guardian, enter 'not applicable'. Otherwise, enter the details of any person appointed to be the child's guardian by deed or will or otherwise in writing in accordance with section 5(5) of the Children Act 1989, or by an order made under section 5(1) or 14A of that Act. If the child has more than one guardian, please give the name and address of any other guardian(s) on a separate sheet, putting the child's full name, the number of the Part and the paragraph reference at the head of the sheet.

Nodyn 20

Os yw'r plentyn yr ydych yn bwriadu'i fabwysiadu dramor eisoes yn destun gorchymyn lleoli cyfredol, bod yr asiantaeth fabwysiadu wedi lleoli'r plentyn gyda chi ac nad oes unrhyw riant neu warcheidwad yn gwrthwynebu gwneud y gorchymyn am gyfrifoldeb rhiant cyn mabwysiadu dramor, nid oes angen i chi ofyn i'r llys hepgor cydsyniad y rhiant (rhieni) neu warcheidwad (gwarcheidwaid) y plentyn i'ch cais. Nid oes raid i chi lenwi paragraff (j), ond sicrhewch, os gwelwch yn dda, eich bod wedi nodi manylion y gorchymyn lleoli yn Rhan 2 Ynghylch y Plentyn.

Os yw'r plentyn yr ydych yn bwriadu mynd ag ef dramor i'w fabwysiadu eisoes yn destun gorchymyn rhyddhau cyfredol, nid oes angen i chi ofyn i'r llys hepgor cydsyniad y rhiant (rhieni) neu warcheidwad (gwarcheidwaid) y plentyn i'ch cais. Nid oes raid i chi lenwi paragraff (j), ond sicrhewch, os gwelwch yn dda, eich bod wedi nodi manylion y gorchymyn rhyddhau yn Rhan 2 Ynghylch y Plentyn.

Nid oes angen i chi ofyn i'r llys hepgor cydsyniad y rhiant (rhieni) neu warcheidwad (gwarcheidwaid) y plentyn i'ch cais:

- os yw rhiant (rhieni)/gwarcheidwad (gwarcheidwaid) y plentyn wedi cydsynio i wneud gorchymyn am gyfrifoldeb rhiant cyn mabwysiadu dramor, neu
- os lleolwyd y plentyn gyda chi i'w fabwysiadu gan asiantaeth fabwysiadu gyda chydsyniad pob rhiant/gwarcheidwad (a rhoddwyd cydsyniad y fam pan oedd y plentyn o leiaf chwe wythnos oed), ac nid oes unrhyw riant/warcheidwad yn gwrthwynebu gwneud gorchymyn cyfrifoldeb rhiant cyn mabwysiadu dramor.

Llenwch baragraff (j) os gwelwch yn dda gan ddangos pa un o'r amodau hyn sy'n berthnasol yn eich achos chi.

Os nad oes gan tad y plentyn neu'r rhiant arall gyfrifoldeb rhiant dros y plentyn, nid ydych angen ef i gydsynio eich cais am orchymyn cyfrifoldeb rhiant cyn mabwysiadu dramor.

Note 20

If the child you are intending to adopt abroad is already the subject of a current placement order, the adoption agency has placed the child with you and no parent or guardian opposes the making of the order for parental responsibility prior to adoption abroad, you do not need to ask the court to dispense with the consent of the child's parent(s) or guardian(s) to your application. You do not have to complete paragraph (j), but please ensure that you have entered the details of the placement order in Part 2, About the Child.

If the child you are intending to take abroad for adoption is already the subject of a current freeing order, you do not need to ask the court to dispense with the consent of the child's parent(s) or guardian(s) to your application. You do not have to complete paragraph (j), but please ensure that you have entered the details of the freeing order in Part 2, About the Child.

You do not need to ask the court to dispense with the consent of the child's parent(s) or guardian(s) to your application if:

- 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 you 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 six weeks old), and no parent/guardian opposes the making of an order for parental responsibility prior to adoption abroad.

Please complete paragraph (j) showing which of these conditions applies in your case.

If the child's father or other parent does not have parental responsibility for the child, you do not need that parent's consent to your application for an order for parental responsibility prior to adoption abroad.

Nodyn 21

Os ydych chi'n gofyn i'r llys hepgor cydsyniad unrhyw riant neu warcheidwad, ni all y llys hepgor cydsyniad yr unigolyn hwnnw ond os yw'n fodlon:

- na ellir dod o hyd iddo ef/hi, neu
- ei fod ef neu hi â diffyg galluedd (o fewn ystyr Deddf Galluedd Meddyliol 2005) i roi caniatâd; neu
- fod lles y plentyn yn mynnu hynny.

Rhaid i chi lenwi paragraff (j) gan nodi pa un o'r tair sail hyn sy'n berthnasol i'ch cais. Bydd yn ofynnol gan y llys hefyd dderbyn datganiad byr gennych yn rhoi crynodeb o hanes yr achos ac unrhyw ffeithiau eraill i fodloni'r llys fod y rhesymau dros eich cais yn berthnasol. Gelwir y datganiad hwn yn 'ddatganiad ffeithiau'. Oni ellir dod o hyd i riant, dylai eich datganiad ffeithiau roi manylion y camau a gymerwyd i ddod o hyd iddo ef/iddi hi. Rhaid i'r datganiad ffeithiau gael ei lofnodi gan eich twrnai, neu gennych chi (y ddau ohonoch) os nad oes gennych dwrnai.

Dylech roi eich datganiad ffeithiau, ynghyd â **dau gopi o'r datganiad**, ynghlwm â'ch cais. Dylech hefyd atodi unrhyw ddogfennau yr ydych yn eu cyflwyno i gefnogi eich datganiad.

Pwysig: Bydd y llys yn anfon copi o'ch datganiad ffeithiau at bob riant neu warcheidwad i'r plentyn. Os ydych chi'n bwriadu gofyn i'r llys beidio â datgelu pwy ydych, dylech sicrhau nad yw'r datganiad ffeithiau'n cynnwys unrhyw wybodaeth allai ddatgelu pwy ydych, ble rydych yn byw neu ble'r aiff y plentyn i'r ysgol neu'r feithrinfa.

Rhan 4 Cyffredinol

Nodyn 22

Nodwch yr enw y dymunwch i'r plentyn gael ei adnabod wrtho yn dilyn y mabwysiadu dramor.

Nodyn 23

Nid oes angen i chi anfon adroddiad ar eich iechyd (neu iechyd yr ymgeisydd arall, os oes un), neu iechyd y plentyn gyda'ch cais:

- os rhoddyd y plentyn gyda chi i'w fabwysiadu gan asiantaeth fabwysiadu; neu
- os yw ef/hi'n blentyn i chi, neu'n blentyn i'r ymgeisydd arall; neu
- os ydych chi'n gwneud cais ar eich pen eich hun fel partner (gan gynnwys priod neu bartner sifil) i fam neu dad y plentyn.

Note 21

If you are asking the court to dispense with the consent of any parent or guardian, the court can only dispense with that person's consent if it is satisfied that

- he or she cannot be found, or
- he or she lacks capacity (within the meaning of the Mental Capacity Act 2005) to give consent; or
- the welfare of the child requires it.

You must complete paragraph (j) indicating which of these three grounds applies to your request. The court will also require from you a brief 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. This statement is known as a 'statement of facts'. If a parent cannot be found, your statement of facts should give details of the steps taken to trace him/her. The statement of facts must be signed by your solicitor, or by you (both of you) if you do not have a solicitor.

You should attach your statement of facts, **and two copies of the statement**, to your application form. You should also attach any documents you are submitting in support of your statement.

Important: The court will send a copy of your statement of facts to each parent or guardian of the child. You should make certain 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

Note 22

Please enter the name by which you want the child to be known following the adoption abroad.

Note 23

You do not need to send a report on your health (or the health of the other applicant, if there is one) or the health of the child with your application 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.

Yn unrhyw achos arall, rhaid i chi atodi adroddiadau iechyd ar wahân mewn perthynas â phob ymgeisydd a'r plentyn, **a dau gopi o'r adroddiadau**. Dylai'r adroddiadau iechyd ymdrin â'r materion a nodir yn y Cyfarwyddyd Ymarfer 'Adroddiadau gan ymarferydd meddygol cofrestredig ("adroddiadau iechyd")', ac ni ddylent fod wedi'u llunio ynghynt na thri mis cyn dyddiad eich cais am orchymyn mabwysiadu.

Cymorth neu gyfleusterau arbennig ar gyfer anabledd os byddwch yn mynychu'r llys

Nodyn 24

Os byddwch chi/ un ohonoch angen cymorth neu gyfleusterau arbennig ar gyfer anabledd neu nam, nodwch eich gofynion yn llawn os gwelwch yn dda. Bydd staff y llys angen gwybod, er enghraifft, a ydych eisiau i ddogfennau gael eu darparu mewn fformat gwahanol, megis Braille neu brint bras. Byddant hefyd angen gwybod am unrhyw ofynion penodol allai fod gennych ar ddiwrnod y gwrandawriad, megis mynediad i gadair olwyn, system dolen sain, neu ddehonglydd iaith arwyddion.

Bydd staff y llys yn cysylltu â chi ynghylch eich gofynion. Mae'n bwysig eich bod yn hysbysu'r llys o'ch anghenion. Oni wnewch hynny, efallai y bydd yn rhaid gohirio'r gwrandawriad o ganlyniad.

In any other case you must attach separate health reports in respect of each applicant and the child, **and two copies of the reports**. The health reports should cover the matters set out in the Practice Direction 'Reports by a registered medical practitioner ("health reports")', and must have been made no more than three months before the date of your application for an adoption order.

Special assistance or facilities for disability if you attend the court

Note 24

If you/either of you need special assistance or special facilities for a disability or impairment, please set out your requirements in full. The court staff will need to know, for example, whether you want documents to be supplied in an alternative format, such as Braille or large print. They will also need to know about any specific requirements you may have on the day of the hearing, such as wheelchair access, a hearing loop, or a sign language interpreter.

The court staff will get in touch with you about your requirements. It is important that you make the court aware of all your needs. If you do not, the result may be that the hearing has to be adjourned.