

Cais am orchymyn mabwysiadu (ac eithrio gorchymyn mabwysiadu dan y Cytundeb) lle bo'r plentyn yn byw fel arfer y tu allan i Ynysoedd Prydain ac yn cael ei ddwyn i mewn i'r Deyrnas Unedig i bwrpas mabwysiadu (Ffurflen A60)

Nodiadau ar lenwi'r ffurflen

Pwysig

Yn y nodiadau hyn, mae unrhyw gyfeiriad at dystysgrif geni, tystysgrif farwolaeth, tystysgrif briodas neu dystysgrif partneriaeth sifil a geir yng Nghymru a Lloegr 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.

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 oes gennych unrhyw ansicrwydd 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 adoption order (excluding a Convention adoption order) where the child is habitually resident outside the British Islands and is brought into the United Kingdom for the purposes of adoption (Form A60)

Notes on completing the form

Important

In these notes, any reference to a birth certificate, death certificate, marriage certificate or certificate of civil partnership obtained in England and Wales 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.

If you are attaching any order of the High Court or the 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 gwneud cais i'w fabwysiadu, gyda'r cyfenw'n olaf. Rhaid i chi nodi enw(au) cyntaf llawn a chyfenw'r plentyn yn union fel y dangosir hwy ar y copi ardystiedig o dystysgrif geni wreiddiol y plentyn, unrhyw dystysgrif/datganiad gadawiad, neu lle bo'r plentyn wedi'i fabwysiadu, y copi ardystiedig o'r cofnod yn y gofrestr fabwysiadu fel y cydnabyddir yn y Dardd-wlad neu gopi ardystiedig o'r dystysgrif fabwysiadu (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 mabwysiadu ac fe'i nodir wedyn yn y Gofrestr Plant. Nodwch, os gwelwch yn dda, y gallai methiant i roi manylion llawn olygu oedi yng nghyhoeddi tystysgrif mabwysiadu'r plentyn. 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, na ellir rhoi enwau cwmnïau yn y Gofrestr ac nad yw'n

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 applying to adopt, surname last. You must enter the full first name(s) and the surname of the child exactly as they are shown on the certified copy of the child's original birth certificate, any abandonment certificate/declaration, or where the child has been adopted, the certified copy of the entry in the register of adoptions as recognised in the State of origin or a certified copy of the adoption certificate (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 adoption order and will subsequently be entered in the Adopted Children Register. Please note that failure to give full details may result in a delay in issuing the child's adoption certificate. 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 company names cannot be entered in the Register and it is not sufficient to enter that you are an 'employee' or 'worker'

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.

Nodyn 4

Nodwch eich perthynas â'r plentyn yr ydych yn gwneud cais 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 mabwysiadu oni fo'r canlynol yn wir;

- os ydych chi (yn achos dau geisydd, o leiaf un ohonoch) yn byw yn y Deyrnas Unedig, Ynysoedd y Sianel neu Ynys Manaw; neu
- eich bod chi (yn achos dau geisydd, 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 i fabwysiadu ar eich pen eich hun a'ch bod yn bartner (gan gynnwys gŵr, gwraig neu bartner sifil) i dad neu fam neu riant arall y plentyn, dylech lenwi paragraff (l) ac yna fynd ymlaen yn syth i Ran 2 Yngghylch 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

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.

Note 4

Enter your relationship to the child you are applying to adopt, 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 adoption order cannot be made unless;

- 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 to adopt alone 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 i fabwysiadu ar eich pen eich hun, a'ch bod yn bartner (ond heb fod yn ŵr, gwraig neu bartner sifil) i berson nad yw'n rhiant i'r plentyn yr ydych yn dymuno'i fabwysiadu, dylech lenwi paragraff (m). Rhowch eich rhesymau dros wneud cais i fabwysiadu 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 i fabwysiadu 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 o'r Dyfarniad Absoliwt neu'r Gorchymyn Diddymu ynghlwm â'ch cais;
- eich bod yn wraig weddw neu'n 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 i fabwysiadu ar eich pen eich hun 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 gŵr/gwraig neu bartner sifil, neu
- eich bod wedi gwahanu oddi wrth eich gŵr/gwraig neu bartner sifil, eich bod yn byw ar wahân a bod y gwahanu'n debygol o fod yn parhaol, neu;
- mae eich gŵr/eich gwraig/eich partner sifil yn analluog yn gorfforol i wneud cais neu â diffyg galluedd (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 feddygol o analluogrwydd corfforol neu ddiffyg galluedd o fewn ystyr Deddf Galluedd Meddyliol

Note 7

If you are applying to adopt 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 wish to adopt, you should complete paragraph (m). Please give your reasons for applying to adopt 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 to adopt 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 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 to adopt alone 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, or medical evidence of physical incapability or a lack of capacity within the meaning of the Mental

2005. Dylech hefyd roi enw a chyfeiriad (os gwyddys) eich gwr/gwraig neu bartner sifil.

Nodyn 10

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

- y rhiant naturiol arall wedi marw, neu
- na ellir dod 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), 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

Dylid gosod ynghlwm gopi ardystiedig o dystysgrif geni wreiddiol y plentyn, unrhyw dystysgrif gadawiad, neu lle bo'r plentyn wedi'i fabwysiadu, copi ardystiedig o'r cofnod yn y gofrestr fabwysiadu fel y cydnabyddir yn y Dardd-wlad neu gopi ardystiedig o'r dystysgrif fabwysiadu.

Lle nad oes modd i chi atodi tystysgrif geni, nodwch leoliad geni'r plentyn (gan gynnwys y wlad), os gwyddoch.

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

Nodyn 12

Lle bo'r plentyn yn byw fel arfer y tu allan i Ynysoedd Prydain ac yn cael ei ddwyn i mewn i'r Deyrnas Unedig i bwrpas cael ei fabwysiadu gan berson sy'n byw ym Mhrydain, cyn i'r plentyn ddod i mewn i'r Deyrnas Unedig bydd yr Adran Plant, Ysgolion a Theuluoedd yn cyflwyno tystysgrif y cyfeirir ati fel arfer fel 'tystysgrif cymhwysedd' i'r Dardd-wlad.

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 adoption order 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 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), 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

A certified copy of the child's original birth certificate, any abandonment certificate, or where the child has been adopted, a certified copy of the entry in the register of adoptions as recognised in the State of origin or a certified copy of the adoption certificate, should be attached.

Where you are unable to attach a birth 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

Where the child is habitually resident in a country outside the British Islands and is brought into the United Kingdom for the purposes of adoption by a British resident, prior to the child's entry into the United Kingdom the Department for Education (DFE) issue a certificate usually referred to as a 'certificate of eligibility' to the State of origin.

Mae'r dystysgrif hon yn cadarnhau i'r awdurdod tramor fod yr unigolyn, neu, yn ôl y digwydd, y cwpl, wedi cael eu hasesu a'u cymeradwyo i fabwysiadu a bod y gweithdrefnau cywir wedi'u dilyn. Mae'r dystysgrif hefyd yn cyfeirio at y ffaith y cydymffurfiwyd â gweithdrefnau caniatâd mynediad hefyd. Anfonir llythyr i'r darpar fabwysiadwr(wyr) i'w hysbysu fod y dystysgrif cymhwysedd wedi'i chyflwyno. Dylech roi copi o'r llythyr hysbysu oddi wrth yr Adran Plant, Ysgolion a Theuluoedd ynghlwm â'r cais hwn.

Nodyn 13 ➤ Ni all y llys wneud gorchymyn mabwysiadu mewn perthynas ag unrhyw berson sy'n briod neu wedi bod yn briod, neu unrhyw berson sy'n bartner sifil neu a fu'n bartner sifil.

Nodyn 14 ➤ Lle cydymffurfiwyd â gofynion adran 83(4) Deddf Mabwysiadu a Phlant 2002 ac y cydymffurfiwyd â'r amodau sy'n ofynnol dan adran 83(5) (h.y. eich bod wedi cydymffurfio â Rheoliadau Mabwysiadu gydag Elfen Dramor 2005) rhaid i'r plentyn fod wedi bod yn byw gyda chi neu yn achos cais gan gwpl, gydag un neu'r ddau ohonoch, am gyfnod na fo'n llai na chwe mis cyn y cais.

Lle **na** chydymffurfiwyd â gofynion adran 83(4) y Ddeddf ac na chydymffurfiwyd â'r amodau sy'n ofynnol dan adran 83(5) (h.y. nad ydych wedi cydymffurfio â'r Rheoliadau Mabwysiadu gydag Elfen Dramor 2005) rhaid i'r plentyn fod wedi bod yn byw gyda chi neu yn achos cais gan gwpl, gydag un neu'r ddau ohonoch, am gyfnod na fo'n llai na deuddeng mis cyn y cais.

Nodyn 15 ➤ Rhaid i chi roi hysbysiad ysgrifenedig i'r awdurdod lleol lle mae eich cartref, neu lle y lleolwyd eich cartref diwethaf, o'ch bwriad i wneud cais am orchymyn mabwysiadu, o fewn 14 diwrnod gan ddechrau gyda'r diwrnod pryd y dygir y plentyn i'r Deyrnas Unedig.

Nodyn 16 ➤ Os oes rhyw berson 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 y person neu'r corff sy'n atebol i dalu. Yn achos gorchymyn cynhaliaeth, rhowch enw'r llys a'r dyddiad y gwnaethpwyd y gorchymyn; fel arall, rhowch ddyddiad y cytundeb cynhaliaeth neu ddyfarniad cynhaliaeth cynnal plant.

This certificate confirms to the foreign authority that the individual, or as the case may be the couple, have been assessed and approved to adopt and that the correct procedures have been followed. The certificate also refers to entry clearance procedures having to be complied with as well. The prospective adopter(s) is/are sent a letter notifying them that the certificate of eligibility has been issued. You should attach a copy of the notification letter from the DFE to this application.

Note 13 ➤ The court cannot make an adoption order in relation to any person who is or has been married, or any person who is or has been a civil partner.

Note 14 ➤ Where the requirements imposed by section 83(4) of the Adoption and Children Act 2002 have been complied with and the conditions required by section 83(5) have been met (i.e. you have complied with the Adoptions with a Foreign Element Regulations 2005) the child must have had his/her home with you or, in the case of an application by a couple, with one or both of you, for not less than six months preceding the application.

Where the requirements imposed by section 83(4) of the Act have not been complied with and the conditions required by section 83(5) have not been met (i.e. you have not complied with the Adoptions with a Foreign Element Regulations 2005) the child must have had his/her home with you or, in the case of an application by a couple with one or both of you, for not less than twelve months preceding the application.

Note 15 ➤ You must notify in writing the local authority where you have your home or last had your home of your intention to apply for an adoption order within 14 days beginning with the date on which the child is brought into the United Kingdom.

Note 16 ➤ 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.

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

Nodyn 17

Os oes achosion blaenorol, neu gyfredol yn ymwneud â'r plentyn yr ydych yn gwneud cais i'w fabwysiadu (er enghraifft, gwrandawadau am orchymyn gofal, trefniadau plant neu gorchymyn cyfrifoldeb rhiant), rhowch enw'r llys, natur y gwrandawiad a dyddiad ac effaith unrhyw orchymyn a wnaed, neu ddyddiad y gwrandawiad nesaf os yw'r achosion yn gyfredol. Nid oes angen i chi ailadrodd manylion unrhyw 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 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 Ynghylch rhiant/rhieni neu warcheidwad y plentyn

Nodyn 18

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

Nodyn 19

Os nad oes gan y plentyn warcheidwad, nodwch 'amherthnasol'. Fel arall, rhowch enw unrhyw berson allai gael ei ystyried fel gwarcheidwad y plentyn yn y wlad ble mae'r plentyn yn byw fel rheol. 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.

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 17

If there are earlier, or current, court proceedings relating to the child you are applying to adopt (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 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 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 18

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

Note 19

If the child has no guardian, enter 'not applicable'. Otherwise please enter the name of any person who may be regarded as the child's guardian in the country where the child is habitually resident. 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

Dylid gosod ynghlwm gopiâu o ganiatadau gan bersonau, sefydliadau ac awdurdodau y mae eu caniatâd yn angenrheidiol ar gyfer mabwysiadu yn y man ble mae'r plentyn yn byw fel arfer a'r lle y dygir ef ohono.

Nid oes angen i chi ofyn i'r llys hepgor caniatâd rhiant/rhieni neu warcheidwad/ warcheidwaid y plentyn i'ch cais os yw rhiant/rhieni/gwarcheidwad/ gwarcheidwaid y plentyn wedi cytuno i orchymyn mabwysiadu gael ei wneud.

Llenwch baragraff (i) os gwelwch yn dda i ddangos fod yr amod hwn yn berthnasol yn eich achos chi.

Nodyn 21

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

- na ellir dod o hyd iddo ef/hi, neu
- ei fod ef/hi'n analluog i roi caniatâd; neu
- fod lles y plentyn yn mynnu hynny.

Rhaid i chi lenwi paragraff (i) gan nodi pa un o'r tair sail hyn sy'n berthnasol i'ch cais. Bydd yn ofynnol gan y llys hefyd dderbyn datganiad ffeithiau 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 rhiant 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 na ble'r aiff y plentyn i'r ysgol neu'r feithrifa.

Note 20

Copies of the consents of the persons, institutions and authorities whose consents are necessary for adoption in the place where the child is habitually resident and being brought from should where possible be attached.

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 adoption order.

Please complete paragraph (i) showing that this condition applies in your case.

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 is incapable of giving consent; or
- the welfare of the child requires it.

You must complete paragraph (i) 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.

Rhan 4 Cyffredinol

Nodyn 22

Nodwch yr enw y dymunwch i'r plentyn gael ei adnabod wrtho yn dilyn y mabwysiadu. Dyma'r enw a osodir yn y Gofrestr Plant Mabwysiedig. Efallai y byddwch yn dymuno i'r plentyn gael enw newydd ar ôl iddo gael ei fabwysiadu, ond nis oes unrhyw reidrwydd i newid enw'r plentyn os nad ydych eisiau gwneud hynny.

Nodyn 23

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

- yw ef/hi'n blentyn i chi, neu'n blentyn i'r ceisydd arall; neu
- os ydych yn gwneud cais ar eich pen eich hun fel partner (gan gynnwys gŵr, gwraig neu bartner sifil) i fam, tad neu riant arall y plentyn.

Yn unrhyw achos arall, rhaid i chi atodi adroddiadau iechyd ar wahân mewn perthynas â phob ceisydd 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

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 clyw, 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.

Part 4 General

Note 22

Please enter the name by which you want the child to be known following the adoption. This is the name that will be entered on the Adopted Children Register. You may wish the child to have a new name following the adoption, but there is no obligation to change the child's name if you do not want to do so.

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:

- 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, father or other parent.

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

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.