

Approved form AF2002-57

made under the

Adoption Act 1993

Adoption Regulations 1993—Form 2

(see reg 5 (b))

AUSTRALIAN CAPITAL TERRITORY

Adoption Act 1993

Limited consent of parent or guardian to adoption

I [*full name and address of person consenting and the capacity in which the person's consent is required*] consent to the adoption of [*name in which the birth of the child to be adopted is registered*] born [*date and place of birth*] by—

- *(a) [*full name and address of a particular person who is a relative of the child*]; and
- *(b) [*full name and address of a person who has been appointed as a guardian of the child by order of a court*]; and
- *(c) [*full name and address of a person in whose custody the child has been placed by the chief executive in accordance with an ACT law*]; and
- *(d) [*full name and address of a person who is not a parent of the child but has lived with the parent of the child in a heterosexual relationship for a period of not less than 3 years*].

I received this form no later than 14 days ago.

[*I have read/*There has been read to me] the explanation set out below of the effect of an adoption order.

I have received information on the legal implications of adoption and I understand the legal consequences of signing this consent for the adoption of my child.

Religious upbringing

*I desire that my child be brought up in the [*name of religion*].

*I do not desire to express a wish with respect to the religious upbringing of my child.

Date:

Signature:

Attestation of primary witness

1. I have informed [*name of person signing the instrument*] about the legal implications of adoption and the legal consequences of signing the instrument.
2. I am satisfied that [*name of person signing the instrument*] understands the legal implications of adoption and the legal consequences of signing this instrument.
3. I have witnessed [*name*] sign this instrument.

Date:

Signed:

Capacity under the *Adoption Regulations 1993*, regulation 7 (2) in which instrument is witnessed:

Attestation of secondary witness

1. [*Name primary witness*] has adequately informed [*name of person signing the instrument*] about the legal implications of adoption and the legal consequences of signing the instrument.
2. I am satisfied that [*name of person signing the instrument*] understands the legal implications of adoption and the legal consequences of signing this instrument.

3. I have witnessed [*name*] sign this instrument.

Date:

Signature of secondary witness:

Capacity under the *Adoption Regulations 1993*, regulation 7 (3) in which instrument is witnessed:

Dated:

* Strike out if inapplicable

Effect of adoption order

On the making of an adoption order—

- (a) the adopted child becomes in contemplation of law a child of the adoptive parents, and the adoptive parents become in contemplation of law the parents of the child as if the child had been born to the adoptive parents; and
- (b) the adopted child ceases to be a child of the birth parents or of any person who was an adoptive parent before the making of the adoption order, and any such person ceases to be a parent of the child; and
- (c) if the order is made in favour of a person mentioned in the *Adoption Act 1993*, section 18 (2)—the relationship of the child with the parent referred to in that subsection is not affected; and
- (d) any existing appointment of a person as guardian of the adopted child ceases to have effect; and
- (e) any previous adoption of the child (whether under an ACT law or otherwise) ceases to have effect; and
- (f) for any ACT law relating to an offence of child sexual abuse, the adoption order will not affect the liability of the birth parents for prosecution for an offence occurring before or after the adoption; and
- (g) rights in respect of property and succession to property are determined according to the relationships created by the adoption, but property rights acquired before the commencement of the *Adoption Act 1993* or under that Act, section 48 (1) are not affected; and

- (h) the child acquires the domicile of the adoptive parents, but the child's race, nationality and citizenship are not affected; and
 - (i) a maintenance order, or an agreement, made before the adoption order, by which the alleged birth father of the child is to make payments for the maintenance of the child ceases to have any further effect (except as to arrears owing).
-

Endnotes

- 1 This form was originally in the *Adoption Regulations 1993*, schedule 1. Under amendments made by the *Legislation (Consequential Amendments) Act 2001*, the form was omitted from the regulations and became a form approved under the *Adoption Act 1993*, section 120A (see amdt 1.62, amdt 1.80).
- 2 This republication includes amendments made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

© Australian Capital Territory 2002