



## **Application Type A**

### **Application for an entry in the Register of Intercountry Adoptions where the Adoption was effected before 01 November 2010**

#### **What is an Intercountry Adoption?**

An intercountry adoption is the adoption of a child habitually resident in one state (the 'state of origin'), whether a Hague Convention state or a non-Hague Convention state, who has been, is being or is to be transferred into another state (the 'receiving state') – (a) after the child's adoption in the state of origin by a person or persons habitually resident in the receiving state, or (b) for the purposes of an adoption, in either the receiving state or the state of origin, by a person or persons habitually resident in the receiving state.

#### **Examples:**

- Adoptive parents, habitually resident in Ireland adopt a child from Vietnam and bring the child to live in Ireland afterwards. This is an 'intercountry adoption'.
- Adoptive parents, habitually resident in Spain, adopt a child from Thailand and bring the child to live in Spain afterwards. This is an 'intercountry adoption'.
- Adoptive parents, habitually resident in USA adopt a child in USA (i.e. their state of habitual residence and the child's state of habitual residence). This is **NOT** an 'intercountry adoption'. It is an adoption 'other than an intercountry adoption' or a domestic adoption in the state of habitual residence
- Adoptive parents, habitually resident in the UK adopt a child in the UK (i.e. their state of habitual residence and the child's state of habitual residence). This is **NOT** an 'intercountry adoption'. It is an adoption 'other than an intercountry adoption' or a domestic adoption in the state of habitual residence.
- 

#### **So, what else is important?**

The date of the adoption is very important.

Adoptions effected abroad up to 1998 and from 1 November 2010 onwards must comply with a certain definition of a 'foreign' adoption which is set out in the Adoption Act 2010. This definition refers to the consequences and effects of the adoption.

Adoptions effected abroad between 1998 and 2010 must comply with a different definition of a 'foreign' adoption which is also set out in the Adoption Act 2010. This definition also refers to the consequences and effects of the adoption but is generally regarded as a 'lower' threshold than that mentioned above.



Generally speaking, the consequences of the foreign adoption and the procedures followed must be on par with that of an Irish adoption, (i.e. the adoption must terminate the pre-existing legal relationship between the natural parent(s) and the adopted child. There are also two types of foreign adoptions – ‘simple’ adoption (which is akin to guardianship in Ireland and ‘full/plenary’ adoption which is akin to adoption in Ireland). Only ‘full / plenary’ adoptions can be recognised by Ireland in line with the legislation in place



**FOR THIS REASON, NOT ALL FOREIGN ADOPTIONS CAN BE RECOGNISED.**

**What intercountry adoptions CAN be recognised by the Adoption Authority of Ireland?**

**This application pertains to the following type of adoption that can be recognised by the Adoption Authority:**

Intercountry and foreign adoptions effected **prior to the enactment of the Adoption Act 2010 (1 November 2010)** may qualify for an entry in the 'Register of Intercountry Adoptions' (RICA) if they comply with the definition of a 'foreign' adoption outlined in Section 1 of the adoption Act 1991, as it was amended in 1998, unless the recognition would be contrary to public policy (for example, the adoption of an adult, any person who had reached their eighteenth birthday at the point at which they were adopted).

In order to make a decision on your application the Authority is entitled to ask you for documentary evidence in respect of any part of your application (including proof of habitual residence abroad).

N.B. Amongst other matters, the definition of 'habitual residence' includes an intention to permanently settle in that Country or to settle for an appreciable period where a substantial connection to that Country has been established for settled purposes. **OK, so I think I satisfy the conditions – how do I apply for recognition?**

Complete the form below and send this form along with the prescribed documentary evidence to the Adoption Authority of Ireland. You will find the relevant documents set out in the checklist below.

All applications for entry in the RICA must be made to the Adoption Authority, by post, as the originals of specified documents are required. In all cases, the application should be made to the following address:

Intercountry Adoption Unit  
Shelbourne House  
Ballsbridge  
Dublin 4  
D04 H6F6  
Ireland



**Register of Intercountry Adoptions established and maintained by the Adoption Authority of Ireland under Section 90 of the Adoption Act 2010**

**Application Form**

Please answer all questions. Please do not enter 'not applicable' ('N/A') for any answer.

<b>Name of applicant:</b>	
<b>Address:</b>	
<b>Telephone number:</b>	
<b>Email address:</b>	
<b>Relationship to adopted child (if any)</b>	

Section 90(3) of the Adoption Act 2010 states – *'The following persons may apply to the Authority to enter particulars of an intercountry adoption effected outside the State in the register of intercountry adoptions'*. Please indicate which category of applicant you are. Are you –

- the adopted person
- an adoptive parent
- another person having an interest in the matter



**Details of Adopter #1**

**Please complete in BLOCK letters**

1. Forename(s): \_\_\_\_\_
2. Current surname: \_\_\_\_\_
3. Birth surname: \_\_\_\_\_
4. Former surname(s): \_\_\_\_\_
5. Date of birth: \_\_\_\_\_
6. Occupation: \_\_\_\_\_
7. Relationship (if any) to child prior to adoption: \_\_\_\_\_
8. Relationship to Adopter #2 at the time of the adoption: \_\_\_\_\_

**Details of Adopter #2 (if applicable)**

**Please complete in BLOCK letters**

9. Forename(s): \_\_\_\_\_
10. Current surname: \_\_\_\_\_
11. Birth surname: \_\_\_\_\_
12. Former surname(s): \_\_\_\_\_
13. Date of birth: \_\_\_\_\_
14. Occupation: \_\_\_\_\_
15. Relationship (if any) to child prior to adoption \_\_\_\_\_
16. Relationship to Adopter #1 at the time of the adoption: \_\_\_\_\_

**Joint Adopter Details (if applicable)**

1. Date and place of marriage: \_\_\_\_\_



2. If either applicant had a previous marriage(s), give the date and place of marriage and (a) the date and place of dissolution or (b) the date of death of spouse.

---



### Details of the adopted child

1. Birth forename(s): \_\_\_\_\_
2. Birth surname: \_\_\_\_\_
- \*3. Adopted forename(s): \_\_\_\_\_
4. Adopted surname: \_\_\_\_\_
5. Date of birth: \_\_\_\_\_
6. Country and place of birth: \_\_\_\_\_
7. Sex: \_\_\_\_\_

**\*PLEASE NOTE THAT THE REGISTRATION WILL RECORD THE FORENAMES THAT APPEAR IN THIS APPLICATION. THESE CANNOT BE ADDED TO OR AMENDED ONCE AN ENTRY IS MADE IN THE REGISTER, WITHOUT HIGH COURT INTERVENTION.**

### Details of the adoption order

1. Date of adoption order: \_\_\_\_\_
2. Country and place of adoption order: \_\_\_\_\_
3. Full name and address of agent / agency through which the adoption was arranged \_\_\_\_\_  
\_\_\_\_\_
4. Full name of institution in foreign country from where child was adopted:  
\_\_\_\_\_
5. Full postal address of institution in foreign country from where child was adopted:  
\_\_\_\_\_  
\_\_\_\_\_

### Hague Convention Article 23 Certificate (if applicable)

Name of issuing Competent Authority:



## Statutory Declaration #1

(Complete this Declaration if the adoption was effected before 28 April 1998.

**In the matter of an application for an entry in the Register of Intercountry Adoptions  
under  
Section 90 of the Adoption Act 2010**

I/We \_\_\_\_\_ and \_\_\_\_\_

both of \_\_\_\_\_

and both aged 21 years and upwards do solemnly and sincerely declare and say as follows  
that –

The consent to the adoption of every person whose consent to the adoption was,  
under the law of the place where the adoption was effected, required to be obtained  
or dispensed with was obtained or dispensed with under that law.

The adoption has essentially the same legal effect as respects the termination and  
creation of parental rights and duties with respect to the child in the place where it  
was effected as an adoption effected by an adoption order.

The law of the place where the adoption was effected required an enquiry to be  
carried out, as far as was practicable, into the adopters, the child and the parents or  
guardian,

The law of the place where the adoption was effected required the court or other  
authority or person by whom the adoption was effected, before doing so, to give due  
consideration to the interests and welfare of the child.

I / we have not received, made or given or caused to be made or given any payment  
or other reward (other than any payment reasonably and properly made in  
connection with the making of the arrangements for the adoption) in consideration of  
the adoption or agreed to do so

Declared before me by \_\_\_\_\_ (name of declarant, this is the  
applicant),

who is personally known to me (or who is identified to me by \_\_\_\_\_)

who is personally known to me), at \_\_\_\_\_

on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Signature: \_\_\_\_\_

Description (a) \_\_\_\_\_



(a) This declaration must be made before a **Notary Public**, a **Commissioner for Oaths**, a **Lawyer** or another person who is authorized, **by law**, to take and receive statutory declarations. This Statutory Declaration must be authenticated by a stamp in the box below or where a stamp does not exist, must be authenticated by the business card of the authorized person or by some other verifiable means.

Official Stamp



## Statutory Declaration #2

(Complete this Declaration if the adoption was effected **between 28 April 1998 and 01 November 2010**)

**In the matter of an application for an entry in the Register of Intercountry Adoptions  
under  
Section 90 of the Adoption Act 2010**

I/We \_\_\_\_\_ and \_\_\_\_\_

both of \_\_\_\_\_

and both aged 21 years and upwards do solemnly and sincerely declare and say as follows  
that –

The consent to the adoption of every person whose consent to the adoption was,  
under the law of the place where the adoption was effected, required to be obtained  
or dispensed with was obtained or dispensed with under that law.

The adoption has essentially the same legal effect as respects the termination and  
creation of parental rights and duties with respect to the child in the place where it  
was effected as an adoption effected by an adoption order.

The law of the place where the adoption was effected required an enquiry to be  
carried out, as far as was practicable, into the adopters, the child and the parents or  
guardian,

The law of the place where the adoption was effected required the court or other  
authority or person by whom the adoption was effected, before doing so, to give due  
consideration to the interests and welfare of the child.

I / we have not received, made or given or caused to be made or given any payment  
or other reward (other than any payment reasonably and properly made in  
connection with the making of the arrangements for the adoption) in consideration of  
the adoption or agreed to do so

Declared before me by \_\_\_\_\_ (name of declarant, this is the  
applicant),

who is personally known to me (or who is identified to me by \_\_\_\_\_)

who is personally known to me), at \_\_\_\_\_

on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Signature: \_\_\_\_\_

Description (a) \_\_\_\_\_



(a) This declaration must be made before a **Notary Public**, a **Commissioner for Oaths**, a **Lawyer** or another person who is authorized, **by law**, to take and receive statutory declarations. This Statutory Declaration must be authenticated by a stamp in the box below or where a stamp does not exist must be authenticated by the business card of the authorized person or by some other verifiable means.

Official Stamp



**APPLICATION FOR AN ENTRY IN THE REGISTER OF INTERCOUNTRY ADOPTIONS  
DOCUMENT CHECKLIST – TYPE A ADOPTIONS**

- Application Form
- Original** Civil Marriage Certificate (if applicable) (including English translation if applicable)
- Sworn Statutory Declaration (one per application)
- Original** Adoption Order (not a copy) (including English translation if applicable)

***Privacy Statement***

***The Adoption Authority of Ireland will treat all information and personal data that you provide as confidential, in accordance with the General Data Protection Regulations and Data Protection Legislation.***