



Statutory Document No. 403/03

## THE ADOPTION ACT 1984

### THE REGISTRATION OF FOREIGN ADOPTIONS REGULATIONS 2003

*Approved by Tynwald*

15th July, 2003

*Coming into operation*

1st October 2003

In exercise of the powers conferred on the Clerk of the Rolls by paragraph 3(4) of Schedule 2 to the Adoption Act 1984<sup>1</sup>, and of all other enabling powers, the following Regulations are hereby made:—

#### 1. Citation, commencement and interpretation

(1) These Regulations may be cited as the Registration of Foreign Adoptions Regulations 2003 and, subject to section 53 of the Act, shall come into operation on the 1st October 2003.

(2) In these Regulations "the Act" means the Adoption Act 1984.

#### 2. Form of an entry in the Adopted Children Register

For the purposes of paragraph 3(2) of Schedule 2 to the Act (form of entry in the Adopted Children Register) the prescribed form is the form set out in the Schedule.

#### 3. Person who may make an application

For the purposes of paragraph 3(3) of Schedule 2 to the Act (persons who may make an application), the prescribed persons are —

- (a) in the case of —
  - (i) an adoption by a married couple, one of the adoptive parents of the adopted child;
  - (ii) an adoption by one person, the adoptive parent of the adopted child;
- (b) any other person who has parental responsibility for the adopted child;

---

<sup>1</sup> 1984 c.14

- (c) the adopted child, if he has attained the age of 18 years.

#### **4. Application**

(1) An application under paragraph 3 of Schedule 2 to the Act (entry of registrable foreign adoptions in Adopted Children Register) shall be made in the manner specified in this regulation.

(2) An application must be —

- (a) made in writing; and
- (b) signed by the person making the application.

(3) An application made in accordance with paragraph (2) shall be sent to the Chief Registrar together with —

- (a) in the case where the application is not in English, a translation into English of that application;
- (b) in the case of a Convention adoption, the copy of the certificate sent to the adoptive parents by the relevant central authority in accordance with regulation 17 of the Adoption (Hague Convention) Regulations 2003<sup>2</sup>; and
- (c) in the case of an overseas adoption, the evidence in accordance with article 4 of the Adoption (Overseas Adoptions) Order 1985<sup>3</sup> that the adoption has been effected.

#### **5. Particulars to be given in the application**

(1) An application made under paragraph 3 of Schedule 2 to the Act shall contain the particulars specified in this regulation.

(2) Subject to paragraphs (3) and (4), the specified particulars are —

- (a) the date of birth of the adopted child;
- (b) the place and country of birth of adopted child;
- (c) the sex of the adopted child;
- (d) the full name and any previous names of the adopted child;
- (e) the full name and any previous names of the natural father and natural mother;
- (f) in the case of an adoption by a married couple, the full name, previous names, address and occupation of the adoptive mother and adoptive father;
- (g) in the case of an adoption by one person, the full name, previous names, address and occupation of the adoptive parent;

---

<sup>2</sup> SD 176/03

<sup>3</sup> GC 278/85

(h) the date on which the Convention adoption or overseas adoption is effected; and

(i) the capacity in which the person is making the application.

(3) In a case where the person making the application does not know the particulars specified in paragraph (2)(c) or (e), that person shall state in the appropriate place in the application that such particulars are not known.

(4) In a case where the person making the application does not know the full particulars as specified in paragraph (2)(a), (b) or (d), that person shall —

(a) state in the application the extent of which such particulars are unknown; and

(b) give in the application, where the full particulars as specified in —

(i) where the full particulars as specified in paragraph (2)(a) are unknown, the year of birth of the adopted child;

(ii) where the full particulars as specified in paragraph (2)(b) are unknown, the country of birth; or

(iii) where the full particulars as specified in paragraph (2)(d) are unknown, any known names of the adopted child.

(5) In a case where an application is translated into English, the translated version of that application shall be duly signed and endorsed by the translator with the following particulars —

(a) the name, address and occupation of translator; and

(b) a statement to the effect that the translation is true and accurate.

Regulation 2.

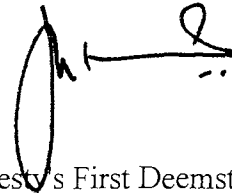
SCHEDULE

Form of entry to be made in the Adopted Children Register in respect of registrable foreign adoption

1. No of entry
2. Date and country of birth of child
3. Name and surname of child
4. Sex of child
5. Name and surname, address and occupation of adopter or adopters
6. *Date of adoption order and description of court by which made
7. Date of entry
8. Signature of Registrar

\*in the case where there is no court order the date the adoption is effected and by whom

MADE *29th May* 2003



Her Majesty's First Deemster and Clerk of the Rolls

EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations set out the procedural requirements for an entry of a registrable foreign adoption in the Adopted Children Register. The form in which an entry in the Adopted Children Register must be made is specified (reg.2 and Schedule). Who may make an application for such an entry, how the application is to be made and the particulars to be given in the application are specified (regs.3, 4 and 5).