

After the Declaration – The Next Steps for Intercountry Adopters

This information booklet has been prepared by the Adoption Board for the benefit of people preparing to adopt a child from abroad. It gives a broad outline of current intercountry adoption law and procedure which are relevant if you have *already* received your declaration of eligibility and suitability from the Adoption Board and are ready to move to the next stage – adopting the child and bringing him/her home.

It does not purport to be a detailed account of the provisions of the Adoption Acts nor to be a legal interpretation thereof. The Board is available to answer any additional queries you may have in relation to the process and can be contacted by telephone at 01-6671392.

The booklet also contains some other useful information, addresses and telephone numbers which will be relevant at the time of placement of the child.

Details contained in this booklet were correct at time of press (October, 2000).

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1. The Declaration

This booklet has been prepared for applicants who have a valid declaration of eligibility and suitability from the Adoption Board.

Adoption is for the benefit of children. The child is the most important person in the whole process. This principle is embodied in the law, which requires the Adoption Board or any court, when dealing with any matter relating to an adoption, to regard the welfare of the child as the first and paramount consideration. It is also enshrined in the Hague Convention for the Protection of Children and Co-operation in Respect of Intercountry Adoption – “*to ensure that intercountry adoptions take place in the best interests of the child and with respect for his or her fundamental rights as recognized in international law*”.

It is for this reason that any person resident here who wishes to adopt abroad is required to have their eligibility and suitability established before they travel abroad, if their adoption order is to be recognised.

If you have not yet received a declaration the first step is to have an assessment of eligibility and suitability carried out. Such assessments may only be carried out by a Health Board or by a Registered Adoption Society. Under Section 8(1) of the Adoption Act, 1991 a Health Board must carry out assessments for persons ordinarily resident in its functional area. Registered Adoption Societies may carry out assessments on behalf of health boards or at the request of those wishing to adopt abroad but are not obliged to do so.

When an eligibility and suitability assessment report has been prepared by the health board or society, it will forward your application to the Adoption Board for a declaration of your eligibility and suitability. Where the Adoption Board makes a declaration in your favour, a copy of the declaration of eligibility and suitability and the assessment report will be forwarded to you through the assessing agency.

1.1 How is the Declaration Used?

The declaration issued by the Adoption Board has an important status.

- (a) Most importantly, it is recognised by foreign states as evidence that the Irish State has assessed and approved you for intercountry adoption. You will be required to produce your declaration of eligibility and suitability and your assessment report to the foreign adoption authorities as evidence that you have been approved for an intercountry adoption by the Irish Adoption Board.
- (b) The Department of Justice, Equality and Law Reform will not issue an Immigration Clearance Letter until persons who propose adopting abroad successfully complete the assessment procedure and have a declaration made in their favour by the Adoption Board.

One of your first responsibilities to the adoptive child is to ensure that they have the right to reside permanently in Ireland, therefore prior clearance from the Department of Justice, Equality and Law Reform will be required.

2. Choosing a Country of Origin

It is likely that, at this stage, you will already have decided what country you intend to adopt from. Whether you have or not, there are important, interlinked questions to consider before proceeding:

- **Is the adoption law of the country recognised under Irish law?**
- **Can the adoption be registered when you return home?**

A fundamental pre-requisite to the granting of recognition under Irish law of an adoption effected abroad is that the foreign adoption fully complies with the definition of a foreign adoption specified in the Adoption Act, 1991 as amended by the Adoption Act, 1998. This definition is given in full at appendix 1 on page 22. *This is a very important definition which you should read carefully before proceeding.*

It is the responsibility of the Adoption Board to decide whether or not the law under which a foreign adoption is effected meets the requirements of Irish law and to thereby determine if the foreign adoption order qualifies for recognition in this country. The Board discharges this responsibility by examining the adoption law of the country concerned to ascertain if it appears to meet the requirements of Irish law and by obtaining the opinion of a lawyer practising in adoption law in the country concerned as to the nature and effect of an adoption order made in that jurisdiction.

Persons wishing to adopt abroad should check **beforehand** with the Adoption Board whether the adoption law of the country where they propose to adopt complies with Irish adoption law. Adoptions properly effected in countries whose laws have been found by the Board to be compatible with Irish Adoption law may be entered in the Board's Register of Foreign Adoptions, on application to the Board. A list of countries approved under the terms of the Adoption Act, 1991 as amended by the Adoption Act, 1998 and for entry in the Board's Register of Foreign Adoptions is included on page 17. The list of approved countries is updated on a regular basis and the Board would be happy to provide an up to date list on request.

Ensuring the child's adoption can be registered is another of your responsibilities towards the child you intend to adopt i.e. that they will have secure and equal status with other adoptive children both in terms of their direct relationship with you and, through you, indirectly with the State.

- **Other Considerations in Country Choice**

In choosing a country from which to adopt you may also want to consider the following points.

1. Currently, the Adoption Board transmits adoption applications on behalf of Irish residents to the **People's Republic of China, Belarus, Thailand and the Philippines**. Information on the procedures agreed between the Board and those countries is contained either in further booklets in this

series (no.s 4, 5 and 6) or can be obtained from the Adoption Board on request.

2. Romanian adoption law provides that non-Romanian residents must engage a Foundation in **Romania**, licensed by the Romanian Committee for Adoptions, to process the adoption application. It is a matter for prospective adopters to choose the Foundation which they wish to represent them. A list of registered Foundations can be obtained from the Adoption Board on request.
3. In relation to these or other countries, you might want to consider contacting parent support groups which will be invaluable sources of information. Details of these groups on pages 18 and 19.
4. In more general terms you might want to consider how a child from a different country will cope in the new environment. Your knowledge of their language and culture might be a factor, as well as your ability to provide positive ethnic role models for them. You should also consider early life experiences which may differ considerably from country to country and bring different challenges. Again, you should refer to parent support groups or your health board intercountry adoption team who may be able to direct you to a local network of intercountry adopters or adopters elsewhere in the region who have adopted from a country in which you have a particular interest.

3. Seeking a Referral

When you have decided on what country of origin you wish to adopt from you will then seek a referral. This may be done, as described above, via the Adoption Board (for certain countries), directly through native foundations/agencies of the countries of origin or (currently) through third country intermediary agencies.

It is important to remember that you have a responsibility to try to ensure that you are working with a reputable agency. Children continue to be abducted, sold and trafficked through the intercountry adoption process world-wide. As a receiving state we need to support those countries of origin which may have less

developed structures and laws to protect children. As signatories to the Hague Convention we are obliged to seek to uphold its standards. That includes ensuring, in so far as we can, that no one derives “*improper financial or other gain from an activity related to an intercountry adoption*” [Hague Convention, 1993 : Article 33]. While fees are involved in almost all intercountry adoptions, any reputable agency or contact should have transparent procedures and be accountable regarding the use of such fees.

3.1 What should you request from the agency?

1. Information on the child

When the agency with which you are working receives a referral on your behalf you should obtain details in relation to the child. Getting as much information as you can is important – both in terms of your decision about your capacity to rear the particular child; and for the child’s future when information about their roots is likely to form an important part of their development and understanding of their own identity.

2. Medical Information

With particular regard to medical information you should seek to obtain as much information about the child as possible prior to the child being placed with you. This is likely to be more difficult after the child has been placed and you have returned home.

Some parents’ groups recommend that you find out who (i.e. what health care professional or lay person) evaluated your child and when the evaluation was carried out. It has also been suggested that it can be useful to get the medical information from the native country in the native language and have it translated independently. Any information in relation to the health status of the parents may also be relevant. This medical information will help you to assess:–

- What medical needs the child might have;
- Which health checks or immunisations might be required when you bring the child home;
- Whether you or other members of the family need to be vaccinated;
- What additional resources you might need when the child is placed;

Advance knowledge of any potential problems will be a great benefit for your child as any interventions required can be made at the earliest possible stage.

You will not receive a standard set of medical information in relation to the child – different countries have different forms and formats. You should refer to the applicants' workbook from the preparation course (if you received one), this contains very useful prompts about possible questions which you could ask the mediating agency or the placing agency in the foreign country.

For example:–

“Children living in developing countries may not have had access to vaccination programmes and protection against childhood illnesses which are regarded as a “thing of the past” in Ireland. If they have been living in less than optimum conditions prior to their adoption they may also have been vulnerable to diseases associated with poverty, poor sanitation and cross-infection from over-crowding. There are some diseases and conditions which are prevalent in one part of the world and not in another, so there may be regionally specific conditions you will want to know more about.”

You should obtain expert advice augmented by the experience of other adopters. Again, you should refer to your applicants' workbook for some information on what some of the myths and truths are about issues in intercountry adoption. Much additional information is also available through parents' representative groups. In particular, the PARC/PNPIC parents' representative group can offer excellent information, advice and support in relation to the issue of post-institutionalisation.

4. Getting Immigration Clearance

After you have received your declaration of eligibility and suitability from the Adoption Board you must get immigration clearance for the prospective adopted child. As already mentioned immigration clearance is handled by the Department of Justice, Equality and Law Reform.

To request your Immigration Clearance Letter you need to write to:– **Immigration and Citizenship Division, Department of Justice, Equality and Law Reform, 72-76 St. Stephen's Green, Dublin 2. Phone No. (01) 602 8202.** The following documentation is required to process your immigration clearance:

- Your original birth certificate(s) (long form)
- Your original marriage certificate
- Your declaration of eligibility and suitability from the Adoption Board
- Two passport size photographs of each of you
- A letter stating which country you will be adopting from

Your documentation will be returned to you with your Immigration Clearance Letter, when approved. In the event of (i) any subsequent change of nationality of the child you intend adopting; or (ii) the expiry of the original Immigration Clearance Letter issued, your original Immigration Clearance Letter must be returned to the Department of Justice, Equality and Law Reform before an amended letter can be issued.

Your immigration clearance should be surrendered to an immigration officer on arrival at an Irish port of entry.

5. Collecting the Child

It is not possible or practical to outline the detailed processes of adoption which will occur in the country of origin. Information on countries for which referrals are transmitted via the Adoption Board is available in booklets 4, 5 and 6 in this series or from the Adoption Board. In other countries the native agency or third country agency will guide you through the legal process, and the provisions of the foreign adoption law. The provisions of foreign law vary widely even when the adoption order has the same nature and effect as an Irish adoption order. Look out for provisions such as the supply of post-adoption reports to the country of origin; arrangements regarding the child's citizenship of the country of origin after adoption; or the arrangements for post adoption information/contact with birth families. In the remainder of this section we deal only with the practical (as opposed to legal) aspects of having the child placed with you.

Very often when you go to meet your child and effect the adoption in the foreign country, you will stay there for at least a few days or perhaps longer. Many parents have emphasised that this is not a “holiday”, not the ideal time to consider catching up on cultural activities. On the other hand, many also emphasise the importance of having personal experience of the child’s country and culture. It is considered time well spent in the future when these kinds of ties are likely to be more important to the child. It is probably preferable to visit the country for those purposes at another time.

However, there are lots of other things which can be done at this time when collecting the child. *Make sure you use your time well:–*

This is an ideal opportunity to learn about the child’s life until now, in both general and more specific terms. Seeing the child’s environment, their daily routine, their experience of being held, spoken to, their opportunity for play, hearing the noises and smelling the smells of their home, are likely to be very useful in managing the transition to the new home.

It is also an opportunity to gather some documents, photographs and other items which could be included in the child’s storybook. Again, this is a once-off opportunity which might provide resources which will be very valuable in the years to come.

Finally, giving the child the opportunity to see you in their “safe” environment on a number of occasions is also likely to be useful. Parents whose children were placed with them “overnight” very much advocate a more managed and gradual introduction to the new family, if at all possible.

6. Coming Home

The arrival home and the first weeks can be difficult. Most adoptive parents now advise that the homecoming should be low key for the sake of the child. Indeed, even well-meaning visitors in these coming weeks might be too overwhelming for the child. If your child is older, you must try to imagine what life is like from their point of view. They may have begun to acquire their native language at this stage. The food will be different, the sounds, smells, textures of the new home will be

different. It is important to sensitise the child very gradually to your touch, smell, voice, face.

In these first days, you need to establish new routines but help the transition with reminders from home or toys your brought to the child while they were still there. Be prepared for anger or distress in the child which may be associated with the transition. Eventually, home will come to feel like home to the child. The more predictable and unchanging this is and the more you are there for the child, the quicker this will happen.

Very importantly, if you are finding things difficult, this is the time when the network of people which you have interacted with during the whole process up until now will be most useful. This might be your friends, family, other adopters in your preparation group or who live locally, your social worker, a public health nurse or a parents' representative group. The main thing is to draw on these resources and not to allow yourself to be overwhelmed. As already mentioned, early interventions for children who have particular problems have been identified as a key in overcoming difficulties in the longer term.

7. Registering the Foreign Adoption

To register the adoption, you need to write to the Adoption Board to request registration of the adoption under Irish law. The letter of application must be accompanied by proof of the foreign adoption in the manner set out in Section 9 of the Adoption Act, 1991 (included at Appendix 1 on page 23). Essentially this is an authenticated copy of the adoption order made in the foreign country. The Board will require a certified English translation of the adoption order with your letter of application. The Board examines whether the adoption complies with the definition of a foreign adoption contained in Section 1 of the Adoption Act, 1991 as amended by the Adoption Act, 1998. Once the Board is satisfied, an entry can be made in the Register of Foreign Adoptions.

Once registered, the child's adoption has the same legal status as if the adoption was made in this country and a new "birth" certificate may be obtained from the Adoption Board. The certificate issued is not an actual birth certificate but a certified copy of the entry relating to the child in the Register of Foreign Adoptions.

For legal purposes the adoption certificate has the status of a birth certificate.

8. Adoption Orders Made in Ireland in Respect of Foreign Children

In certain circumstances, an adoption order may be made in Ireland in respect of a foreign child. This may be due to the preferences of the country of origin or the nature and effect of the foreign adoption order. This may mean that either no adoption order will be made in the foreign country or that the adoption order will not be recognisable under Irish law. As already outlined this has serious implications for the child. In either case, contact should be made with the Adoption Board *prior* to the child being placed for adoption.

In some of these cases, the adoption may meet consent and eligibility requirements set out in Irish law and an adoption order may be made under the Adoption Act, 1952. Some other foreign adoptions may be processed under the Adoption Act, 1988 in exceptional circumstances. You should note that it will very often *not* be possible to regularise foreign adoptions which are not recognisable under the Adoption Acts, 1991-1998 using Irish adoption procedures. You should *never* assume that this will be possible simply because the foreign adoption order has been made and you have the child placed with you. In cases where an order can be made, the child's name will be entered in the Adopted Children Register by the Adoption Board. A copy of the new "birth" certificate may be purchased by contacting the General Register Office, Joyce House, Lombard Street East, Dublin 2, Phone (01) 6711000.

The certificate issued is not an actual birth certificate but a certified copy of the entry relating to the child in the Adopted Children Register. The long form of the certificate gives the date of the adoption order and the name(s) and address of the adoptive parent(s).

For all legal purposes the adoption certificate has the status of a birth certificate.

Further information on any aspect of intercountry adoption may be obtained from the **Adoption Board, Shelbourne House, Shelbourne Road, Ballsbridge, Dublin 4, Telephone Number 01-6671392.**

9. Entitlements

There are certain statutory entitlements which you may be eligible for after you have concluded the adoption and have returned home. In particular, you should check out your entitlement to Adoptive Benefit and Parental Leave. You will also be able to claim Child Benefit for the child.

Adoptive Benefit

In relation to Adoptive Benefit, this is a payment for an adopting mother or a single male who adopts a child. It is available to both employees and self-employed people who satisfy certain PRSI contribution conditions on their own insurance record. If eligible, the benefit is payable for a continuous period for 10 weeks from the date of placement of your child.

Claim forms and further details are available from your Social Welfare local office or from

Adoptive Benefit Section
Social Welfare Services Office
Government Buildings
Ballinalee Road
Longford.

Phone 043-45211 (Longford) or 01-8748444.

Parental Leave

The Parental Leave Act, 1998 makes provision for unpaid leave for fathers and mothers to look after young children. The Act also provides for a limited amount of force majeure leave, for family emergencies caused by illness or injury to close family members. For an Explanatory Booklet and further details you can contact The Equality Authority at Clonmel Street, Dublin 2. Phone: 01-4173333. Lo-call: 1890 245545 or 211151.

You should also check with your employer to see if they offer any benefits additional to these statutory entitlements.

Child Benefit

Child Benefit (formerly Children's Allowance) is payable every month for any qualified child normally living with you and being supported by you. Claim forms and further details are available from your Social Welfare local office, post office or from:

Child Benefit Section
Social Welfare Services Office
St. Oliver Plunkett Road
Letterkenny
Co. Donegal.

Letterkenny (074) 25566 or Dublin (01) 8748444.

10. List of Recognised Countries

Recognised	Not Recognised
<p>Africa Ethiopia Ghana Kenya Liberia Mauritius* Rwanda Sierra Leone South Africa Uganda Zambia Zimbabwe</p> <p>North America Alberta, Canada British Columbia, Canada Manitoba, Canada Newfoundland, Canada Ontario, Canada Quebec, Canada Alaska, U.S.A. Colorado, U.S.A. Illinois, U.S.A. Massachusetts, U.S.A. Michigan, U.S.A. Nevada, U.S.A. New Jersey, U.S.A. New Mexico, U.S.A. New York, U.S.A. North Carolina, U.S.A. Ohio, U.S.A. Oklahoma, U.S.A. Pennsylvania, U.S.A. Texas, U.S.A. Utah, U.S.A. Mexico*</p> <p>Central America Belize El Salvador</p> <p>South America Bolivia* Brazil Colombia* Ecuador Paraguay* Peru* Venezuela* Trinidad & Tobago</p>	<p>Asia China Hong Kong Indonesia Israel Japan* Malaysia Papua New Guinea* Philippines Singapore Sri Lanka Taiwan Thailand Vietnam*</p> <p>Australia/New Zealand Australian Capital Territory New South Wales New Zealand Northern Territory Queensland Tasmania The Cook Islands Victoria Western Australia</p> <p>Europe Belarus Belgium* Bulgaria Cyprus England & Wales France* Germany Greece Jersey Kazakhstan Latvia Lithuania Luxembourg* Northern Ireland Norway Poland* Romania Russia* Scotland Switzerland Ukraine</p>
	<p>Africa Sudan</p> <p>Central America Guatemala</p> <p>Asia Lebanon Nepal South Korea</p>

* These are countries where there is/was a dual system of adoption i.e. Plenary Adoption (Full) and Simple Adoption (foster care). Only Plenary Adoptions effected in these countries can be recognised.

11. Contacts for Further Information on Adoption

Adoption Board
Shelbourne House
Shelbourne Road
Ballsbridge
Dublin 4
Tel: (01) 6671392
Fax: (01) 6671438
e-mail: info@adoptionboard.ie
Web address: www.adoptionboard.ie

Adopted and Fostered Peoples
Association of Ireland (AFPAI)
99 Grace O'Malley Road
Howth
Co. Dublin

Adoptive Parents Association of
Ireland
Glendalough Post Office
Co. Wicklow
Helen Gilmartin, Secretary
Tel: (0404) 45184
Fax: (0404) 45700
e-mail: apai@eircom.net
Helen Scott, Public Relations Officer
(01) 8252043

Barnardos Adoption Advice Service
Christchurch Square
Dublin 8
Tues 2 p.m. – 5 p.m.,
Thurs 10 a.m. – 2 p.m.
Tel: (01) 4546388

Government Publications
Sun Alliance House
Molesworth Street
Dublin 2
Tel: (01) 6710309

Inter-Country Adoption Association
(Cork)
8 Manor Lawn,
Thornbury View,
Rochestown
Co. Cork
Tel: (021) 896103
Fax: (021) 896188

International Adoption Association
P.O. Box 5522
Shankill
Co. Dublin
(Send Stamped Addressed Envelope)
Web address: www.iaaireland.com

International Orphan Aid
19A Main Street
Blackrock, Co. Dublin
Tel: (01) 2781234 Fax: (01) 2781235
info@internationalorphanaid.ie
www.internationalorphanaid.ie

Parents Network for Post
Institutionalised Children (PNPIC)
53 Castlelands
Balbriggan
Co. Dublin
Tel: (01) 8411530
e-mail: pnpicireland@eircom.net

Parents of Adopted Romanian
Children (P.A.R.C.)
53 Castlelands
Balbriggan
Co. Dublin
Tel: (01) 8411530
e-mail: parcireland@eircom.net

Thai Adoption Support Group
67 Larchfield Road
Goatstown, Dublin 14
Web address: indigo.ie/~fennwbl/

The following 5 organisations publish regular journals or newsletters:

BRITISH AGENCIES FOR ADOPTION
AND FOSTERING (BAAF)
Skyline House
200 Union Street
London SE1 OLY
Tel: 0044 207 5932000
Fax: 0044 207 5932001

NORCAP (UK)
112 Church Road
Wheatley
Oxfordshire OX33 1LU
England
Tel: 0044 1865 875000
Fax: 0044 1865 875686

POST ADOPTION CENTRE (P.A.C.)
8 Torriano Mews
Torriano Avenue
London NW5 2RZ
England
Tel: 0044 207 2840555

PPIAS
(Parent to Parent Information on
Adoption Services)
Lower Boddington,
Daventry
Northamptonshire NN1 1 6YB
United Kingdom
Tel: 0044 1327 260295
Fax: 0044 1327 263565

Robin Hilborn
Box 1353,
Southampton
Ont. NOH 2L0
Canada
(Publication: Post Adoption Helper)

12. Contact Addresses for Health Boards and Adoption Societies Undertaking Assessments At Present

Eastern Regional Health Authority South Western Area Health Board

Child Care Services

1st Floor

Park House

Dublin 7

Tel: (01) 8387122

Midland Health Board

Longford/Westmeath

Fostering and Adoption Service

Health Centre

Dublin Road

Longford

Tel: (043) 50170

North Eastern Health Board

Adoption Service

St Mary's Hospital

Dublin Road

Drogheda

Co Louth

Tel: (041) 32963

(041) 41038

Midland Health Board

Laois/Offaly

Fostering and Adoption Service

Community Care Centre

O'Carroll Street

Tullamore

Co Offaly

Tel: (0506) 22488

Mid Western Health Board

Fostering and Adoption Centre

Glenbevan House

Upper Mayorstone

Limerick

Tel: (061) 483788

(061) 483789

North Western Health Board

Sligo/Leitrim

Social Work Department

Markievicz House

Sligo

Tel: (071) 55100

North Western Health Board

Donegal

Social Work Department

County Clinic

Letterkenny

Co Donegal

Tel: (074) 22322

Southern Health Board

Kerry

Kerry Adoption and Fostering Team

6 Denny Street

Tralee,

Co Kerry

Tel: (066) 7121566

South Eastern Health Board

SEEK Regional Adoption Service of
the South Eastern Health Board

Community Care Centre

Cork Road

Waterford

Tel: (051) 842800

Southern Health Board

Cork

Adoption Department

St Finbarr's Hospital

Douglas Road

Cork

Tel: (021) 923121

Western Health Board

Clann

Western Regional Adoption

Committee,

Child Care Unit

Merlin Park Regional Hospital

Galway

Tel: (091) 751131

PACT

Protestant Adoption Society (REGD)

15 Belgrave Road

Rathmines

Dublin 6

Tel: (01) 4976788 Fax: (01) 4966565

e-mail: pact@eircom.net

Appendix 1

Definition of a Foreign Adoption as Provided For Under the Adoption Act, 1991 as Amended by the Adoption Act, 1998

A foreign adoption is “an adoption of a child who at the date on which the adoption was effected was under the age of 21 years or, if the adoption was effected after the commencement of this Act, 18 years, which was effected outside the State by a person or persons under and in accordance with the law of the place where it was effected and in relation to which the following conditions are satisfied:

- (a) 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 either
 - (i) at the time the adoption was effected, or
 - (ii) at a subsequent time when, if the adoption which was initially granted did not have the effect in that place of terminating a pre-existing legal parent-child relationship, it was converted into an adoption having that effect by virtue of such consent being obtained or dispensed with under that law (the date on which the adoption was initially granted being construed for the purposes of this Act as the time the adoption was effected)”.
- (b) the adoption has, for so long as it is in force, substantially the same legal effect as respects the guardianship of the child in the place where it was effected as an adoption effected by an adoption order
- (c) 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,
- (d) the adoption was effected for the purpose of promoting the interests and welfare of the child,

- (e) *the adopters 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, and “adopter” and “adopted child” shall be construed accordingly;*

Section 9, Adoption Act 1991

Section 9 (1)

- “(a) A document, duly authenticated, which purports to be a copy of the document by which an adoption outside the State was effected shall without further proof be deemed to be a true copy of the document unless the contrary is shown and shall be admissible as evidence of the adoption.*
- (b) Documents, duly authenticated, which purport to be copies of the documents by which an adoption outside the State was effected shall without further proof be deemed to be true copies of the documents unless the contrary is shown and shall be admissible as evidence of the adoption”.*

Section 9 (2)

“A document purporting to be a copy of a document or of one of the documents by which an adoption outside the State is effected shall, for the purposes of this section, be regarded as being duly authenticated if it purports–

- (a) to bear the seal of the court or other authority or the person or persons by which or by whom it was issued or executed, or*
- (b) to be certified–*
 - (i) by a person in his capacity as a judge or officer of that court or in his capacity as that authority or as a member or officer of that authority, or*
 - (ii) by the person or persons by whom it was issued or executed.”*

Adoption Board Booklet No. 3 – After the Declaration

Section 9 (3)

“(a) The Minister may by regulations make provision in relation to the proof of adoptions effected outside the State and the regulations may make different provision as respects different places and different classes of adoptions.

(b) Provisions of regulations under this subsection may be in addition to or in substitution for the provisions of subsections (1) and (2) of this section and may amend those provisions.”

Section 9 (4)

“Where an adoption is effected in a place outside the State, it shall be presumed, until the contrary is shown, that it was effected under and in accordance with the law of that place.”