

# Application for a direction under section 88(1) of the Adoption and Children Act 2002

Name of court	
Case no.	
Date received by the court	
Date issued	

## Notes to applicants

- Before filling in this form, please read the guidance notes on completing the form.
- Please complete every Part. If you are not sure of the answer to any question, or you do not think that it applies to you, please say so.
- If there is not enough room on the form for your reply, you may continue on a separate sheet. Put the child's full name, the number of the Part and the paragraph reference at the top of the continuation sheet.
- Please use black ink when filling in the form.

## Part 1 About you

See Note 1

### First applicant

a) Title

- Mr     Mrs     Miss  
 Ms     Other \_\_\_\_\_

b) My name is

First name(s) in full

Last name

c) My address is

d) My telephone number is

e) My relationship to the child is

### Second applicant

a) Title

- Mr     Mrs     Miss  
 Ms     Other \_\_\_\_\_

b) My name is

First name(s) in full

Last name

c) My address is

d) My telephone number is

e) My relationship to the child is

See Note 2

See Note 3

f) My/our solicitor in these proceedings is

Name of solicitor			
Name of firm			
Address (including postcode)			
Telephone no.		Fax no.	
DX no.			
E-mail address			

## Part 2 About the child

See Note 4

a) The name of the child is

First name(s) in full

Last name

b) The child is a

Boy

Girl

c) The child was born on

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## Part 3 About the respondents

See Note 5

a) The Child's Adopters

The name of the child's adoptive parent(s) is/are:

### First adoptive parent

Title

Mr

Mrs

Miss

Ms

Other \_\_\_\_\_

### Second adoptive parent

Title

Mr

Mrs

Miss

Ms

Other \_\_\_\_\_

First name(s) in full

First name(s) in full

Last name

Last name

Address

Address

b) The Child's parents

The name of the child's parent(s) is/are:

**First parent**

Title

Mr       Mrs       Miss

Ms       Other \_\_\_\_\_

First name(s) in full

Last name

Address

**Second parent**

Title

Mr       Mrs       Miss

Ms       Other \_\_\_\_\_

First name(s) in full

Last name

Address

c) The adoption agency (only complete where the child was placed for adoption by an adoption agency)

See Note 6

Name of adoption agency	
Address (including post code)	
Name of your contact in the agency	
Telephone no.	

d) The local authority to whom notice under section 44 (notice of intention to apply for an order for parental responsibility prior to adoption abroad) has been given is:

Name of local authority	
Address (including post code)	
Name of your contact in the authority	
Telephone no.	

e) The Attorney General

See Note 5

## Part 4 About this application

See Note 7

I/we apply for a direction that, in respect of the child (insert name of child)

See Note 4

a) section 67(3) of the Adoption and Children Act 2002 shall not apply

**or**

b) section 67(3) of the Adoption and Children Act 2002 shall apply with the following modifications:

(c) The reasons for this application are

See Note 8

## Part 5 Declarations

I/we certify that a Convention adoption which was authorised on

See Note 9

at

by which

and

adopted (insert the name of the child)

See Note 4

was not, under the law of the country in which the adoption was effected, a full adoption

See Note 10

and

- that the consents referred to in Articles 4(c) and (d) of the Convention have not been given for a full adoption

See Note 11

or

- that the United Kingdom is not the receiving State within the meaning of Article 2 of the Convention

See Note 11

and that it would be more favourable for (insert name of child)

See Note 4

if a direction under section 88(1) of the Adoption and Children Act 2002 was given.

**A copy of the Convention adoption is attached**

## Part 6 Statement of truth

\*[I believe] [The first applicant believes] that the facts stated in this application are true.

\*I am duly authorised by the first applicant to sign this statement.

Print full name

Signed  Date

\*[First applicant] [First applicant's solicitor] [First applicant's litigation friend]

\*delete as appropriate

\*[I believe] [The second applicant believes] that the facts stated in this application are true.

\*I am duly authorised by the second applicant to sign this statement.

Print full name

Signed  Date

\*[Second applicant] [Second applicant's solicitor] [Second applicant's litigation friend]

\*delete as appropriate

### If you attend the court for a hearing

1. Do you/either of you have a disability for which you require special assistance or special facilities?

Yes  No

If Yes, please say what your needs are below  
(the court staff will get in touch with you about your requirements)

2. Do you/either of you want to use the services of an interpreter?

Yes  No

If Yes, please specify which language  
(court staff will get in touch with you about your requirements)

### What to do now

Once you have completed and signed this form, you should take or send the form and **three copies** to the High Court, together with the court fee and a copy of the Convention adoption. If you are not sure about the court fee payable for your application, or you think that you may be exempt from paying all or part of the fee, you should contact the court for information.

See Note 12

# Application for a direction under section 88(1) of the Adoption and Children Act 2002 (Form A62)

## Notes on completing the form

### Important

This application form may be used to make an application to the High Court for a direction under section 88(1) of the Adoption and Children Act 2002 that, subject to the conditions which must be met, in the case of a Convention adoption section 67(3) does not apply, or does not apply to the extent specified in the direction.

If you are attaching any order of the High Court or a county 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). 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 High Court, together with the court fee and any documents you are attaching in support of your application. If you are not sure about the court fee payable for your application, or you think that you may be exempt from paying all or part of the fee, you should contact the court for information.

### Notes on the application form

#### Note 1

The following persons may make this application:

- The adopted child;
- The adopters;
- Any parent;
- Any other person.

#### Note 2

If you do not want your private address and telephone number to be disclosed to any other party, do not enter those details on this application form. Instead you should enter the details on Form A65, which you must file at the court with your application. The information will not then be disclosed to any other person, except by order of the court.

#### Note 3

Enter your relationship to the child, for example, adopter, parent. If you are the child enter 'subject child'. If you do not have a relationship to the child enter 'none'.

#### Note 4

Please give the name of the child as it appears on the Convention adoption. **You must attach a copy of the order to your application.**

#### Note 5

The following people and institutions may be respondents to this application:

- The child's adopters;
- The child's parents
- The adoption agency;
- The local authority to whom notice under section 44 (notice of intention to apply for an order for parental responsibility prior to adoption abroad) has been given.

Please fill in their details as fully as possible.

The Attorney General will also be a respondent to these proceedings. The court already has the address for service on the Attorney General.

**Note 6**

Only complete this part if the child was placed by an adoption agency. This is only likely to be relevant where the United Kingdom was the State of origin in the Convention adoption proceedings.

**Note 7**

In Part 4 of the application please indicate the order you are asking the court to make and complete the relevant additional details required, for example, please insert the details of the extent to which section 67(3) of the Adoption and Children Act 2002 should not apply.

**Note 8**

Please set out the reasons for your application. If there is not enough room for your reply, please continue on a separate sheet. Put the child's name, the number of the Part and the paragraph reference at the head of the continuation sheet.

If you have withheld your address or telephone number on the application form, you should make sure that the reasons you give for your application do not include any information that could lead to those details being disclosed.

**Note 9**

Enter the date on which the Convention adoption was authorised and by whom (e.g. which Court or Authority), together with the details of the adopters and the child adopted.

**Note 10**

A full adoption is an adoption following which the child is to be treated in law as not being the child of any person other than the adopters or adopter.

**Note 11**

The Convention means the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, concluded at the Hague on 29th May 1993.

### **Special assistance or facilities for disability if you attend court**

**Note 12**

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.