

Note 13

Where the child is habitually resident in a country outside the British Islands and is brought into the United Kingdom for the purposes of adoption by a British resident, prior to the child's entry into the United Kingdom the Department for Children, Schools and Families (DCSF) issue a certificate usually referred to as a 'certificate of eligibility' to the State of origin.

This certificate confirms to the foreign authority that the individual, or as the case may be the couple, have been assessed and approved to adopt and that the correct procedures have been followed. The certificate also refers to entry clearance procedures having to be complied with as well. The prospective adopter(s) is/are sent a letter notifying them that the certificate of eligibility has been issued. You should attach a copy of the notification letter from the DCSF to this application.

Note 14

The court cannot make an adoption order in relation to any person who is or has been married, or any person who is or has been a civil partner.

Note 15

Where the requirements imposed by section 83(4) of the Adoption and Children Act 2002 have been complied with and the conditions required by section 83(5) have been met (i.e. you have complied with the Adoptions with a Foreign Element Regulations 2005) the child must have had his/her home with you or, in the case of an application by a couple, with one or both of you, for not less than six months preceding the application.

Where the requirements imposed by section 83(4) of the Act have **not** been complied with and the conditions required by section 83(5) have not been met (i.e. you have not complied with the Adoptions with a Foreign Element Regulations 2005) the child must have had his/her home with you or, in the case of an application by a couple with one or both of you, for not less than twelve months preceding the application.

Note 16

You must notify in writing the local authority where you have your home or last had your home of your intention to apply for an adoption order within 14 days beginning with the date on which the child is brought into the United Kingdom.

Note 17

If some person or body is liable to pay maintenance for the child under a court order, or a maintenance agreement or child support maintenance awarded by the Child Support Agency, give the name and address of the person or body liable to pay. In the case of a maintenance order, give the name of the court and the date the order was made; otherwise, give the date of the maintenance agreement or child support maintenance award.

If possible, you should attach a copy of any maintenance order or a copy of the maintenance agreement or maintenance award to your application.

Note 18

If there are earlier, or current, court proceedings relating to the child you are applying to adopt (for example, proceedings for a care order, a contact order, a parental responsibility order or a residence order), give the name of the court, the nature of the proceedings and the date and effect of any order made, or the date of the next hearing if proceedings are current. You do not need to repeat the details of any maintenance order or agreement you have already given.

If you were a party to any proceedings that have been completed, you should attach a copy of the final order to your application.

Important: if you have previously applied for an adoption order in respect of the same child and the order was refused, you will need to satisfy the court that there has been a change of circumstances since you last applied, or that there is some other reason why the court should hear your current application. Please set out your reasons for making this application on a separate sheet, explaining why you think the application should be heard. Please put the child's full name, the number of the Part and the paragraph reference at the head of the sheet and attach it to your application form.