

Application

For declaration as to adoption effected overseas under section 57 of the Family Law Act 1986

You must file with the application a certified copy of the adoption order made overseas and one of the following documents:

- a certified copy of the entry in the register of adoptions as recognised in the State in which the adoption was effected;
- a certified copy of the adoption certificate; or
- a certified copy of the birth certificate made after the adoption referred to in the application

If any of the documents to be provided are not in English, you must include English translations certified by a notary public or authenticated by a statement of truth.

If you are filling in the application by hand, please **use black ink** and write in **BLOCK CAPITAL LETTERS**.

To be completed by the court

Name of court

Date issued

Case number

1. About you (the applicant - a person whose status as an adopted child depends upon an adoption effected overseas)

Your first name

Middle name(s)

Surname

Previous surnames (if any)

Date of birth

/ /

Gender ☐ Male ☐ Female

Place of birth
(town/county/country)

If you do not wish your address to be made known to the respondent, leave the address details blank and complete Confidential contact details form C8.

Address

Postcode

Home telephone number

Mobile telephone number

Have you lived at this address for more than 5 years?

☐ Yes ☐ No

If No, please provide details of all previous addresses you have lived at during the last 5 years.

Your solicitor's details

Do you have a solicitor acting for you?

☐ Yes ☐ No

If Yes, please give the following details

Your solicitor's name

Name of firm

Address

Postcode

Telephone number

Fax number

DX number

Email

Solicitor's Reference

Applicant 2 (if applicable)

Your first name

Middle name(s)

Surname

Previous surnames (if any)

Date of birth

D	D	/	M	M	/	Y	Y	Y	Y
---	---	---	---	---	---	---	---	---	---

Gender

☐

Male

☐

Female

Place of birth
(town/county/country)

If you do not wish your address to be made known to the respondent, leave the address details blank and complete Confidential contact details form C8.

Address

Postcode

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Home telephone number

Mobile telephone number

If you have a solicitor acting for you and your solicitor is different from the first applicant please provide details of these on a separate sheet.

What is your relationship
to Applicant 1?

2. About the adoption order

Date of adoption order

D	D	/	M	M	/	Y	Y	Y	Y
---	---	---	---	---	---	---	---	---	---

Place of adoption order

Court or Tribunal which made
adoption order

Address of court or Tribunal
(if known)

Postcode

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Telephone number

Court Reference (if known)

3. Why are you making this application?

Please give brief details about why you are making this application. You should include details of the facts you allege justify making this application and the declaration you are seeking.

Do not give a full statement, please provide a summary.

You may be asked to provide a full statement later.

4. Your connection with England and Wales

1) Please state whether you:

a) are domiciled in England and Wales on the date of the application, or

☐ Yes

☐ No

b) have been habitually resident in England and Wales throughout the period of one year ending with that date

☐ Yes

☐ No

2) If the court's jurisdiction to hear the application is based on habitual residence please state the addresses where you have lived and the length of residence at each place during the period of one year ending with the date of the application.

5. The respondents

The respondents to the application will be:-

1. the people you claim are your adoptive parents, or
2. the people you claim are **not** your adoptive parents.

If there are more than 2 respondents please continue on a separate sheet.

Respondent 1

Respondent's first name

Middle name(s)

Surname

Previous surnames (if known)

Date of birth

Gender ☐ Male ☐ Female

Place of birth
(town/county/country, if known)

Address

Postcode

Telephone number

Mobile telephone number

Have they lived at this address
for more than 5 years?

☐ Yes ☐ No ☐ Don't know

If No, please provide all previous addresses for the
last 5 years below, if known.

Respondent 2

Respondent's first name

Middle name(s)

Surname

Previous surnames (if known)

Date of birth

D

D

/

M

M

/

Y

Y

Y

Y

Gender

☐ Male☐ Female

Place of birth
(town/county/country, if known)

Address

Postcode

Telephone number

Mobile telephone number

Have they lived at this address
for more than 5 years?

☐ Yes☐ No☐ Don't know

If No, please provide all previous addresses for the
last 5 years below, if known.

6. Statement of truth

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

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

*Delete as appropriate

Print full name

Address for service

Name of applicant solicitor's firm

Signed

Dated

D	D	/	M	M	/	Y	Y	Y	Y
---	---	---	---	---	---	---	---	---	---

*(Applicant) (Applicant's solicitor)

Position or office held
(if signing on behalf of firm or
company)

Proceedings for contempt of court may be brought against a person who makes or causes to be made a false statement in a document verified by a statement of truth.

7. Attending the court

Section N of the the booklet **'CB1 - Making an application - Children and the Family Courts'** provides information about attending court.

If you require an interpreter, you must tell the court now so that one can be arranged.

Do you or any of the parties need an interpreter at court?

☐

Yes

☐

No

If Yes, please specify the language and dialect:

If attending the court, do you or any of the parties involved have a disability for which you require special assistance or special facilities?

☐

Yes

☐

No

If Yes, please say what the needs are

Please say whether the court needs to make any special arrangements for you to attend court (e.g. providing you with a separate waiting room from the respondent or other security provisions).

Court staff may get in touch with you about the requirements

What to do now

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- b. a certified copy of the adoption certificate; or
- c. a certified copy of the birth certificate made after the adoption referred to in the application

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Check you have **signed** Section 6 of this form.

- ☐ You must provide a **copy** of this application and
☐ attached documents for each of the respondents.

- ☐ Details of the additional respondents if there are more than 2 in Section 5.

- ☐ Check you have attached the correct fee. The leaflet 'EX50 Civil and Family Court Fees' provides information about court fees you will have to pay.

Now take or send your application with the correct fee and correct number of copies to the court.

Court fees

You may be exempt from paying all or part of the fee. The combined booklet and application form 'EX160A Court Fees - Do you have to pay them' gives more information. You can get a copy from the court or download a copy from our website at www.hmcourts-service.gov.uk

Guidance Notes for applicant on completing this form

- Please read all of these guidance notes before you begin completing the application. The notes follow the order in which information is required on the application.
- Court staff can help you fill in the application and give information about procedure once it has been issued, but they cannot give legal advice. If you need legal advice, for example, about the likely success of your application or the evidence you need to support it, you should contact a solicitor or a Citizens Advice Bureau.
- If you are filling in the application by hand, please use black ink and write in block capitals.
- You must file any written evidence to support your application either in or with the application. Your written evidence must be verified by a statement of truth.
- Copy the completed application, the respondent's notes for guidance and your written evidence so that you have a copy for yourself, one copy for the court and one copy for each respondent. Send or take the applications and evidence to the court office with the appropriate fee. The court will tell you how much this is.

Applicant and Respondent details

As the person making the application, you are called the 'applicant'; any other party is called a 'respondent'. Applicants who are under 18 years old (unless otherwise permitted by the court) and persons who lack capacity within the meaning of the Mental Capacity Act 2005 must have a litigation friend to make the application and conduct court proceedings on their behalf. Court staff will tell you more about what you need to do if this applies to you.

You must provide the following information about yourself and each respondent (if known):

- all known forenames and surname;
- whether Mr, Mrs, Miss, Ms or Other (e.g. Dr); and
- residential address (including postcode and telephone number).

Where another person listed in the application form is:

- under 18, write ("a child, by 'Mr Joe Bloggs' his/her litigation friend")
- a person who lacks capacity within the meaning of the Mental Capacity Act 2005, write ("by Mr Joe Bloggs, his/her litigation friend")
- appearing in a representative capacity, you must say what that capacity is, eg. "Mr Joe Bloggs as the representative of Mrs Sharon Bloggs"

Your solicitor's name and address

If you are represented by solicitor in these proceedings, enter in this box your solicitor's full name and address, and other contact details as requested.

Details of application

Under this heading you must set out either:

- the question(s) you wish the court to decide; or
- the order you are seeking and the legal basis for your application; and
- if your application is being made under a specific rule or practice direction, you must state which.

Depending on the Declaration you are applying for you must set out specific information.

Statement of truth

This must be signed by you, by your solicitor or your litigation friend, as appropriate.