

## **GUIDELINES FOR INTERCOUNTRY ADOPTION OF THAI CHILD**

1. It is necessary for the applicants to make adoption application through to the competent Social Welfare authority in their country i.e. the governmental organization which is responsible for Social Welfare or the non-governmental Child Welfare Organization which is licensed by their Government to handle the matter of intercountry adoption (Competent Authority).
2. Under the Child Adoption Act of 1979 of Thailand, all intercountry adoption applications have to be proceeded through the Department of Public Welfare (DPW), or the non-governmental child welfare agencies which are particularly authorized by DPW (Authorized Agencies), in cooperation with the Competent Authority and under the direction of the Child Adoption Board of Thailand. The Board members comprise the representatives of various concerned authorities and qualified persons. The Director General of DPW is designated as the chairman of the Board while the Director of the DPW Child Adoption Center functions as the secretary of the Board.
3. Preliminary qualification of applications for adoption are as follows:
  - a) Be at least 25 years of age and be at least fifteen years older than the child to be adopted.
  - b) Be eligible to adopt a foreign child under the concerned law of country of domicile.
  - c) Have legitimate spouse.
4. Adoption Applications and documents, including those for adoption of step-children or relatives have to be submitted by Competent Authority to DPW or Authorized Agencies. In this connection, the Competent Authority has to provide DPW or Authorized Agencies with the three documents as follows:
  - 4.1 A Home Study Report made by Competent Authority which should include the details of the applicants' physical and mental health, family status, assets, liabilities and financial standing, personal reputation, conditions of place of residence, size of family maturity and ability to give love and care to the child, motivation and any special reasons related to the welfare and interest of the child, parental relationship and obligation with the children born out of previous marriages (if applicable), and other matters pertinent to the applicants.
  - 4.2 A statement of approval made by Competent Authority or the responsible authority as the case may be, confirming that the applicants are qualified for adoption under the concerned legislation in their country and are in all respects suitable to be the adoptive parents of a foreign child.
  - 4.3 A statement made by Competent Authority agreeing to supervise the pre-adoption placement of a child in case such placement is granted to the applicants and to provide at least three bi-monthly progress reports to DPW. The pre-adoption placement period is a probationary period of at least six months.
5. An official Application Form is to be filled out and returned by the applicants to DPW or Authorized Agencies via Competent Authority. Such completed Form has to be attached with the additional required documents as cited below:
  - a) Medical certificate verifying good physical health, mental stability, and Infertility of the applicants (if applicable)
  - b) Document certifying marriage.
  - c) Document certifying occupation and income.
  - d) Document certifying financial status.
  - e) Document certifying assets.
  - f) Letters of recommendations given by at least two references.
  - g) Extract of divorce decree of the applicants (if applicable).

- h) Photographs of the applicants size 4.56 centimetres, four each including the photographs of the applicants's children (if any) and their home area. Document from the immigration authority of such particular country permitting the immigration of a child to be adopted.
  - i) Confirmation from Competent Authority or concerned Authority that after the adoption is finalized under the Thai law, it will also be legalized under the concerned Law of the applicants' country when due.
6. It is required that all of the documents have to be original and be verified by The Royal Thai Embassy or Consulate in the applicants' country, or sent through diplomatic channels. Accordingly, please note that our official language is Thai. However, English is applicable. Therefore, the documents in other languages have to be attached with their translation, either in Thai or English, which have to be verified by the Royal Thai Embassy or Consulate.
  7. For the applicants who have lived temporarily in a foreign country the Home Study Report will have to be made and their eligibility for intercountry adoption will have to be assessed and confirmed by Competent Authority in their country of domicile. Unless the applicants have been living in that country for at least 1 year before submitting their application and will remain in that country until the adoption is finalized, cooperation may be sought from Competent Authority in the country where they have temporary resided. The Competent Authority may prepare the Home Study Report and supervise the pre-adoption placement when due. The eligibility for intercountry adoption may be confirmed by the Embassy of their country of domicile in such country. Furthermore, the permission for the child to be adopted to enter the countries have to be confirmed to DPW by the concerned authorities of both countries.
  8. When all of the required documents are received, in certain cases, they will be submitted to the Child Adoption Board of which the results will be informed to the applicants through Competent Authority whether or not they are approved as prospective adoptive parents.
  9. In case the application is processed through DPW, the matching of the prospective adoptive parents with a child who is legally available for intercountry adoption, will be arranged by DPW.
  10. In case the adoption is processed through Authorized Agencies, DPW is entitled to review and investigate (if needed) the background of the child to be adopted in order to be confirmed that the child is legally available for intercountry adoption. This investigation will have to be done before submission of the case to the Child Adoption Board.
  11. After matching, photographs and information about background and health condition of the child will be sent through Competent Authority to the prospective adoptive parents for consideration.
  12. In case the prospective adoptive parents accept the child, the case will be further submitted to the Child Adoption Board and the Minister of Labour and Social Welfare respectively. For approval of pre-adoption placement.
  13. In case the pre-adoption placement is approved, a definite appointment will be made by DPW or Authorized agencies for the prospective adoptive parents to travel to Thailand in order to meet with and be interviewed by the child Adoption Board, and then to receive the child for pre-adoption placement. If only either one of the prospective adoptive parents can make such trip, a written consent of the absent spouse is required.
  14. For the second adoption of Thai child, it could be possible to request for DPW social worker to escort the child to the country of the prospective adoptive parents. All the travel expenses will be paid by the prospective adoptive parents.
  15. For children allocated by DPW, DPW will facilitate the issuance of documents necessary for travel of the child. Accordingly, the prospective adoptive parents should manage to stay on in Thailand for about two weeks for this purpose. The prospective adoptive parents have to be responsible for the expenses to be incurred by the travelling of the child to be adopted such as passport fee, and air fares.

16. Upon returning to their country, the prospective adoptive parents are requested to report to Competent Authority in order that the supervision of the pre-adoption placement could be commenced.
17. When at least three bi-monthly reports on the pre-adoption placement have been received and if the placement has been assessed positively, DPW will submit the case to the Child Adoption Board for approval of finalization of such adoption under the Thai Law by registration. The decision of the Board will be informed to the prospective adoptive parents again through Competent Authority.
18. It is obligated that the prospective adoptive parents have to register their adoption under the Thai Law within the period of six months after acknowledging such notification. The registration can be carried out either at the respective Royal Thai Embassy or at any District office in Thailand. The adoption is then finalized under the Thai Law.

After this, the legalization of the adoption under the concerned Law of the respective country shall be carried out, the outcomes of which shall be informed to DPW by competent Authority.

19. Please note that it is not possible to apply for more than one child at one time, except twins, siblings or in the case of adoption of children of the applicants' Thai spouse, and it is unlikely that an abandoned child aged below one year old will be available for incountry adoption.

As regards the period of processing an adoption application, it is not possible to specify such length. Nevertheless, in general cases, it approximately takes about 1-2 years depending on such related factors as the completeness of the required documents and the availability of a child to suit each individual family of the prospective adoptive parents.

**Child Adoption Centre**  
Department of Public Welfare  
Ratchavithi Road  
Bangkok 10400, Thailand

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## **Documents to be required for Intercountry Adoption of Thai Child**

1. A Home Study Report which should include details of the applicants.
2. A statement approving that the applicants are legally qualified, according to the adoption law of their Country and are suitable to be adoptive parents of a foreign child according to the social standard of their Country. (the Embassy of the applicant's country)
3. A statement agreeing to supervise the pre-adoption placement, should the child is granted probational placement for a period of at least six months and to forward bi-monthly reports to the Department of Public Welfare of Thailand.
4. Medical certificate verifying good physical health and mental stability as well as the indication of the applicants infertility. (if any)
5. Document certifying marriage.
6. Document certifying income and occupation and work permit.
7. Document certifying asset.
8. Document certifying financial status.
9. Letters of recommendations given by at least two reference.
10. Photographs of applicants spouse size 4.5x6 centimetres, four each
11. Document from the immigration authority of such particular country permitting the immigration of a child. (Sri Lanka immigration office and the Embassy of the applicants' country)
12. Confirmation from COMPETENT AUTHORITY or concerned authority that after the adoption is finalized under the Thai law, it will also be legalized under the concerned Law of the applicants' country when due.
13. Application Form for Child Adoption which the applicants have filled out.
14. Extract of applicants' divorce and the commitment to give custody of their children. (if applicable)
15. Copies of the applicant and his wife's passport and visa.
16. In case the applicants contact the private agency, it is necessary to obtain documents as follow:
  - a) A photocopy of up-to date License of the agency.
  - b) Statement from the Government Social Welfare Department in that particular country authorizing the agency to handle the intercountry adoption applications.

Documents which are not in English language must be attached with English or Thai translation and be signed by the translator. All required documents from No. 4-15 (original and translation) have to be verified by the Royal Thai Embassy or Consulate in that particular country.

## **Adoption between family relatives or friends and the applications**

The following certified documents which they have to present to the officer at the Child Adoption Center of the Department of Public Welfare of the respective Provincial Public Welfare officer in their home town are:

1. The child to be adopted's birth certification, his or her housing registration and the child's photo.
2. The child's identify card and consent (in case that he or she is over 15 years old)\*
3. Marriage certificate, identify cards, housing registration of the child's parents or guardian and photo of the child's parents or guardian.
4. Divorce certificate or Court Order of the child's parents (if any)
5. Death certificate of the parent(s) guardian.
6. Consent by the child's parents (to be signed with the presence of authorized official)\*
7. Consent by the child's father or the letter which the child's father can not give the child up or could not be traced is confirmed by the authorized official.
8. Child Study\*