



DE LA SALLE UNIVERSITY
TANADA-EKONO SCHOOL OF LAW
DLSU LAW CLINIC

Primer on Inter- Country Adoption (Republic Act No. 8043 and RA 11642 and their Implementing Rules and Regulations)



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Act 3094 (*An Act to Confer Certain Powers Upon Institutions For The Care of Orphan, Homeless, Neglected, or Abused Children*), promulgated on 16 March 1923, was the first law that enabled foreigners to adopt Filipino children¹. The law allowed any public institution or charitable association incorporated in the Philippines involved in the childcare of an orphaned or abused child to consent to the legal adoption of children under their guardianship to responsible persons, whether Filipinos or aliens.

By 1975, the legal basis for Inter-Country Adoption was the Child and Youth Welfare Code (PD 603). The Code “allowed non-resident aliens to adopt locally through the Philippine courts, provided that they are not disqualified from adopting according to the laws of their home country and that their country is one which the Philippines had diplomatic ties with”² Eventually, this led to the implementation of the Rules and Regulation on Foreign Adoption in 1976, which vested the Director of Social Services with the authority to approve a Child’s adoption in a foreign country; based on recommendations of the National Placement Committee. This was an administrative process, as opposed to the Child and Youth Welfare Code which only provides for judicial or in-court proceedings.

In 1986, through Executive Order 91³ *amendments to the Child and Youth Welfare Code* were made. The changes provided strict residency requirements for non-resident aliens seeking to adopt within the country. In 1988, the Family Code further limited the rights of foreigners to adopt, barring aliens from adopting with certain exceptions prior to promulgating the rules on Inter-Country Adoption. A few years later, before the advent of its laws on Inter-Country Adoption, the Philippines ratified the UN Convention on the Rights of the Child on 02 September 1990. Article 4 therein states that “*Parties shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention.*”⁴ In addition, the Hague Convention on the Protection of Children and Cooperation in Respect of Inter-Country Adoption was ratified by the Philippine Senate on 08 January 1996.

Because of these developments, the Philippine government was bound to craft a law for Inter-Country Adoption. There were apprehensions, however, due to the issues of child abuse, trafficking, or exploitation. Thus, the clamor for an Inter-Country Adoption law that could protect the rights of potential Filipino children who are potential adoptees became stronger. This led to “a multi-sectoral effort at curtailing illegal practices perpetrated by individuals or syndicates”⁵ and eventually led to the passage of RA 8043 or The Inter-Country Adoption Act of 1995, which provides an “exceptional opportunity for children to escape a life of poverty and decay”⁶

¹ Pangalangan, E. (2013). *Not Bone of My Bone But Still My Own*, p.35.

² Pimentel-Gana, G. (2007). *Adopting a Filipino Child: The Inter-Country Way*, p.3.

³ Executive Order 91, Article 26, 17 December 1986.

⁴ Convention on the Rights of the Child, 20 November 1989. Article 4.

⁵ Candelaria, S. (1997). *Legal Aspects of Inter-Country Adoption*, p. 33.

⁶ Pangalangan, E. (2013). *Not Bone of My Bone But Still My Own*, p.43.

Several years later, the passage of RA 11642 on 06 January 2022 sought to simplify the adoption process further, making changes in the existing approach to make it less tedious and costly to ensure the best interest and future of the Child. The law created the National Authority for Child Care (NACC) which shall exercise powers and functions relating to alternative child care, including the declaration of a child legally available for inter-country adoption.

REPUBLIC ACT 11642: AN ACT STRENGTHENING ALTERNATIVE CHILD CARE BY PROVIDING FOR AN ADMINISTRATIVE PROCESS OF DOMESTIC ADOPTION, REORGANIZING FOR THE PURPOSE THE INTER-COUNTRY ADOPTION BOARD (ICAB) INTO THE NATIONAL AUTHORITY FOR CHILD CARE (NACC), AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8043, REPUBLIC ACT NO. 11222, AND REPUBLIC ACT NO. 10165, REPEALING REPUBLIC ACT NO. 8552, AND REPUBLIC ACT NO. 8552, AND APPROPRIATING FUNDS THEREFOR

I. GENERAL PROVISIONS: INTER-COUNTRY ADOPTION

1. What is the law's purpose and objective?

A: To create policies and proceedings that would cater to the best interest of a Child in situations where the Child's welfare will be harmed. The act also creates a National Authority for Child Care to ease the process of Inter-Country Adoption (Secs. 2 & 3, RA 11642).

2. What is Inter-Country Adoption?

A: It is the act of adopting a Child from a country other than the Philippines by complying with International Law. It may also be defined as the socio-legal process of adopting a child by a foreign national or a Filipino citizen habitually a resident outside Philippine territory which complies with the principles stated in the Hague Convention of 1993 (Sec 4 (w), RA 11642).

3. Did the enactment of RA 11642 totally repeal RA 8043, also known as the Inter-Country Adoption Act?

A: Not entirely. The text of RA 11642 provides that the Implementing Rules and Regulations of RA 8043 as well as its Procedures and Work Instruction Manual still apply unless there is a patent incompatibility. As such, several of the functions, procedures, and guidelines provided for, as well as powers lodged in the agencies created by RA 8043 subsist in the newly created agencies under RA 11642, in so far as Inter-Country Adoption is concerned (Sec. 82, IRR of RA 11642). It should also be noted that RA 11642 provides that RA 8043 has only been AMENDED and not repealed, hence provisions in RA 8043 that do not have contradicting counterparts in RA 11642 should be considered continuously applicable and effective (Sec. 62, RA 11642).

4. What happened to the Inter-Country Adoption Board (ICAB)?

A: The Inter-Country Adoption Board, the Central Authority and main policy-making body under RA 8043, has been reconstituted into the National Authority for Child Care (NACC), an attached agency with quasi-judicial functions under the Department of Social Welfare and Development (DSWD). All duties, functions, and responsibilities of the ICAB, the DSWD, and other government agencies relating to alternative child care and adoption have been transferred to NACC (Sec. 5, RA 11642).

5. What is the National Authority for Child Care (NACC)?

A: The NACC currently is the policy-making authority for domestic adoption in the Philippines and Inter-Country Adoptions initiated from foreign countries. All petitions for adoption go through the NACC and its procedures. The NACC retains the ICAB's administrative functions and sets guidelines for the manner of selection and matching of prospective adoptive parents and verifies when a Child is qualified for adoption. The NACC makes the final decisions on adoption applications and matching proposals (Sec. 5, RA 11642, in relation to Sec. 4 of the IRR of RA 8043).

6. What is the jurisdiction of the NACC?

A: The NACC shall have the original and exclusive jurisdiction over all matters pertaining to alternative child care, including:

- Declaring a Child legally available for Adoption;
- Domestic Administrative Adoption;
- Adult Adoption;
- Foster Care under Republic Act No. 10165 (Foster Care Act of 2012);
- Adoptions under Republic Act No. 11222 (Simulated Birth Rectification Act); and
- Inter-Country Adoption under Republic Act No. 8043 (Inter-Country Adoption Act of 1995) (Sec. 6, RA 11642)

7. What are the functions of the NACC in relation to the Philippines' Inter-Country Adoption Program?

A: The NACC shall be the central authority in matters relating to Inter-Country Adoption. It will coordinate and consult with government agencies such as the Department of Social Welfare and Development, the Department of Foreign Affairs, the different child care and placement agencies, adoptive agencies, and NGOs engaged in child care and placement activities. It shall also consider the procedures for suitable alternative care for Filipino children stranded abroad including countries not a party to the Hague Convention or have no diplomatic relations with the Philippines. The NACC must also ensure that all possible domestic placement of the Child has been exhausted before a Child is allowed to be the subject of Inter-Country Adoption (Sec. 8, RA 11642).

8. What are the powers vested in the NACC under the law?

The NACC shall have the following powers:

- To prescribe rules and regulations as it may deem reasonably necessary to carry out the provisions of the Domestic Alternative Adoption Law as well as the subsisting Inter-Country Adoption Law, after consultations and upon favorable recommendation of the different agencies concerned with child-caring, placement and adoption;
- To set the guidelines for the convening of the Inter-Country Adoption Placement Committee which shall be under the direct supervision of the Board;
- To set the guidelines for the manner of selection and matching of prospective adoptive parents and adoptive Child;
- To determine a reasonable schedule of fees and charges to be exacted in connection with the application for and process of adoption;
- To determine the form and content of the application for Inter-Country Adoption;
- To formulate and develop policies, programs and services that will protect the Filipino Child from abuse, exploitation, trafficking and adoption practices that are harmful, detrimental and prejudicial to the best interests of the Child;
- To institute systems and procedures to prevent improper financial gain in connection with adoption and deter improper practices which are contrary to the Act;
- To promote the development of adoption services, including post-legal adoption services;
- To accredit and authorize foreign private adoption agencies which have demonstrated professionalism and competence and have consistently pursued non-profit objectives;
- To engage in the placement of Filipino children in their own country; provided, that such foreign adoption agencies are duly authorized and accredited by their own government;
- To conduct Inter-Country Adoption;
- To take appropriate measures to ensure the confidentiality of the records of the Child, the natural parents and the adoptive parents at all times;

- To prepare, review, modify and recommend to the Department of Foreign Affairs, Memoranda of Agreement on Inter Country Adoption consistent with the implementation of the subsisting provisions of the Inter-Country Adoption law and its stated goals, entered into, between and among the Philippines and foreign governments, international organizations and recognized international non-governmental organizations;
- To assist other concerned agencies and the courts in the implementation of the Inter-Country Adoption laws, particularly in the coordination with foreign persons, agencies and other entities involved in the process of adoption and the physical transfer of the Child; and
- To perform such other functions on matters relating to Inter-Country Adoption (Sec. 4, IRR of RA 8043).

9. What is this ‘central authority’ which is repeatedly referred to in RA 11642, the previous adoption laws, and the implementing rules to these laws?

A: It should be understood that the ‘*central authority*’ refers to the NACC. Under RA 11642, the NACC shall act as the central authority in matters relating to Inter-Country Adoption and shall act as the policy-making body for purposes of carrying out the provisions of the same law. The ICAB was previously the ‘central authority’ in the Philippines for purposes of Inter-Country Adoption (Sec. 4, RA 8043 and Sec. 8, RA 11642).

The ‘*central authority*’ of another country, or a state or region in another country, may be understood to be the counterpart agency of the NACC in so far as facilitating Inter-Country Adoption is concerned (Sec. 4 (pp), RA 11642).

10. Does the NACC have the power to restrict the right to travel?

A: Yes. The right to travel or the freedom to move from one place to another is not absolute. There are constitutional, statutory, and inherent limitations that regulate such rights. One of which is the *Inter-Country Adoption Act of 1995 or R.A. No. 8043*. “Pursuant thereto, the Inter-Country Adoption Board may issue rules restrictive of an adoptee's right to travel 'to protect the Filipino child from abuse, exploitation, trafficking and/or sale or any other practice in connection with adoption which is harmful, detrimental, or prejudicial to the child’ (*Leave Division, Office of Administrative Services - Office of the Court Administrator v. Heusdens, A.M. No. P-11-2927 13 December 2011*).

11. What happens to petitions pending before the ICAB?

A: Pending petitions before the ICAB still subsisting will be subject to internal transition procedures brought about by the creation of the NACC (Sec. 56, RA 11642).

12. What is the Regional Alternative Child Care Office or RACCO?

A: The Regional Alternative Child Care Office (RACCO) is a creation of RA 11642. There shall be a RACCO in each region of the Philippines, which shall be headed by a Regional Alternative Child Care (RACC) Officer.

There shall be a Regional Child Placement Committee (RCPC) installed in each RACCO which shall be supervised by the RACC officer. It shall be composed of a multidisciplinary group including a child psychiatrist or psychologist, a medical doctor, a member of the Philippine Bar, an adoption Social Worker and a representative of an NGO involved in child welfare. No member of the RCPC shall have relations with the Child or PAP being matched (Sec. 9, RA 11642).

13. What are the functions and responsibilities of RACCO?

A: The RACCO's task is to ensure a well-functioning system of receipt of local petitions for issuance of a Certificate Declaring a Child Legally Available for Adoption or CDCLAA, and other requests regarding alternative placement and well-being of children.

The RACCOs shall handle the following matters:

- Issuance of the CDCLAA;
- Domestic administrative adoption;
- **Inter-Country Adoption;**
- Foster care;
- All other forms of alternative care including family-like care, kinship care, and residential care; and
- Rectification of simulated birth pursuant to Republic Act No. 11222 (Sec. 9, RA 11642).

14. What is the relationship of the NACC to the RACCOs?

A: The RACCOs are under the supervision and control of the NACC (Sec. 8 (f), RA 11642). The RACCO shall be in charge of performing functions that further the purpose for which the NACC was created at the regional level. Petitions filed before the RACCO of a region shall be decided by the NACC, the latter as the central authority (Secs. 4 (g) and (i) of RA 11642).

15. I am a foreigner who adopted my spouse's Filipino Child in my country. I am certain that the adoption is valid under my country's laws as a valid decree was issued by my government. Do I need to go through domestic or Inter-Country Adoption to formalize that adoption in the Philippines?

A: No. What you need to do in this situation is to file a *Petition to Recognize the Foreign Adoption Decree* from your country before a Philippine court. The Decree can be proven by:

- (1) An official publication; or
- (2) A certification or copy attested by the officer who has custody of the judgment. If the office which has custody is in a foreign country, the certification may be made by the proper diplomatic or consular office of the Philippine foreign service in the country and authenticated by the seal of office (*Karl William Yuta Magno Suzuki v. OSG G.R. No. 212302, 02 September 2020 citing Rule 132, Sections 24 and 25 of the Rules on Evidence, in relation to Rule 39, Section 48 (b) of the Rules of Court*).

III. FOREIGN ADOPTION AGENCIES

16. What is a "Foreign Adoption Agency"?

A: A "Foreign Adoption Agency" or FAA refers to the State Welfare Agency or the licensed and accredited agency in the country of the foreign adoptive parents that provides comprehensive social services and is duly recognized by the NACC. These are the agencies that can participate in the Philippine Inter-Country Adoption program and assist applicants in intercountry adoption. An application for Inter-Country Adoption can be filed through an accredited FAA in the country where the applicant resides (Sec 4 (u), IRR of RA 8043).

17. What are the steps for a Foreign Adoption Agency to be accredited?

A: Foreign Adoption Agencies from both contracting and non-contracting states to The Hague Convention on Protection of Children and Cooperation in Respect of Inter-Country Adoption and the United Nations Convention on the Rights of the Child may apply for accreditation, subject to the following documentary requisites to be submitted to the adoption board:

- (a) A license and/or accreditation or authorization from its government to operate as an adoption agency to carry out Inter-Country Adoptions;
- (b) Name and qualifications of the members of the Board of Directors, senior officers and other staff involved in Inter-Country Adoption;

- (c) Detailed description of its programs and services, research studies and Publications;
- (d) Audited Financial Report of the last two (2) years including sources of funds, adoption fees and charges;
- (e) Undertaking under oath that it shall assume responsibility for the selection of qualified applicants; that it shall comply with the Philippine laws on Inter-Country Adoption; that it shall inform the Board/NACC of any change in the foregoing information; and shall comply with post-adoption requirements as specified by the Board; and
- (f) Such other requirements which the Board may deem necessary in the best interests of the Child (*Sec. 18, IRR of RA 8043*).

18. Where can we access the list of accredited foreign adoption agencies?

A: The list of accredited foreign adoption agencies as well as central authorities of foreign states can be accessed through the ICAB and NACC websites. A list of accredited FAAs and central authorities as of the time of publication of this primer can also be viewed under **Annex “B”** of this primer.

19. Is there a limit to the number of Foreign Adoption Agencies that can be accredited?

A: Yes. The total number of authorized and accredited foreign private adoption agencies shall not exceed one hundred (100) a year (*Sec. 4, IRR of RA 8043*).

20. RA 11642 says that Inter-Country Adoption is a last resort. What does this mean?

A: It means that the law prefers that a Child be adopted first within the Philippines. A clearance for Inter-Country Adoption is not issued during the matching process, unless a Child is not matched through regional and interregional matching under the Domestic Adoption mechanism.

It should be noted that in RA 8043, the Philippine Congress provided that all possibilities for the adoption of the Child under the Family Code, must first be exhausted and it must be ascertained that Inter-Country Adoption is in the best interest of the Child before Inter-Country Adoption could be allowed (*Sec. 07, RA 8043*).

21. What is the Certification Declaring a Child Legally Available for Adoption (CDCLAA)?

A: It is a document signed by the NACC Executive Director and shall be, for all intents and purposes, the best evidence that the Child is legally available for both domestic and Inter-Country Adoption, administratively declaring the Child legally available for adoption (Sec. 11, RA 11642).

22. Who may file a Petition for the issuance of CDCLAA?

A: The Head or Executive Director of a licensed or accredited child-caring for a child-placing agency or institution managed by the government, Local Government Unit (LGU), Non-Governmental Organization (NGO) or provincial, city, or municipal Social Welfare Development Officer (SWDO) who has actual custody of the minor may file a petition before the NACC, through the RACCO, for the issuance of a CDCLAA. If the Child is under the custody of any other individual, the child-caring or child-placing agency or institution shall do so with the consent of the Child's custodian (Sec. 13, RA 11642).

23. What details should be in the Petition?

A: For Involuntary Committed Children:

- (1) Child Case Study Report made by the Local Government Unit, licensed or accredited child-caring or child-placing agency or institution charged with the custody of the Child stating the Child's past and current functioning, family background, and assessment of the Child's best interest;
- (2) Original copy of the Order directing the involuntary commitment of the Child;
- (3) Authenticated LCR copy or PSA Copy of Certificate of Live Birth; and
- (4) Recent Photograph of the Child and photograph of the Child upon admission to the agency or institution

For Voluntary Committed Children:

- (1) Child Case Study Report made by the Local Government Unit, licensed or accredited child-caring or child-placing agency or institution charged with the custody of the Child stating the Child's past and current functioning, family background, and assessment of the Child's best interest;
- (2) Authenticated LCR copy or PSA Copy of Certificate of Live Birth; and
- (3) Recent Photograph of the Child and photograph of the Child upon admission to the agency or institution

(4) Original copy of Deed of Voluntary Commitment (DVC).

For Abandoned Child or Foundling Child:

- (1) Child Case Study Report made by the Local Government Unit, licensed or accredited child-caring or child-placing agency or institution charged with the custody of the Child stating the Child's past and current functioning, family background, and assessment of the Child's best interest;
- (2) Proof of efforts to locate the biological parent/s or relatives of the Child and media certifications;
- (3) Authenticated LCR copy or PSA Copy of Certificate of Live Birth, or Certificate of Foundling, if available or Certificate of Live Birth of Children with No Known Parents; and
- (4) Recent Photograph of the Child and photograph of the Child upon admission to the agency or institution

In all cases, the petition shall be in the form of an affidavit, subscribed and sworn to before any person authorized by law to administer oaths. It shall contain facts necessary to establish the merits of the petition and shall state the circumstances surrounding the voluntary/involuntary commitment, or abandonment or finding of the Child as the case may be (*Sections 17 to 22, IRR of RA 11642*)

V. WHO CAN ADOPT, WHO MAY BE ADOPTED, AND WHAT DO YOU NEED TO ADOPT?

24. Who may adopt in Inter-Country Adoption?

A: Any foreign national or Filipino citizen permanently residing abroad who has the qualifications may file an application if he/she:

- Is at least twenty-seven (27) years of age and is at least sixteen (16) years older than the Child to be adopted at the time of the filing of the application, unless the applicant is the parent by nature of the Child to be adopted or is the spouse of such parent by nature;
- Has the capacity to act and assume all the rights and responsibilities incidental to parental authority under his/her national law;
- Has undergone appropriate counseling from an accredited counselor in his/her country;
- Has not been convicted of a crime involving moral turpitude;
- Is eligible to adopt under his/her national law;
- Can provide the proper care and support and give the necessary moral values and example to the Child and, in the proper case, to all his/her other children;
- Comes from a country with whom the Philippines has diplomatic relations, and whose government maintains a foreign adoption agency; and whose laws allow adoption;
- If married, files jointly with his/her spouse, if any, who shall have the same qualifications and none of the disqualifications to adopt as prescribed above (*Sec. 30, IRR of RA 8043*).

25. Who may be adopted in Inter-Country Adoption?

A: The following may be adopted:

- Any Child who has been issued a Certificate Declaring a Child Legally Available for Adoption;
- The marital child of one spouse by the other spouse
- An illegitimate child by a qualified adopter to improve status of legitimacy;
- A Filipino of legal age, if prior to the adoption, said person has been consistently considered and treated by the adopters as their own Child prior to reaching the age of majority for a period of at least three (3) years prior to the filing of the petition;
- A child whose adoption has been previously rescinded;
- A foster child who has been declared as legally available for adoption;
- A child whose adoption has been previously rescinded;
- A child who cannot be placed with any local adoptive family in the Philippines and the DSWD has already issued an Inter-Country Adoption (Clearance);

- A Filipino child with special needs whom the concerned government agencies are having some difficulty finding placement for due to physical, psychological or social limitations; and
- A Filipino child who is to be adopted by a relative within the 4th degree of consanguinity or affinity.

(Sec. 26, IRR of RA 8043; Sec. 31, IRR of RA 1162; and Sec. 1.1, General Policies of the Inter-Country Adoption Board's Procedures and Work Instructions Manual, 19 October 2018)

26. What are the documentary requirements that the person applying to be an adoptive parent must submit:

A: The following must be submitted to the RACCO:

- (1) An application form prescribed by the NACC which includes the following shall be accomplished by the husband and wife:
 - Undertaking under oath signed by the applicants
 - Information and Personal Data of the Applicants
- (2) Home Study Report to be prepared by the Central Authority or an accredited Foreign Adoption Agency;
- (3) The supporting documents to be attached to the Application shall consist of the following:
 - Birth Certificates of the Applicants and, in cases of relative adoption such relevant documents that establish the relationship between the applicant claiming relationship to the Child to be adopted;
 - Marriage Contract of the applicants; and
 - Decree of Divorce of all the previous marriages of both spouses, if the spouse was divorced from a previous marriage
- (4) Written consent to the adoption in the form of a sworn statement by the biological and/or adopted children of the applicants who are ten (10) years of age or over;
- (5) Physical and medical evaluation by a duly licensed physician;
- (6) Psychological evaluation by a psychologist;
- (7) Latest income tax return or other documents showing the financial capability of the applicant;

- (8) Clearances issued by the Police Department or other proper government agency of the place where the applicants reside;
- (9) Character reference from the local church/minister, the applicant's employer and a member of the immediate community who have known the applicant(s) for at least five (5) years;
- (10) A Certification from the appropriate government agency that the applicant is qualified to adopt under his/her national law and that the Child to be adopted is allowed to enter the country for trial custody and reside permanently in the said place once adopted;
- (11) Recent postcard-size pictures of the applicant, their immediate family members and their home; and
- (12) Self-Report Questionnaire (required when the Psychological Evaluation is inadequate) (*Sec. 28 of IRR of RA 8043*).

27. Whose consent is necessary during the application to adopt?

A: The consent of the following shall be required:

- (1) The adoptee, if ten (10) years of age or over;
- (2) The biological parents of the Child, if known, or the legal guardian, or the proper government instrumentality which has legal custody of the Child, except in the case of a Filipino of legal age if, prior to the adoption, said person has been consistently considered and treated as their own Child by the adopters for at least three (3) years;
- (3) The legitimate and adopted children, ten (10) years of age or over, of the adopters, if any;
- (4) The illegitimate children, ten (10) years of age or over, of the adopter if living with said adopter or over whom the adopter exercises parental authority and the latter's spouse, if any; and
- (5) The spouse, if any, of the person adopting or to be adopted (*Sec. 23, RA 11642*).

28. Can the Prospective Adoptive Parent (PAP) choose a particular/specific Child to be adopted?

A: Generally, no. In most cases, the committees under the Central Authority shall determine the matching arrangements between a prospective adopter and a Child. No matching arrangement shall be made between the applicant and the Child's parent/guardians or custodians nor shall any contact between them concerning a

particular Child be done before the matching proposal of the Committee has been approved by the Board.

There are to date two (2) situations where the desire of the PAPs to adopt a particular pre-identified child/ren can be processed:

- (1) Relative adoption within the 4th degree of consanguinity or affinity; or
- (2) Special Needs Children for Special Home Finding (SNC-SHF) inclusive of a Medical Mission Child who has been hosted by a family (NACC website: <https://www.nacc.gov.ph/faq/>)

29. What is the required age for those seeking to adopt in Inter-Country Adoption?

A: A foreign national seeking to adopt under the Philippines' Inter-Country Adoption Program must be at least twenty-seven (27) years of age and at least sixteen (16) years older than the Child sought to be adopted, unless the applicant is the parent of the Child, or the spouse of the Child's parent (Sec. 27, IRR of 8043).

30. If you adopt a sibling group, do you pay one processing fee or one fee for each Child?

A: A straight amount of Three Thousand Dollars (\$3,000) will be paid for sibling adoption regardless of the number of children adopted (NACC website: <https://www.nacc.gov.ph/faq/>).

31. Are there marital status requirements?

A: A single person who complies with all the requirements may adopt. However, married persons adopting a Child must jointly adopt with their spouse.

This requirement for spouses to adopt jointly DOES NOT apply when:

- (1) a spouse seeks to adopt the legitimate Child of the other;
- (2) when a spouse seeks to adopt his own illegitimate Child, provided that the other signifies his consent; or
- (3) if the spouses are legally separated from each other.

In all these cases, however, the spouse of the person must give his or her consent to the adoption (Sec. 21, RA 11642).

VI. THE MATCHING PROCESS

32. What is the matching process?

A: Matching is the judicious selection from the regional or interregional levels of a family for a Child based on the Child's needs and best interest as well as the capability and commitment of the adoptive parents to provide such needs and promote a mutually satisfying parent-child relationship. Essentially, the matching process is essentially the process where an applicant is paired with a Child who may be adopted. It is lengthy and requires the commencement of several conferences and the submission of several documents and reports to ensure that an applicant for adoption and a Child who may be adopted are paired together in a relationship that will truly benefit the Child (Sec. 4 (z), RA 11642).

Matching shall first undergo a regional level. A Child not matched during regional matching shall be then cleared for interregional matching. A Child not matched during interregional matching shall be the subject of a clearance of Inter-Country Adoption (Sec. V (e), DSWD Memorandum Circular No. 03, 18 April 2022)

Note: DSWD Memorandum Circular No. 03, Series of 2022, does not include specific steps for the matching process for Inter-Country Adoption. Under the said memorandum, procedures for matching which are still compatible given the advent of RA 11642 and its implementing rules shall remain in force. However, the previous procedures on inter-country matching of the Adoption Resource and Referral Division of the DSWD contain procedures which are not attuned to the new structure of the concerned agencies under the DSWD, given that new bodies have been created

33. Who are the individuals, agencies, and government personnel involved in matching?

A: The applicant must participate in the required conferences by the matching process and appear when required. The applicant's assigned Social Workers, the Social Workers of the RACCO and NACC, as well as the Regional Child Placement Committee, will all be involved in the process of matching (Sec. 26, RA 11642; Sec. 26, IRR of RA 8043).

34. Can the Prospective Adoptive Parent apply directly with the NACC or RACCO?

A: No. The application shall be filed and officially endorsed to the NACC through an accredited Foreign Adoption Agency in the place of residence of the applicants. Hence, the application for Inter-Country Adoption starts abroad rather than here in the Philippines (*Section 30, IRR of 8043*).

35. When can a clearance for Inter-Country Adoption be issued during inter-regional matching?

A: The Child Placement Committee may issue a clearance when a Child is named as a potential adoptee during matching but is not matched (*Sec. V (e), DSWD Memorandum Circular No. 03, 18 April 2022*).

36. What is the Child Placement Committee (CPC)?

A: It is the committee that takes the place of the Inter-Country Child Placement, the relevant placement committee in Inter-Country Adoptions. The CPC shall act as consultants to review and decide on adoption applications for Inter-Country Adoption; execute the system of matching and selection of prospective adoptive parents for children in the inter-regional and inter-country matching conferences; and serve as the consultants to the petitions filed for domestic administrative adoption (*Sec. 4 (n), RA 11642*).

37. What are the procedures and requirements for matching?

A: The matching of the Child with an applicant shall be carried out during a matching conference by the CPC of the NACC together with the head or Social Worker of the agency or the Secretariat Social Worker of the NACC/transition committee to whom the presentation is delegated.

The Child Placement Committee shall endorse the matching proposal to the NACC/transition committee for its approval or other appropriate action.

The endorsement must state the reasons for the Committee's recommendation of the placement. If the matching proposal is approved, a Notice of Matching shall be sent to the concerned Central Authority/NACC or foreign adoption agency within five (5) days from the date of approval and shall be accompanied by the following documents:

- (a) Child Study Report and Updated Report (if CSR had been prepared more than six (6) months ago;
- (b) Updated medical evaluation of the Child and psychological evaluation, if applicable;

- (c) Most recent whole-body size picture of the Child (taken within six (6) months upon submission of documents); and
- (d) Itemized pre-adoptive placement costs.

The applicant/s must then notify the NACC or Foreign Adoption Agency in writing of their decision on the matching proposal within fifteen (15) working days from receipt of said proposal. If the applicant needs additional information about the Child and/or they need more time to arrive at a decision, an extension of thirty (30) working days may be granted.

The applicant/s and the Child's biological parents are not allowed to have contact during the matching process, except when a relative is to be adopted or when the Child's interests require contact (*Sec. 35, IRR of RA 8043*).

38. Will all applications be matched?

A: Generally, all cases must go through matching. The exception is when the Child and the approved applicant/s have been living in one household for not less than two (2) years.

39. Will Relative Inter-Country Adoption cases still be subject to regional matching?

A: No, though a clearance of Inter-Country Adoption may be released when a Child is not matched after regional and interregional matching (*Section V (e)(1) DSWD Memorandum Circular No. 03, 18 April 2022*). **Please see Section XIII for the steps on Relative Inter-Country Adoption**

40. What comes after matching?

A: Matching results in the issuance of the Pre-Adoptive Placement Authority or PAPA, which is essentially the document that evidences a successful matching. Once a PAPA is issued, the custody of the Child can be placed with the matched applicant and the Supervised Trial Custody period (*Sec. 28, RA 11642 in relation to Sec. 39, IRR of RA 8043*).

VII. PRE-ADOPTIVE PLACEMENT/SUPERVISED TRIAL CUSTODY

41. What happens after the Pre-Adoptive Placement Authority (PAPA) is issued?

A: Upon issuance of the PAPA, the Child Caring/Placing Agency shall assist in preparing the Child for his/her placement and departure. It shall ensure that the Child is

physically able and emotionally ready to travel and form new relationships (*Section 41, IRR of RA 8043*).

42. Who shall be responsible for fetching the Child for overseas travel?

A: The applicant shall fetch the Child personally from the Philippines not later than twenty (20) days after the issuance of the visa of the Child for travel to the country where the applicant resides. Prior to departure, the applicant shall stay in the country with the Child for at least five (5) days to allow bonding to occur between and among them (*Section 42, IRR of RA 8043*).

43. What happens if the applicants are unable to fetch the Child within the said period above?

A: It is required that a letter must be written by the Central Authority (CA) or the Foreign Adoption Agency (FAA) to explain the circumstances which led to the failure to fetch the Child. Unauthorized failure within the said period may result in the cancellation of the Placement Authority (*Section 42, IRR of RA 8043*).

44. What is the Supervised Trial Custody period?

A: It is a six-month period that can be described as a “provisional”. This marks the beginning of the adoptive relationship between the adopter and the adopted Child. (*Section 29, RA 11642*)

45. What happens during the Pre-Adoptive Placement Period/Supervised Trial Custody Period?

A: During this period, the adoption relationship will be subject to observation by the assigned Foreign Adoption Agency (FAA). The FAA shall furnish the Board with quarterly reports on the Child’s health, psycho-social adjustment, and relationship with the applicant/s, including personal circumstances, if any (*Section 45, IRR of RA 8043*).

46. Can the Pre-Adoptive Placement/Trial Custody period be terminated while it is ongoing?

A: Yes. Since the Foreign Adoption Agency will still be observing the Child during this phase, the NACC may order the termination of the STC and pre-adoptive placement if there is a finding of any serious ailment, injury or abuse suffered by the Child from the adoptive parent(s) or from other household members or the adoptive parent/s suffer from any serious ailment or injury that will make the adoption untenable (*Sec. 46 of IRR of RA 8043*).

47. What are the steps that will be undertaken by the NACC and other concerned agencies should there be any grounds to terminate the STC and pre-adoptive placement?

A: Medical/psychological interventions, emergency foster care; and respite care may be undertaken. The Social Workers may still attempt to try to repair the relationship between applicant and adoptee, but should these attempts be unsuccessful, the NACC and/or the FAA shall take the necessary measures to protect the Child, in particular, to cause the Child to be withdrawn from the applicant/s and to arrange for his/her temporary care (*Sec. 46, IRR of RA 8043*).

48. In the event that a Child is removed from a pre-adoptive placement, may the Child be placed with another applicant and will the Child have any say on the matter?

A: Yes. In the event of termination of the pre-adoptive relationship, the NACC shall identify from the Roster of Approved Applicants a suitable family with whom to place the Child. The NACC and/or the FAA may also propose a replacement family whose application shall be filed for the approval of the NACC.

In deciding whether to place the Child with a new applicant/s or family, the age or maturity level of the Child shall be a factor (*Secs. 47 and 48, IRR of RA 8043*).

VIII. FILING OF PETITION FOR ADOPTION TO ISSUANCE OF ADOPTION DECREE

49. What happens after the supervised trial custody period/pre-adoptive placement

A: If a satisfactory pre-adoptive relationship is established, the NACC will transmit an Affidavit of Consent to the Adoption executed by the Department of Social Welfare and Development (DSWD) to the CA/FAA within fifteen (15) days after receipt of the last post-placement report. This is also when the petition for adoption should be filed by the applicant (*Sec 50, IRR of RA 8043*).

50. Where should the applicants file their respective petitions for adoption?

A: The CA/FAA shall assist the applicants in filing the appropriate petition for adoption with the proper court/tribunal/agency in accordance with their national law (*Section 52, IRR of 8043*).

51. Who issues the Final Decree of Adoption?

A: It should be the proper tribunal/agency/court, in accordance with the national law of the applicant (*Section 52, IRR of 8043*).

52. What happens after the Final Decree of Adoption is issued?

A: The Final Decree of Adoption or its equivalent, including the Certificate of Citizenship/Naturalization, whenever applicable, shall be transmitted by the CAA/FAA to the NACC one (1) month after its issuance. The NACC shall then have this recorded in the Philippine Civil Registry (*Section 52, IRR of 8043*).

53. How long should one wait before the Final Decree of Adoption is issued?

A: As a rule, FAAs shall ensure that the adoption decree in the receiving country is issued and finalized within a period of two (2) years (*ICAB Board Resolution No. 061-53, Series of 2011, issued on 05 September 2011*).

IX. FEES AND PAYMENT

54. What are the fees that must be paid?

A: The applicants are to bear the following costs incidental to the placement of the Child:

- (1) Adoption Application Fee – \$200.00 (non-refundable upon endorsement of the Adoption Application and Supporting Documents);
- (2) Processing Fee – US\$2,000.00 for a single placement. For a sibling group of two or more, the processing fee will be pegged at US\$3,000.00;
- (3) Pre-travel Expenses – The cost of the passport, visa, medical examination, psychological evaluation, travel expenses of the Child and Social Worker/caregiver-escort within the Philippines including round trip airfare or bus fare, board and lodging (the costs vary from country to country); and
- (4) Child Care Support Fund for the Child Caring Agencies — US\$1,000 given by the adoptive parents to the adoptive Child’s orphanage. This is in the form of an international money order or international bank draft payable to the orphanage. NACC forwards the money order/bank draft to the concerned orphanage of the Child (NACC Website <https://www.nacc.gov.ph/fees-charges-and-assessment>).

55. How shall such fees be paid?

A: All payments/remittances of fees and other charges are in United States Dollars (USD) and in the form of a company check or international money order or international

bank draft and made payable to the NACC. Personal checks, travelers' checks or cash ARE NOT acceptable.

No adoption application will be processed and no Placement Authority will be issued unless the corresponding fees are received by the NACC (NACC Website <https://www.nacc.gov.ph/fees-charges-and-assessment/>).

X. POST-ADOPTION SERVICES

56. Does the NACC undertake search and reunion?

A: The adopted Child, once he/she turns eighteen (18) years old, may seek the help of the child-caring or child-placing agency to trace his biological family and set up a face-to-face meetup (Sec. 45, RA 11642).

57. Does the law require the facts of adoption to be disclosed to the Child?

A: No, however, the law recommends, as a proven practice, that the fact of adoption be disclosed to the Child as early as possible before the Child reaches the age of thirteen (13) years old (Sec. 19 (b) RA 11642).

58. What are the legal guarantees of PAPs in the event the biological parents of the adopted Filipino Child change their mind about the adoption?

A: Generally, the biological parents of a Child who has been adopted cannot be restored to parental rights and authority, except when a Petition for Rescission filed by the Child has been granted (Sec. 53, RA 11642). The biological parents must then still prove that they are in a position to support and care for the Child.

The Order of Adoption in favor of the adoptive parent severs the parental relationship between the biological parent (Sec. 42, RA 11642). The NACC is also mandated to protect the adoptive parents from attempts to disturb their parental authority and custody over the adopted Child. Thus, the NACC should perform acts necessary to protect the adoptive parents from interference by the biological parents (Sec. 2, RA 11642).

XI. PROHIBITED ACTS, VIOLATIONS, AND PENALTIES UNDER RA 11642 AND THE ANTI-TRAFFICKING IN PERSONS LAW (RA 9208 AS AMENDED BY RA 10364 and RA 11682)

59. What are the prohibited acts and their corresponding penalties concerning

Under Section 54 of RA 11642:

PROHIBITED ACTS	OFFENDER	PENALTIES
<ul style="list-style-type: none"> ● Obtaining consent for an adoption through coercion, undue influence, fraud, improper material inducement, or other similar acts; ● Noncompliance with the procedures and safeguards provided by the law for adoption; or ● Subjecting or exposing the Child to be adopted to danger, abuse, or exploitation. (Section 54, RA 11642) 	Any person	Imprisonment ranging from six (6) years and one (1) day to twelve (12) years or a fine of not less than Fifty Thousand Pesos (P50,000.00), but not more than Two Hundred Thousand Pesos (P200,000.00), or both, at the discretion of the court
Fictitious registration of the birth of a Child under the name of a person who is not the Child's biological parent	Any person	Imprisonment from eight (8) years and one (1) day to ten (10) years and a fine not exceeding Fifty Thousand pesos (P50,000.00)
Violation of regulations relating to the confidentiality and integrity of records, documents, and communication of adoption petitions, cases, and	Any person	Imprisonment ranging from one (1) year to one (1) day to two (2) years, or a fine of not less than Five Thousand Pesos (P5,000.00) but not more

processes		than Ten Thousand Pesos (P10,000.00) or both, at the discretion of the court
Child Trafficking through prohibited acts under RA 11642	Syndicate (more than 3 persons) involved in the trafficking of persons	Imprisonment from twenty (20) years and one (1) day to forty (40) years Deportation after service of sentence if foreign national, and to be perpetually denied entrance into the country after.
Any of the above acts	Government official, employee, or functionary who performed prohibited act or conspired in its commission	Applicable penalty given the act performed, as well as a penalty from civil service laws, and shall be suspended from service from the time a case is filed, until termination of the case.

60. Can foreign nationals be punished in the Philippines for a violation of the prohibitions under RA 11642?

A: Yes. Additionally, an offender who is a foreign national shall be deported immediately after service of sentence and perpetually denied entry to the country (Sec. 54, RA 11642).

61. Does facilitating an Inter-Country Adoption without going through the steps required by the law amount to a crime under Philippine laws?

A: Yes, attempting an Inter-Country Adoption without going through the proper legal and government channels is a crime punished by Philippine law. The following acts shall be considered as attempts to traffic a Child under the Expanded Anti-Trafficking of Persons Act (RA 9208 as amended by RA 11862):

- Facilitating the travel of a Child who travels alone to a foreign country or territory without valid reason therefore and without the required clearance or permit from the Department of Social Welfare and Development, or a written permit or justification from the Child’s parent or legal guardian;

- Executing, for a consideration, an affidavit of consent or a written consent for adoption;
- Recruiting a woman to bear a Child for the purpose of selling the Child;
- Simulating a birth for the purpose of selling the Child; and
- Soliciting a Child and acquiring the custody thereof through any means from among hospitals, clinics, nurseries, daycare centers, refugee or evacuation centers, and low-income families, for the purpose of selling the Child.

Mere commission of these acts is punishable under the said law and good faith and honest belief that no evil or crime was being committed will not be a defense. A person found guilty of an attempt to traffic for the performance of these acts shall suffer the penalty of imprisonment of fifteen (15) years and a fine of not less than Five Hundred Thousand Pesos (P500,000.00) but not more than One Million Pesos (P1,000,000.00).

An adopter who has committed any offense under the Anti-Trafficking Law shall also have their Adoption Decree rescinded (*Sec. 5 and Sec. 10 of the Anti-Trafficking Law (RA 9208) as amended by RA 11862*).

62. Does this new law afford any protection to adopted children against stigma or discrimination?

A: Yes, RA 11642 adds a new mechanism to protect adopted children from bullying or discrimination on account of their status as adopted children. RA 11642 prohibits adoption discrimination acts, including labeling, shaming, bullying, and negative stigma among other acts. Any person who shall commit said adoption discrimination acts shall be penalized with a fine of not less than Ten Thousand Pesos (P10,000.00) but not more than Twenty Thousand Pesos (P20,000.00) (*Sec 54, RA 11642*).

63. What other initiatives will the government undertake to prevent illegal adoption or illegal Inter-Country Adoption?

A: The DSWD must conduct information campaigns in communities and schools, teaching parents and families that receiving consideration in exchange for adoption is punishable under the law. Furthermore, information campaigns shall educate and enjoin parents not to give their children up for adoption in exchange for any consideration (*Sec. 16, Anti-Trafficking Law (RA 9208), as amended by RA 11862*).

XII. TRANSITORY MATTERS AND PROVISIONS

64. What are the other rules, aside from RA 11642 and its Implementing Rules and Regulations (IRR), that are relevant to Inter-Country Adoption?

A: RA 8043 and its Implementing Rules and Regulations or the Inter-Country Adoption Act are still applicable as to procedures and processes under Inter-Country Adoption. Thus, most of the procedures, guidelines, and requirements under that law are still applicable notwithstanding the effectivity of RA 11642, but subject to the changes brought about by the new law (*Sec. 82, IRR of RA 11642*).

65. Is there a transition mechanism under RA 11642, considering the changes brought about by this new law?

A: Yes. There is a three-year transition period provided under RA 11642, upon its effectivity on 28 January 2022. A transition team composed of the DWSD and the ICAB shall act as the NACC. The ICAB Executive Director shall sit as Chairperson of the transitory team, assisted by the DSWD-PMB Director as the Vice-Chairperson. Personnel of the DWSD involved in adoption services may be seconded to the transition team during the three (3)-year period. During this period, Social Workers already working with adoption cases may continue to perform all duties assigned to adoption Social Workers.

The functions of the RACCO during the three-year period shall be performed by the DWSD field offices (FOs), specifically the Adoption Resource and Referral Units (ARRU). The transition team shall provide technical assistance and policy guidance to personnel of the FOs in handling cases. A transitory team shall be created from the DSWD and the ICAB to ensure non-disruption of the performance of functions and continued smooth delivery of services during the migration of all alternative childcare functions and services to the NACC.

During the transition period, all Orders of Adoption issued and signed by the ICAB Executive Director as chairperson of the transition team, upon the recommendation of its members, shall be approved by the Secretary of the DSWD, or his representative in the ICAB Board. If no action was taken by either the Secretary or his representative in the ICAB Board during the prescribed period, the Order of Adoption shall be deemed approved.

Upon the establishment of the NACC not later than three (3) years from the effectivity of RA 11642, all applications, submissions, and petitions involving child care, including the pre-adoption and post-adoption services, pending before the PMB and the ICAB shall be immediately forwarded to the NACC, which shall perform its functions and powers under this Act. The appropriate personnel of the ICAB and the DSWD involved in alternative childcare services shall be permanently transferred to the NACC. The relevant offices in the regional offices of the DSWD involved in alternative child care shall be converted into RACCOs (*Sec. 56, RA 11642*).

XIII. PROCEDURES AND PROCESSES FOR “RELATIVE” INTER-COUNTRY ADOPTION

66. What is “Relative” Adoption in the context of Inter-Country Adoption?

A: Relative adoption as applied to inter-country adoption refers to the adoption of a Filipino child by relatives residing abroad within the fourth (4th) degree of consanguinity or affinity. (DSWD Website: <https://www.dswd.gov.ph/faqs/intercountry-adoption-requirements-and-procedures/>).

67. Where are applications for Relative Inter-Country Adoption filed?

A: The application shall be lodged with the accredited Foreign Adoption Agency (FAA) or Central Authority (CA) in the Country/State/Province/Territory where the Prospective Adoptive Parents reside. Following this, the Child, as well as the Prospective Adoptive parent’s eligibility shall be determined separately (NACC Website: <https://www.nacc.gov.ph/process-of-inter-country-adoption-for-relative-adoption-cases/>).

68. Who determines the Child’s eligibility for Relative Inter-Country Adoption?

A: The Department of Social Welfare and Development (DSWD) shall conduct an eligibility assessment for the child. The Prospective Adoptive Parents (PAPs) are required to accomplish and submit the Questionnaire for Relative Adoption Applicants (QRAA) including its required attachments to the Central Authority (CA) or Foreign Adoption Agency (FAA) in their country of residence.

The CA/FAA shall endorse the completed QRAA to the NACC with its assessment and recommendation/s. (NACC Website: <https://www.nacc.gov.ph/process-of-inter-country-adoption-for-relative-adoption-cases/>).

69. Who determines the Prospective Adoptive Parent’s (PAPs) eligibility for Relative Inter-Country Adoption?

A: Simultaneous with the determination of the Child’s eligibility, The CA/FAA will assess the PAPs capability, eligibility and suitability via the undertaking of the Home Study Report and shall likewise facilitate the official endorsement of the adoption application, required supporting documents, as well as the application fees to the NACC.

The NACC social worker in charge will undertake to review both the child and the PAP’s dossier, and shall come up with recommendations for the NACC’s final disposition (NACC Website: <https://www.nacc.gov.ph/process-of-inter-country-adoption-for-relative-adoption-cases/>).

70. What happens after the assessment of both the child and the PAP's eligibility?

A: The social worker will inform the DSWD Field Office, and the CA/FAA on the action taken by the NACC (i.e. approval, disapproval or deferment) (NACC Website: <https://www.nacc.gov.ph/process-of-inter-country-adoption-for-relative-adoption-cases/>).

71. If the application gets approved, what happens next?

A: The PAPs shall pay the required processing fee and pre-travel fees through their CA/FAA. The NACC shall then process the child's travel documents, which would vary from one country to another. NACC Website: <https://www.nacc.gov.ph/process-of-inter-country-adoption-for-relative-adoption-cases/>).

72. After completing the travel documents for the child, what is the next step?

A: Upon completion of the child's travel documents, the NACC shall send a Notice of Travel to the PAPs through the CA/FAA for their respective travel dates to the Philippines to fetch the child. The schedule shall necessarily include a Pre-Departure Visit (PDV) at the NACC's office. NACC Website: <https://www.nacc.gov.ph/process-of-inter-country-adoption-for-relative-adoption-cases/>).

73. What happens during the Pre-Departure Visit (PDV)?

A: During the Pre-Departure visit (PDV), all travel documents of the child are officially turned over/endorsed to the PAPs. NACC Website: <https://www.nacc.gov.ph/process-of-inter-country-adoption-for-relative-adoption-cases/>).

74. After the Pre-Departure Visit, what happens next?

A: The placement phase begins. The child shall now be allowed to leave the country with the PAPs for their respective countries as scheduled, and shall then undergo a mandatory six (6) month post placement period/trial custody period. NACC Website: <https://www.nacc.gov.ph/process-of-inter-country-adoption-for-relative-adoption-cases/>).

75. What is the so-called Trial Custody Period?

A: Please refer to question numbers 44 and 45 of this primer

A: It is a six-month period that can be described as a "provisional". This marks the beginning of the adoptive relationship between the adopter and the adopted Child. (Section 29, 11642)

76. What comes after the Trial Custody Period?

A: Through its Post Placement Report, the CA/ FAA shall determine whether a satisfactory parent-child relationship has been established, and that the adoption can now be finalized. NACC Website: <https://www.nacc.gov.ph/process-of-inter-country-adoption-for-relative-adoption-cases/>).

77. What are the documentary requisites to be submitted that would indicate that the adoption is now final?

A: The CA/FAA shall submit the following to the NACC:

- (1) Certified True Copy of the Adoption Decree/Order
- (2) Certificate of Citizenship, if applicable

NACC Website:

<https://www.nacc.gov.ph/process-of-inter-country-adoption-for-relative-adoption-cases/>).

ANNEX “A” - CHANGES IN PHILIPPINE ADOPTION LAWS

	Domestic Adoption Act of 1998 (R.A 8552)	Inter-Country Adoption Law (R.A 8043) <i>*still in effect unless amended by RA 11642</i>	Domestic Administrative and Alternative Child Care Act (R.A 11642) <i>*CURRENT LAW ON ADOPTION</i>
Agencies involved	Department of Social Welfare and Development (DSWD)	Department of Social Welfare and Development (DSWD) Inter-Country Adoption Board (ICAB) Department of Foreign Affairs (DFA)	Department of Social Welfare and Development (DSWD) National Authority for Child Care(NACC) Regional Alternative Child Care Office (RACCO)
Who may Adopt	1. Filipino Citizens 2. Aliens	1. Any alien; 2. Filipino citizen,	1. <u>Filipino citizens</u> 2. <u>Foreign</u>

	<p>3. Guardians with respect to their ward</p>	<p>both permanently residing abroad (Section 9, RA 8043 now amended by Section 21 of RA 11642).</p>	<p><u>nationals</u> <u>3. Guardians with respect to their ward</u> <u>4. Foster parent</u> <u>5. PH government officials and employees deployed or stationed abroad (Section 21, RA 11642).</u></p>
<p>Who may be adopted</p>	<p>1. Any person below eighteen (18) years of age who has been administratively or judicially declared available for adoption; 2. The legitimate son/daughter of one spouse by the other spouse; 3. An illegitimate son/daughter by a qualified adopter to improve his/her status 4. A person of legal age if, prior to the adoption, said person has been consistently considered and treated by the adopter(s) as his/her own Child since minority; 5. A Child whose adoption has been previously rescinded; or 6. A Child whose biological or adoptive parent(s) has died: Provided, that no proceedings shall be initiated within six (6) months from the time of death of said</p>	<p>A legally free Child may be the subject of Inter-Country Adoption (Section 8, RA 8043, now amended by Section 22, RA 11642)</p>	<p><u>1. Any Child who has been issued a CDCLAA.</u> <u>2. The legitimate Child of one spouse by the other spouse</u> <u>3. An illegitimate Child by a qualified adopter to improve the status of legitimacy</u> <u>4. A Filipino of legal age if, prior to the adoption, said person has been consistently considered and treated by the adopters as their own Child for a period of at least three (3) years.</u> <u>5. A Foster Child</u> <u>6. A Child whose adoption has been previously rescinded</u> <u>7. A Child whose biological or adoptive parents has died: Provided, That no proceedings shall be initiated within six (6) months from the time</u></p>

	parent(s)		<u>of death of said parent(s).</u> <u>8. A relative of the adopter (Section 22, RA 11642).</u>
Age of a Child	Below 18 years old	Below 15 years old (Section 3, RA 8043 now amended by Section 4, RA 11642)	<u>Below 18 years old (Section 4, RA 11642)</u>
Requirements / Qualifications for Adoption	<p>Requirements for Filipino Citizens who may Adopt:</p> <ol style="list-style-type: none"> 1. Of legal age; 2. In possession of full civil capacity and legal rights; 3. Possesses good moral character; 4. Has not been convicted of any crime involving moral turpitude; 5. Emotionally and psychologically capable of caring for children; 6. Who is in a position to support and care for his/her children in keeping with the means of the family; and <p>GENERAL RULE: at least sixteen (16) years older than the adoptee. EXCEPTION: i. Adopter is the biological parent of the</p>	<p>Requirements for a Filipino or Alien to adopt:</p> <ol style="list-style-type: none"> 1. At least 27 years old and 16 years older than the Child to be adopted at the time of the application unless; <ol style="list-style-type: none"> a. Adopter is the parent by nature of the Child; b. Adopter is the spouse of the parent by nature of the Child to be adopted; If married, his spouse must jointly file for adoption; Has the capacity to act or assume all rights and responsibilities of parental authority under his national laws, and has undergone the appropriate counseling from an accredited counselor in his/her 	<p>Requirements for Filipino Citizens who may Adopt:</p> <ol style="list-style-type: none"> 1. <u>At least 25 years old;</u> 2. <u>Possesses full civil capacity and legal rights;</u> 3. <u>Possesses good moral character and can model the same;</u> 4. <u>Has not been convicted of any crime involving moral turpitude;</u> 5. <u>Emotionally and psychologically capable of caring for children;</u> 6. <u>Who is in a position to support and care for his/her children in keeping with the means of the family; and</u> 7. <u>GENERAL RULE:</u>

	<p>adoptee; or</p> <p>ii. Adopter is the spouse of the adoptee's parent.</p> <p>Requirements for Aliens who may Adopt:</p> <p>i. Possesses the same qualifications as those enumerated for Filipino adopters;</p> <p>ii. His country has diplomatic relations with the PH;</p> <p>iii. His government allows the adoptee to enter his country as his adopted Child;</p> <p>iv. Certified by his diplomatic or consular office or any appropriate government agency that he has the legal capacity to adopt</p> <p>GENERAL RULE: Has been living in the Philippines for at least 3 continuous years prior to the application for adoption and maintains such residence until adoption decree has been entered.</p> <p>EXCEPTIONS:</p> <p>i. He is a former Filipino who seeks to adopt a relative within the 4th civil degree of consanguinity or affinity;</p>	<p>country;</p> <p>Has not been convicted of a crime involving moral turpitude;</p> <p>Is eligible to adopt under his/her national law;</p> <p>Is in a position to provide the proper care and support and to give the necessary moral values and example to all his children, including the Child to be Adopted;</p> <p>Agrees to uphold the basic rights of the Child as embodied under Philippine laws, the U.N. Convention on the Rights of the Child, and to abide by the rules and regulations issued to implement the provisions of this Act;</p> <p>Comes from a country with whom the Philippines has diplomatic relations and whose government maintains a similarly authorized and accredited agency and that adoption is allowed under his/her national laws; and</p>	<p><u>at least sixteen (16) years older than the adoptee.</u></p> <p>EXCEPTION:</p> <p><u>i. Adopter is the biological parent of the adoptee; or</u></p> <p><u>ii. Adopter is the spouse of the adoptee's parent (Section 21, RA 11642).</u></p> <p>Requirements for Foreign Nationals who may Adopt:</p> <p><u>1. Possesses same qualifications as those enumerated for Filipino adopters;</u></p> <p><u>2. His country has diplomatic relations with the PH;</u></p> <p><u>3. The laws of the adopter's country will acknowledge the Certificate of Adoption as valid;</u></p> <p><u>4. His government allows the adoptee to enter his country as his adopted Child;</u></p> <p>5. GENERAL RULE: <u>permanent or habitual residents of the Philippines for at least five (5) years.</u></p> <p>EXCEPTIONS:</p> <p><u>i. A former Filipino</u></p>
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	<p>ii. One who seeks to adopt the legitimate or illegitimate Child of his Filipino spouse;</p> <p>iii. He is married to a Filipino and seeks to adopt jointly with his spouse a relative.</p>	<p>Possesses all the qualifications and none of the disqualifications provided herein and in other applicable Philippine laws (Section 9, RA 8043 now amended by Section 21, RA 11642).</p>	<p><u>habitually residing in PH who seeks to adopt a relative within the 4th civil degree of consanguinity or affinity;</u></p> <p><u>ii. One who seeks to adopt the legitimate Child of the Filipino spouse;</u></p> <p><u>iii. He is married to a Filipino and seeks to adopt jointly with his spouse a relative within the 4th degree of consanguinity or affinity;</u></p> <p><u>Requirements for Foster Parent who may Adopt</u></p> <ul style="list-style-type: none"> ● <u>Only with respect to the Foster Child Requirements for Philippine gov't officials/employees deployed/stationed abroad</u> ● <u>They are able to bring the Child with them;</u> <p><u>Requirements for Guardians who may Adopt</u></p> <ul style="list-style-type: none"> ● <u>Same with RA 8552</u> <p><u>Rule on Joint Adoption of Spouses (same with</u></p>
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			<p>RA 8552)</p> <p>GENERAL RULE <u>Husband and wife shall adopt jointly</u></p> <p>EXCEPTION: <u>(a) One spouse seeks to adopt the legitimate Child of the other;</u> <u>(b) One spouse seeks to adopt his own illegitimate Child, provided that the other signifies his consent.</u> <u>(c) If the spouses are legally separated from each other, (Section 21, RA 11642)</u></p>
Consent requirements	<p>Necessity of WRITTEN CONSENT for the adoption of the following:</p> <p>a. Biological parent(s) of the Child, if known, or the legal guardian, or the proper Government instrumentality which has legal custody of the Child;</p> <p>b. Adoptee, if (10) years of age or over;</p> <p>c. Illegitimate</p>	<p>Necessity of WRITTEN CONSENT for the adoption of the following:</p> <p>Written consent to the adoption in the form of a sworn statement by the biological and/or adopted children of the applicants who are ten (10) years of age or over, attached to application with Family Court or ICAB (<i>Section 10, RA 8043, now amended by Section</i></p>	<p><u>Necessity of WRITTEN CONSENT for the adoption of the following:</u></p> <p><u>a. Biological parent(s) of the Child, if known, or the legal guardian, or the proper government instrumentality which has legal custody of the Child;</u></p> <p><u>Except in the case of a Filipino of legal age</u></p>

	<p>sons/daughters, (10) years of age or over, of the adopter if living with said adopter and the latter's spouse, if any;</p> <p>d. Legitimate and adopted sons/daughters, years of age or of the adopter(s) adoptee, if any;</p> <p>e. Spouse, if any, of person adopting be adopted (10) over, and the or to</p>	<p>23, RA 11642).</p>	<p><u>if, prior to the adoption, said person has been constantly considered and treated as their own Child by the adopters for at least (3) years Adoptee, if (10) years of age or over;</u></p> <p><u>b. Illegitimate sons/daughters, 10 years of age or over: Not just living with adopter, but also over whom the adopter exercises parental authority and the latter's spouse;</u></p> <p><u>c. Legitimate and adopted sons/daughters, (10) years of age or over, of the adopter(s) and adoptee, if any;</u></p> <p><u>d. Spouse, if any, of the person adopting or to be adopted Provided that Children under (10) years of age shall be counseled and consulted, but shall not be required to execute written consent (Section 23, RA 11642).</u></p>
<p>Case Study Process</p>	<p>No petition for adoption shall be set for hearing</p>	<p>N/A</p>	<p>No petition for adoption shall be</p>

	<p>unless a licensed Social Worker of the DSWD, the social service office of the local government unit, or any child-placing or child-caring agency has made a case study of the adoptee, the biological parent(s), as well as the adopter(s), and has submitted the report on the matter to the court he</p>		<p>processed by the NACC or its RACCOs unless an adoption Social Worker of the NACC, the social service office of the LGU, or any child-placing or child-caring agency has made a case study of the adoptee, the biological parents, as well as the adopters, and has submitted the report and recommendations on the matter to the respective RACCO as among the supporting documents of the petition, and the NACC for the issuance of the Certificate of Adoption.</p>
<p>Jurisdiction of the Matching Process</p>	<p>Matching shall be done by the agency subject to the exceptions determined by the DSWD, taking into consideration the best interests of the Child</p>	<p>No Child shall be matched to a foreign adoptive family unless it is satisfactorily shown that the Child cannot be adopted locally</p>	<p>The NACC shall have jurisdiction over the matching process.</p> <p>A matching process must be made for cases of legally available children 30 days after the issuance of CDCLAA or the next matching conference</p>
<p>Supervised</p>	<p>No petition for adoption</p>	<p>The trial custody shall</p>	<p>The Supervised Trial</p>

<p>Trial Custody</p>	<p>shall be finally granted until the adopter(s) has been given by the court a supervised trial custody period for at least six (6) months within which the parties are expected to adjust psychologically and emotionally to each other and establish a bonding relationship.</p> <p>During said period, temporary parental authority shall be vested in the adopter(s).</p>	<p>be for a period of six (6) months from the time of placement.</p> <p>Only after the lapse of the period of trial custody shall a decree of adoption be issued.</p> <p>During the trial custody, the Central Authority and/or the FAA of the State to which the Child has been transferred shall supervise and monitor the placement of the Child with the applicants and shall furnish the board with quarterly reports on the Child's health, psycho-social adjustment, and relationship with the applicants.</p>	<p>Custody (STC) is upon the recommendation of the adoption Social Worker of the need for STC, and after the matching process and issuance of the Pre-Adoption Placement Authority (PAPA).</p> <p>It is for 6 months and shall be supervised and monitored by the Central Authority and/or the FAA of the State to which the Child has been transferred</p>
<p>Certification of Child Legally Available for Adoption</p>	<p>Agency concerned: DSWD</p> <p>The Petition shall attach: (a) Social case study report, (b) Proof that efforts were made to locate the parent(s) or any known relatives of the Child; (c) birth certificate; (d) recent photograph.</p> <p>Where to file: Regional office of the DSWD where the Child was</p>	<p>Agency concerned: DSWD</p> <p>The Petition shall attach: (a) Social case study report, (b) Proof that efforts were made to locate the parent(s) or any known relatives of the Child; (c) birth certificate; (d) recent photograph.</p> <p>Where to file: Regional office of the DSWD</p>	<p><u>Agency in charge: NACC and RACCOS</u></p> <p><u>The Petition shall contain:</u></p> <p><u>The petition shall be supported by the following documents:</u></p> <p><u>(a) Social case study report made by the RACCO, LGU, licensed or accredited child-caring or child-placing agency</u></p>

	found or abandoned	where the Child was found or abandoned	<p><u>or institution charged with the custody of the Child;</u></p> <p><u>(b) Proof that efforts were made to locate the parents or any known relatives of the Child. The following shall be considered sufficient;</u></p> <p><u>(1) Written certification from a local or national radio or television station that the case was aired on three (3) different occasions;</u></p> <p><u>(2) Publication in one (1) newspaper of general circulation to be shouldered by the petitioner: Provided, That publication can be dispensed with in the case of step-parent and relative adoption;</u></p> <p><u>(3) Police report or barangay certification from the locality where the Child was found, or a certified copy of tracing report issued by the Philippine Red Cross National Headquarters (NHQ) or social service division, which states</u></p>
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			<p><u>that despite due diligence, the Child's parents could not be found;</u></p> <p><u>(4) Returned registered mail to the last known address of the parents or known relatives, if any; or in the case of a voluntarily committed Child, the DVC signed by the biological parent;</u></p> <p><u>(5) Birth certificate, if available; and</u></p> <p><u>(6) Recent photograph of the Child and photograph of the Child upon abandonment or admission to the agency or institution.</u></p> <p><u>Filed by: the Head or Executive Director of a licensed or accredited child-caring or child-placing agency or institution managed by the government, PGU, NGO, or provincial, city, or municipal social welfare development officer (SWDO) who has actual custody of the minor may file a</u></p>
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			<p><u>petition before the NACC, through the RACCO, for the issuance of a CDCLAA</u></p> <p><u>Where filed: RACCO where the Child was found, abandoned, voluntarily committed, or discovered (Section 13, RA 11642).</u></p>
Where to file Petition for Adoption	Family Court where the prospective parent resides	The proper court/tribunal/agency having jurisdiction over the place where the Child resides or may be found; or with the Inter-Country Adoption Board (ICAB)	<p>Domestic Adoption: With the RACCO of the city or municipality where the PAPs reside.</p> <p>Inter-Country Adoption: Filed through an accredited Foreign Adoption Agency in the country where the applicant adopter resides (Section 48, RA 11642)</p>
Effects of Adoption	<p>On legitimacy</p> <ul style="list-style-type: none"> • The adoptee shall be considered the legitimate Child of the adopter(s) for all intents and purposes and as such is entitled to all the rights and obligations provided by law to legitimate sons/daughters born to them without 	Same as in RA 8552	<p>Same with RA 8552, but with additions:</p> <p>Benefits to Adoptive Parents:</p> <p>All benefits entitled to biological parents:</p> <p>From the date of the Order of Adoption (in the context of</p>

	<p>discrimination of any kind with the means of the family.</p> <p>On Parental Authority</p> <ul style="list-style-type: none"> • Except in cases where the biological parent is the spouse of the adopter, all legal ties between the biological parent(s) and the adoptee shall be severed and the same shall then be vested on the adopter(s). <p>On Succession</p> <p>In legal and intestate succession, the adopter(s) and the adoptee shall have reciprocal rights of succession without distinction from legitimate filiation. However, if the adoptee and his/her biological parent(s) had left a will, the law on testamentary succession shall govern.</p>		<p>Philippine Law)</p> <p>Paternity and maternity leave under existing laws for biological parents Provided however that the leave benefits must be availed within 1 year from the issuance of the Order of Adoption except benefit shall not apply in cases of adult adoptions or when the adoptive Child has been in the care and custody of the adoptive parent for at least 3 years before the issuance of the Order of Adoption by the NACC.</p> <p>On legitimacy and succession (as far as Philippine law is concerned)</p> <p>The legitimate filiation shall be extended to the adopter's parents, legitimate siblings, and legitimate descendants.</p> <p>On naming:</p> <p>The adopter is also given the right to choose the name by which the Child is to</p>
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			be known.
Grounds for Rescission	1. Repeated physical or verbal maltreatment by the adopter despite having undergone counseling; 2. Attempt on the life of the adoptee; 3. Sexual abuse or violence; or 4. Abandonment and failure to comply with parental obligations	Same with RA 8552	Same with RA 8552
Who can file for rescission	Adoptee	Adoptee	Adoptee or Adoption Social Worker
Period for Rescission	The adoptee, if incapacitated, must file the petition for rescission or revocation of adoption within (5) years after he reaches the age of majority, or if he was incompetent at the time of the adoption, within (5) years after recovery from such incompetency.	Same with RA 8552	<u>Upon existence of any grounds (No period prescribed under the law).</u>
Venue	Family Court where the adoptee resides	Philippine Regional Trial Court having jurisdiction over the Child, or The Inter-Country Adoption Board (ICAB) through an intermediate	<u>Regional Alternative Child Care Office (RACCO) where the adoptee resides (Section 48, RA 11642).</u>

		emergency (Section 10, RA 8043 now amended by Section 48, RA 11642).	
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ANNEX “B” - LIST OF ACCREDITED FOREIGN ADOPTION AGENCIES AND CENTRAL AUTHORITIES (Based on the NACC website as of May 2023)

COUNTRY	STATE/REGION	NAME OF AGENCY	CONTACT PERSON	CONTACT DETAILS
Australia	Northern Territory	Department of Health and Families (Central Authority)	Jenny Linten (Manager)	08 8922 5519 Level 5, Darwin Plaza (Records Management) 41 Smith Street Mall Darwin Northern Territory 0800 Australia
Australia	State of Queensland	Adoption and Permanent Care Services Department of Children and Youth Justice and Multicultural Affairs	Heather Kershaw (Adoption Officer)	07 3097 5100 GPO Box 806 Brisbane QLD 4001 Australia Heather.Kershaw@cyjma.qld.gov.au
Australia	New South Wales	Open Adoption and Permanency Services, Department of Communities and Justice (Central Authority)	Sally Hyde (Intercountry Adoption Caseworker)	+61 2 9716 3003 Locked Bag 4001, 1880, Australia; Lvl 4, 223 Liverpool Rd, Ashfield NSW IntercountryAdoption@facs.nsw.gov.au 2131

Australia	Tasmania	Adoptions and Permanency Services, Department of Communities, Tasmania (Central Authority)	None identified	+61 3 6166 0422 PO Box 538 Hobart Tas 7001 Australia www.communities.tas.gov.au/children/adoption/adoption_services
Australia	Victoria	Adoption Victoria Adoption Services Department of Justice and Community Safety (Central Authority)	None identified	+ 61 3 8608 5700/1800 130 225 PO Box 588 Collins St West Melbourne Vic 8007 Adoptionsvic@justice.vic.gov.au www.justice.vic.gov.au/adopt-a-child-from-overseas-0
Australia	Commonwealth	Department of Social Services (Central Authority)	Brendan Tunks (A/g Director Intercountry Adoption Children's Policy Branch)	02 6146 5596 Rob`rt Garran Offices, 3-5 National Circuit, Barton Act 2600, Australia Brendan.Tunks@dss.gov.au

Australia	Western Australia	Adoption Services Department of Communities (Central Authority)	None identified	1800 182 178 +618 9222 2555 Locked Bag 5000 Fremantle, WA 6959 Australia www.wa.gov.au/organisation/departments-of-communities/intercountry-adoption
Austria	Lower Austria	Office of the Lower Austrian regional government, Department of Child and Youth Welfare GS6, Central Authority for Inter-country Adoption (Central Authority)	Mag(FH)Aschauer Cornelia Kathleen Poortmans, Social Worker, Inter-country Adoption programs	+43 2742-9005-16401 Landhausplatz 1, 3109 Sankt Pölten Cornelia.Aaschauer@noel.gv.at www.noe.gv.at
Belgium		Flanders Inter-Country Adoption Care/FIAC (Adoption Agency)	Ms. Ann Loos (Psychological Assistant) Kathleen Poortmans (Social Worker) Bart Neys (Responsible Inter-country Adoption Programs)	+32 (0) 14 700 471; 473 Stationsstraat 80 A B – 2440 Geel, Belgium ann.loos@fiac-vwz.be bart.neys@fiac-vwz.be www.fiac-vwz.be

Belgium		SDEL ASBL- Sourieres D'Enfants-Larisa (Adoption Agency)	Valerie Oliveri – Directrice	04.253.00.56 SDEL ASBL – Sourires D'Enfants-Larisa Rue Bagolet 13 4000 Liège, Belgium valerie.oliveri@sdel.be
Canada	Province of British Columbia	Ministry of Children and Families Development Adoption (Central Authority)	Reena Bacy (Provincial Director of Adoption)	+1 (250) 387-1317 P.O. Box 9705, Station Provincial Government Victoria, British Columbia V8W 9S1, Canada MCF.Intercountry Adoptions@gov.b c.ca reena.bacy@gov. bc.ca www2.gov.bc.ca
Canada	Province of British Columbia	Sunrise Family Services Society (Adoption Agency)	Junghee Seo (MSW, RSW Intercountry Adoption)	604 984-2488 # 102-171 Esplanade West North Vancouver,

				<p>BC V7M</p> <p>junghee@sunriseadoption.com</p> <p>www.sunriseadoption.com</p>
Canada	Province of Manitoba	Child Protection Branch, Child and Youth Services Division, Department of Families (Central Authority)	Dee Bertossa (Adoption Specialist) Nathalie Martin	<p>204-330-2701</p> <p>777 Portage Ave., Winnipeg, MB., R3G 0N3</p> <p>Dee.bertossa@gov.mb.ca</p> <p>Natalie.martin@gov.mb.ca</p>
Canada	Province of New Brunswick	Central Authority-Adoptions & Birth Parent Services (Central Authority)	Connie Folkins MSW RSW (Program Consultant-FSC D/SFEH)	<p>506-432-4510</p> <p>551 King Street, P.O. Box 6000, Fredericton, NB, E3B 1E7</p> <p>connie.folkins@nb.ca</p>
Canada	Province of Newfoundland and Labrador	Department of Children, Seniors and Social Development (Central Authority)	Jennifer Sullivan (Provincial Director of Adoptions)	<p>+1 (709) 729 3527</p> <p>Newfoundland Labrador P.O. Box 8700, St. John's, NL A1B 4J6 Canada</p> <p>www.gov.nl.ca/cs</p>

				sd/adoption
Canada	Northwest Territories	Department of Health and Social Services, Territorial Social Programs Government of the Northwest Territories (Central Authority)	Colette Prevost (Territorial Executive Director of Child and Family Services)	+1 (867) 767-9061 P.O. Box 1320 6 th floor, NGB, 5015-49 th Street, Yellowknife, NT X1A 2L9 Colette.Prevost@gov.nt.ca www.hss.gov.nt.ca/en/services/adoption
Canada	Province of Nova Scotia	Dept. of Community Service (Central Authority)	Mary Craig of (Manager of Adoption Services)	(902) 424-3205 5675 Spring Garden Road, Halifax, Nova Scotia, Canada Mary.Craig@novascotia.ca https://novascotia.ca/coms/families/adoption/index.html
Canada	Province of Ontario	Ministry of Children, Community and Social Services	Rory Gleeson, Director (English)	+1 (416) 327-4736 101 Bloor Street West, 6 th Floor,

				Toronto, Ontario M5S 2Z7 www.ontario.ca/page/adoption
Canada	Province of Prince Edward Island	Department of Social Welfare and Housing (Central Authority)	Kelly Peck (Director of Child Protection)	+1 (902) 368 6515 P.O Box 200, 161 St. Peter's Road, Charlottetown, Prince Edward Island C1A7N8 kmhpeck@ihis.org
Canada	Province of Quebec	Secrétariat à l'adoption internationale (SAI) (Central Authority)	Sylvie Nguedam Deumeni, Ph. D. (Conseillère en adoption internationale – Intercountry) adoption adviser	+1 (514) 873-5226, (800) 561- 0246 201 boul. Crémazie est, bureau 1.01 Montréal, QC (CA), H2M 1L2 sylvie.nguedam-deumeni@msss.gouv.qc.ca http://adoption.gouv.qc.ca/en_accueil
Canada	Province of Saskatchewan	Ministry of Social Services /	Shannon Huber (Director of	+1 (306)787-5698

		Saskatchewan (Central Authority)	Operational Support, Child and Family Programs)	10 th Floor, 1920 Broad Street Regina, Saskatchewan S4P 3V6 Canada Shannon.Huber @gov.sk.ca https://www.saskatchewan.ca
Canada	Yukon Territory	Department of Health and Social Services, Family and Children Services Branch	Tanya Mackenzie (Manager, Family Resource Unit) Cleo Smith (Coordinator of Adoptions)	+1 (867) 667-8545 401 4114 4 th Avenue, Whitehouse, Yukon, Y1A 4N7 Tanya.Mackenzie@yukon.ca Cleo.smith@gov. yk.ca
Denmark		Danish International Adoption- DIA (Adoption Agency)	Annette Kousgaard Guo (Adoption Coordinator)	+45 86-207940 Mollegarde 32, 1., DK-8000 Arhus C. www.d-i-a.-dk
Finland		Ministry of Social	None identified	+ 358 9 1601

		Affairs and Health The Finish Board of Inter-Country Adoption Affairs		Kirkkokatu 14, 00170 Helsinki, Finland
Finland		Save the Children/STC (Agency)	Merita Lepojarvi (Adoption Coordinator)	+358 50 433 1291 www.pelastakaal apset.fi Koskelantie 38, PL 95, 00601 Helsinki <u>merita.lepojarvi@ savethechildren.fi</u>
France		Agence Francaise de L'Adoption/MAI/AFA (Agency)	Oceane Favorel	+33 (0)1 4478 6140 63, bis, Boulevard Bessières 75017 Paris, France www.agence-ado ption.fr
Germany		Family International Frankfurt (Agency)	Heidemarie Bienentreu (Mediator)	+49-69-9563 6432 Monisstr. 4 D 60320 <u>kontakt@fif-ev.de</u> <u>benisch@fif-ev.de</u> www.fif-ev.de

Ireland		Helping Hands Adoption Agency (Adoption Agency)	Mary Healy	+ 353 (0)21 496 6805 The Loft, Bessborough Center Blackrock Road, Cork, Ireland Helpinghands.ama@gmail.com
Italy		Commission for International Adoption Department for Social Affairs (Central Authority)	Dr. Maria Teresa Vinci (Director)	06 67792160 Cai.segreteria-enti@governo.it
Italy		Azione Per Famiglie Nuove (Adoption Agency)	Patrizia Nardella	+39 06 9411565 Via Isonzo, 64 – 00046 Grottaferrata Roma, Italia www.afnonlus.org
Italy		Associazione Amici di Don Bosco onlus/AMICI	Daniella Bertolusso (Executive Secretary)	+39 011-5224619 Via Maria Ausiliatrice, 32 10152 Torino, Italy info@amicididonbosco.org www.amicididonbosco.org

<p>New Zealand</p>		<p>Inter-Country Adoption New Zealand (Adoption Agency)</p>	<p>Wendy Hawke (Executive Director)</p>	<p>+64 21 781 212 (649) 623 9369</p> <p>PO Box 62-660 Greenlane Auckland 1546 New Zealand</p> <p>office@icanz.gen.nz</p>
<p>New Zealand</p>		<p>Oranga Tamariki-Ministry for Children</p>	<p>Ms. Natasha Bastion (Senior Advisor)</p>	<p>+64 4 914 0207</p> <p>161 Cashel Street, Christchurch 8011; PO Box 940 Christchurch 8140</p> <p>Natasha.Bastion@ot.govt.nz</p>
<p>Netherlands</p>		<p>Wereldkinderen (Adoption Agency)</p>	<p>Sonja Kranendonk (Program Officer at the Adoption Department)</p>	<p>+31 0 70 350 6699</p> <p>Berzuidenhoutse weg 50-58, P.O. Box 95390, 2509 CJ The Hague, Netherlands</p> <p>ann.loos@fiac-vwz.be</p> <p>kranendonk@wereldkinderen.nl</p>

Norway		Adopsjonsforum (Adoption Agency)	Aruna Vegdal (Adoption Consultant)	M. (+47) 23 28 08 00 Inkognito. 17, 0256 Oslo Aruna M. Vegdal, Adoption Consultant amv@adopsjonsforum.no
Spain		Creixer Junts (Adoption Agency)	Elena Farre	+34 932720290 Mallorca, 192, 3, 08036 Barcelona
Spain		Associacio d'Ajuda als Infants del Mon (AAIM) (Adoption Agency)	Silvia Muzelle (Senior Program Manager)	+34 932720290 www.aaimadoption.org
Sweden		Adoptionscentrum (Adoption Agency)	Ida Wilhelmsson (Program Officer- the Philippines)	+46 8 587 499 39 Box 1188, 171 23 Solna, Sweden www.adoptionscentrum.se
Switzerland		Bureau Genevois d'Adoption (Adoption Agency)	Ms. Sari Herbert (Co-Director)	+41 22 731 05 01 Rue de Cornavin 1, CH- 1201 Geneve

				Bga.adoption@bluewin.ch www.bga-adoption.ch
United States of America	California	International Christian Adoption (Adoption Agency)	Dorann Ginter (Chief of International Administrative Services)	951 695 3336 41745 Rider Way #2, Temecula, California 92590 dginter@4achild.com
United States of America	Delaware	Madison Adoption Associates (Adoption Agency)	Katie Schultz, MS (International Adoption Specialist)	(302) 475-8977 Society Office Complex, 1102 Society Drive, Claymont, DE 19703 Katie@madisonadoption.org www.madisonadoption.org
United States of America	Massachusetts	Wide Horizons for Children (Adoption Agency)	Jessica Ellison (Philippines Program Manager)	(781)-419-0397 391 Totten Pond Road, Suite 303 Waltham, Massachusetts 02451 jellison@whfc.org

United States of America	Montana	Sacred Portion Children's Outreach (Adoption Agency)	Corina Paszkiet (Executive Director and Philippine Adoption Program Coordinator)	(406) 586-5773 P.O. Box 11486, Bozeman MT 59719 corina@sacredportion.org
United States of America	North Carolina	Christian Adoption Services, Inc (Adoption Agency)	Laura Nichols – Virgilio (Director of Compliance and International Adoptions)	(704) 847-0038 7884 Idlewild Road Indian Trail, NC 28079 lnichols-virgilio@bchfamily.org
United States of America	Oregon	All God's Children International	Sue Harkema-	503-282 – 7652 616-583-2447 info@allgodschildren.org 1400 NE 136th Avenue 201 Vancouver, WA 98684
United States of America	Oregon	Holt International Children's Services (Adoption Agency)	Jessica Palmer – (Holt Philippines Director of Adoption Services)	(541) 687-2202 250 Country Club Road Eugene, OR 97401

				jessicap@holtinternational.org
United States of America	Tennessee	Holston United Methodist Home for Children (Adoption Agency)	Trista Herren (Adoption Program Supervisor)	423-366-5577 PO Box 5532, Johnson City, TN 37602 tristaherren@holstonhome.org
United States of America	Washington D.C.	U.S. Department of State, Office of Children's Issues (Central Authority)	Christina Leone (Adoption Country Officer for East Asia Pacific and South Asia)	+1 (202) 501-4444 600 19 th Street, N.W., Washington, DC 20522-0001 Adoption@state.gov www.adoption.state.gov
United States of America	Washington D.C.	All God's Children International (AGCI) (Adoption Agency)	Tiana Wolfley (International Adoption Specialist)	1 (360) 823-9389 1400 NE, 136 th Avenue, Suite 201 Vancouver, WA 98684 twolfley@allgodschildren.org
United		The Centre for	Mr. Sathwinder	07944 122521

Kingdom		Adoption (IAC) (Adoption Agency)	Sandhu (Chief Executive)	22 Union Street, Barnet, EN5 4HZ <u>Satwinder.Sandhu@icacentre.org.uk</u> www.icacentre.org.uk
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**ANNEX “C” - SAMPLE NACC INTER-COUNTRY ADOPTION FORM- To be inserted
in PDF format**

Sources and references

Statutes and rules:

- (1) Domestic Administrative and Alternative Child Care Act(RA 11642)
- (2) Inter-Country Adoption Act (RA 8043)
- (3) Implementing Rules and Regulations of Republic Act 11642
- (4) Implementing Rules and Regulations of RA 8043
- (5) Procedure and Work Instruction Manual of the Inter-Country Adoption Board
- (6) SC Rule on Adoption A.M. No. 02-6-02-SC
- (7) NACC Website
- (8) DSWD Memorandum Circular No. 3 Series of 2022
- (9) Expanded Anti-trafficking of Persons Act(RA 11862 amending RA 9208)

Jurisprudence:

- (1) Karl William Yuta Magno Suzuki v OSG, G.R. No. 212302, 02 September 2020
- (2) Spouses Joon Hyung Park and Kyung Ah Lee v. Hon. Sebastian D. Liwanag, G.R. No. 248035, 27 November 2019
- (3) Leave Division, Office Of Administrative Services Office of the Court Administrator v. Heusdens, A.M. No. P-11-2927 13 December 2011

Related literature:

1. "An Overview of the Inter-Country Adoption Act of (R.A. 8043)" by Sedfrey Candelaria (Seminar on Inter-Country Adoption, April 1996, University of the Philippines Law Center Institute of Judicial Administration, Quezon City)
2. "Not Bone of My Bone But Still My Own: A Treatise on the Philippine Law on Adoption by Aguilin-Pangalangan, Elizabeth" (2013, University of the Philippines College of Law)