

**Unvalidated References:**  
*Adoption of Children Act 1968*

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel  
Dated 25 November 2006

**INDEPENDENT STATE OF PAPUA NEW GUINEA.**

Chapter 275.

*Adoption of Children Regulation 1969*



## ARRANGEMENT OF SECTIONS.

1. Form and authentication of consent, etc.
2. Prescribed authorities.
3. Acceptance by Director of guardianship.
4. Notice of application for adoption and request for renunciation of guardianship.
5. Certificate as to customary adoption.
6. Certificate as to customary fosterage or guardianship.

### SCHEDULE 1

#### *Adoption of Children Regulation 1969*

Made under the *Adoption of Children Act 1968*.

Dated                    200 .

#### **1. FORM AND AUTHENTICATION OF CONSENT, ETC.**

(1) An instrument of consent to the adoption of a child shall be—

- (a) in Form 1; and
- (b) authenticated by the witness in the signature to the instrument in accordance with Form 2.

(2) The witness shall take the steps set out in Form 2 to satisfy himself that the person signing the instrument understands the effect of the consent.

#### **2. PRESCRIBED AUTHORITIES.**

For the purposes of Section 19 of the Act, the prescribed authority of a State or Territory of Australia is the person certified by the Director to be the person holding the office which, in that State or Territory, is the office corresponding to the office of the Director.

#### **3. ACCEPTANCE BY DIRECTOR OF GUARDIANSHIP.**

For the purposes of Section 23 of the Act, the Director shall signify his acceptance of the guardianship of a child by written notice delivered or posted to—

- (a) the Registrar of the Court; and
- (b) the person from whom he received the notice referred to in Section 23(3)(b)(i) of the Act.

**4. NOTICE OF APPLICATION FOR ADOPTION AND REQUEST FOR RENUNCIATION OF GUARDIANSHIP.**

For the purposes of Section 27 of the Act, a notice and request by the Director to the appropriate officer or authority of a reciprocating state shall be in Form 3.

**5. CERTIFICATE AS TO CUSTOMARY ADOPTION.**

A certificate as to adoption under Section 54 of the Act shall be in Form 4.

**6. CERTIFICATE AS TO CUSTOMARY FOSTERAGE OR GUARDIANSHIP.**

A certificate as to fosterage or guardianship under Section 56 of the Act shall be in Form 5.

SCHEDULE 1

**PAPUA NEW GUINEA.**

**Adoption of Children Act 1968.**

**Form 1 – Consent to Adoption.**

Reg., Sec. 1(1)(a). Form 1.

I, . . . , of . . . being the (*mother, father, guardian*) of (*name or description of child*)  
consent to the adoption of the child by any person or persons according to the law of  
Papua New Guinea (*or by . . . the . . . \* of the child*).

Dated . . . 20...

Before me

(*Signature of person giving consent.*)

(*Signature of person authenticating consent.*)

\*Father, mother, grandparent, brother, sister, uncle or aunt of the child, whether the  
relationship is of the whole blood or half-blood or by affinity and  
notwithstanding that the relationship is traced through, or to, an illegitimate  
person or depends on the adoption of any person.

***PAPUA NEW GUINEA.***

***Adoption of Children Act 1968.***

***Form 2 – Authentication of instrument of Consent.***

Reg., Sec. 1(1)(b). Form 2.

I, . . . , of . . . , do solemnly and sincerely declare as follows:—

1. I was the witness to the instrument of consent given by . . . on . . . 20 . . . , to the adoption of (*name or description of child*), a copy of which is annexed to this declaration and marked with the letter "A".
2. I was and am satisfied that the person signing the instrument of consent was the (*parent or guardian*) of the child.
3. At the time when the instrument of consent was signed I read it over to . . . and explained that the effect of an adoption order is to terminate the parental and other rights of the natural parents in relation to the child.
4. I also explained that the consent could be revoked only by written notice to the Registrar of the National Court before—
  - (a) the expiration of 30 days from the date on which the instrument of consent was signed; or
  - (b) the day on which an order for the adoption of the child is made,
 whichever is the earlier.
5. (*In the case of a general consent only*) I also explained that—
  - (a) the instrument was a consent to the adoption of the child by any person or persons in accordance with the laws of Papua New Guinea or of any other place that might recognize the consent; and
  - (b) consent would authorize the Director of Child Welfare to become the guardian of the child until some other proper arrangement was made.
6. I am satisfied that . . . understood the effect of the consent.

And I make this solemn declaration by virtue of the *Oaths, Affirmations and Statutory Declarations Act* conscientiously believing the statements contained in it to be true in every particular.

(*Signature of person making the declaration.*)

Declared . . . 20 . . .

Before me,

(*Signature of person before whom the declaration is made.*)

(*Title of person before whom the declaration is made.*)



**PAPUA NEW GUINEA.**

**Adoption of Children Act 1968.**

**Form 3 – Notice of Application and Request under Section 27 of the  
Adoption of Children Act.**

Act, Sec. 27. & Reg., Sec. 4. Form 3.

In the matter of

To *(the appropriate officer or authority)* of the reciprocating State *(or Territory)* of . . .  
. I, . . . , Director—

- (a) give you notice under Section 27 of the *Adoption of Children Act 1968* of Papua New Guinea that I am satisfied that an application will be made to the National Court of Papua New Guinea for the adoption of . . . , being a child of whom you are guardian by virtue of the provision of a law of your State *(or Territory)* equivalent to Section 23 of the *Adoption of Children Act 1968*; and
- (b) request that you renounce your guardianship of the child; and
- (c) request that you forward me—
  - (i) the consent to the adoption given in relation to the child under the law of that State *(or Territory)*; or
  - (ii) if the consent has been dispensed with under the law of your State *(or Territory)*, a copy of the order or other instrument dispensing with or evidencing the dispensation of the consent.

Dated . . . 20...

Director.

***PAPUA NEW GUINEA.***

***Adoption of Children Act 1968.***

***Form 4 – Certificate as to Customary Adoption.***

Act Sec 54. Form 4. & Reg., Sec. 5.

In the . . . Local Court.

On hearing the application of . . . (*name of applicant*) and . . . (*name of co-applicant*) to an adoption under the *Adoption of Children Act 1968* and on being satisfied that an adoption has been made/terminated\* in accordance with custom, it is declared that an adoption has been so made/terminated\* particulars of which are as follows:—

*Particulars of child*

Item No.	Particulars.
1.	Surname prior to adoption:
2.	Other names prior to adoption:
3.	Sex:
4.	Date of birth ( <i>give approximate date if actual date not known</i> ):
5.	Place of birth:
6.	Surname of natural father:
7.	Other names of natural father:
8.	Maiden name of natural mother:
9.	Other names of natural mother:

*Particulars of Adopting Parents.*

Item No.	Particulars	Adopting Father:	Adopting Mother:
10.	Surname:		
11.	Other names:		
12.	Age ( <i>Give approximate date or age if actual date or age not known</i> ):		
13.	Birthplace:		
14.	Occupation:		
15.	Usual place of residence:		

*Names Given in Adoption.*

Item No.	Particulars.
16.	Surname:
17.	Other names:

*Limitations and Conditions of Adoption.*

Item No.	Particulars.
18.	Period of adoption: from . . . 20..., to . . . 20..., or indefinite.*
19.	Rights of access and return:
20.	Other limitations and conditions:

*Property Rights or Obligations.*

Dated . . . 20...

Magistrate of Local Court.

\*Strike out whichever is inapplicable.

**PAPUA NEW GUINEA.**

***Adoption of Children Act 1968.***

***Form 5 – Certificate as to Customary Fosterage/Guardianship.***

Act, Sec. 56. Form 5. & Reg., Sec. 6.

I, . . . , of . . . being the (*mother, father, guardian*) of (*name or description of child*)  
consent to the adoption of the child by any person or persons according to the law of  
Papua New Guinea (*or by . . . the . . . \* of the child*).

Dated . . . 20...

Before me

(*Signature of person giving consent.*)

(*Signature of person authenticating consent.*)

\*Father, mother, grandparent, brother, sister, uncle or aunt of the child, whether the  
relationship is of the whole blood or half-blood or by affinity and  
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