

Application for adoption information: Relative of a birth parent who is deceased or does not have capacity

Adoption Act 2009 (sections 254, 263 and 266)
Adoption Regulation 2020

The purpose of the application for adoption information: Relative or guardian of a birth parent who is deceased or does not have capacity form.

This form is for use by a relative, of a birth parent, to apply for adoption information on his or her behalf where the birth parent is deceased or does not have capacity to apply for adoption information. This application may be made when the adopted person is an adult.

If a birth parent is deceased, or does not have capacity to make the application, his or her eligible relative may apply for the information on their behalf. An eligible relative is a: parent, spouse, sibling, child, grandparent or grandchild of the birth parent. For an Aboriginal or Torres Strait Islander applicant, an eligible relative may include a person who is regarded as a parent or child under Aboriginal traditional or Torres Strait Island custom. An eligible relative of a birth parent, applying on their behalf, may be provided with the following adoption information:

- the adopted person's name after the adoption
- prescribed documents relating to the adoption, including a copy of the adoption order and consent form
- the name of the adopted person's adoptive parents at the time of the adoption

If the adopted person has provided written consent, an eligible relative may also be provided with his or her current name and contact details as provided to Adoption Services.

If the adopted person has a contact statement in place requesting no contact, the applicant will be notified of the contents of the contact statement and any explanation given by the adopted person before receiving the adoption information.

You may also be provided with further information and offered support to assist you to understand the typical reasons an adopted person may not wish to be contacted or in relation to any other relevant issues.

You are required to attach the following documents to this form to establish that you are eligible to apply on behalf of a birth parent:

- a certified copy of documents that provide proof of your relationship to the birth parent e.g. birth certificate
- a certified copy of documents that provide evidence of the birth parent's lack of capacity to apply for information (if applicable)
- a certified copy of documents that provide evidence that the birth parent is deceased (if applicable).

Proof of identity

You are also required to provide the original or a certified copy of two documents to prove your identity, for example: a drivers licence, passport, birth certificate, pension card, credit card, Medicare card or student card. The full list of identification documents that may be accepted is available on page six of this form.

Both documents must be in your current name and, between them, contain your date of birth and signature.

If your current name is different to that on your birth certificate, please provide a certified copy of proof of name change such as a marriage certificate or deed poll, in addition to the two forms of identification mentioned above.

Please do not sign this form until you are in the presence of an appropriate witness.

An appropriate person must witness your signature. An appropriate witness cannot be a relative and includes:

- An officer of the Department of Child Safety, Youth and Women
- A lawyer or notary public
- A Justice of the Peace or Commissioner for Declarations
- A Police Officer
- A medical practitioner

Information to assist you to locate a Justice of the Peace is available at: <http://www.justice.qld.gov.au>

Further information about applying for adoption is available on the on the Queensland Government website <http://www.qld.gov.au/community/caring-child/how-request-adoption-information/>

Tick all boxes where required and print clearly using BLOCK LETTERS. You may attach additional pages if required.



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Please return completed form to:

by mail to:

Adoption Services
Department of Child Safety,
Youth and Women
Locked bag 3405
Brisbane QLD 4001

Assistance in completing this form is available from:

Adoption Services
Telephone: **3097 5100** or
1800 647 983 (free call within
Queensland)

Post Adoption Support Queensland
Telephone: **1300 914 819**

Part A – Adult relative of a birth parent to complete

Preferred title (for example, Mr, Mrs, Ms, Dr)			
Current Surname			
Current given name/s			
Previous names (Please attach evidence such as a copy of a marriage certificate)			
Date of birth		Gender	
Residential address	Number and street address: State/Territory: Postcode:		
Postal address	<input type="checkbox"/> As above Number and street address / PO Box: Suburb: State/Territory: Postcode:		
Telephone numbers Please mark with an * which is your preferred contact number	Home: Mobile: Work:		
Email Address (if applicable)			
Are you of Aboriginal or Torres Strait Islander descent?	<input type="checkbox"/> Yes, Aboriginal <input type="checkbox"/> Yes, Torres Strait Islander <input type="checkbox"/> Yes, Aboriginal and Torres Strait Islander <input type="checkbox"/> No <input type="checkbox"/> Unknown		



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Part B – Details of birth parent on whose behalf you are applying for information

Current Surname			
Current given name/s			
Name at time of the adoption			
Date of birth		Place of birth	
Residential address	Number and street address: State/Territory:.....Postcode:.....		
Gender		ACR (if known)	
Your relationship to the birth parent	<input type="checkbox"/> Parent <input type="checkbox"/> Child <input type="checkbox"/> Sibling <input type="checkbox"/> Spouse <input type="checkbox"/> Grandparent <input type="checkbox"/> Grandchild <input type="checkbox"/> Parent / Child under Aboriginal traditional or Torres Strait Islander custom		
Please provide any known information about the adopted person such as their date of birth or given name at birth.	Date of birth:..... Name given at birth:..... Gender:.....Place of birth:		

Details of your relative’s inability to apply for information

A relative of a birth parent may apply for adoption information about that person’s son or daughter who was adopted if the birth parent has died or does not have the capacity to apply for the information.

Is the birth parent deceased? No Yes Date of death

If yes, please attach a certified copy of documents that provide evidence that the birth parent is deceased and go to **Part C**.

Does the birth parent have capacity to apply for information (if applicable)? No Yes

If no, please attach documentary evidence confirming the birth parent does not have capacity to apply for information.

- Certified copy of declaration of incapacity
- Certified copy of guardianship order
- Letter from treating medical specialist confirming the birth parent’s lack of capacity to apply for adoption information on their own behalf.

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Part C – Consent to the release of information

Please complete this section to indicate whether you agree to your relative's current name and current details being given to an eligible person who applies for information about your relative who is a birth parent.

Although you are completing this form to apply for adoption information, you may wish to take this opportunity to provide consent to your relative's current name and current details (as provided on this form) being given to his or her son or daughter who was adopted or their eligible relative, if they apply for information about their adoption and birth parent.

If an adopted adult makes an application for information about their adoption, he or she will be provided with their birth parent's name (as it was at the time of the adoption), his/her date of birth and prescribed documents relating to the adoption.

However, with your written consent, Adoption Services may also give a person who applies for information about their birth parent, your relative's current name and current details as provided on this form.

Consent to provide your relative's current name and current details to an adopted adult, or their eligible relative, who applies for adoption information about them

Yes – I consent to my relative's current name and *postal address and/or *residential address and/or *email address and/or *telephone number (***please circle one or all**) being given to a person who applies for adoption information about my relative.

No – I do not consent to my relative's current name or current details being given to a person who applies for adoption information about my relative.

You are also able to provide your consent to the release of your name and current details to an adopted adult, or their eligible relative, who applies for information about your relative – please tick to indicate:

Yes – I consent to my current name and *postal address and/or *residential address and/or *email address and/or *telephone number (*** please circle one or all**) being given to an eligible person who applies for adoption information about my relative.

No – I do not consent to my current name or current details being given to an eligible person who applies for adoption information about my relative.

Please go to Part D

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Part D – Proof of identity and declaration

I have enclosed a certified copy of two proof of identification documents with this application.

Identification Document 1

Identification Document 2

I have also provided documentary evidence of my relationship to the birth parent.

I have provided evidence of my name change (if applicable)

I (print full name)

hereby make an application for adoption information and declare that all the information provided in this application is true and correct to the best of my knowledge.

MUST BE SIGNED AND DATED IN THE PRESENCE OF THE WITNESS

Applicant's Signature	<input type="text"/>		
Date	<input type="text"/>	Place/city town	<input type="text"/>

Note: It is an offence under the *Adoption Act 2009* for any person to knowingly provide false or misleading information

Certificate of witness

Witness's full name	<input type="text"/>		
Qualification	<input type="checkbox"/> Justice of the Peace <input type="checkbox"/> Commissioner of Declarations <input type="checkbox"/> An Officer of the Department of Child Safety, Youth and Women	<input type="checkbox"/> Lawyer <input type="checkbox"/> Police Officer	<input type="checkbox"/> Doctor
Registered number	<input type="text"/>	Phone number	<input type="text"/>
Address	<input type="text"/>		

The applicant showed me two documents that provide proof of his or her identity and this application was signed by the applicant in my presence on:

Date / / at place
(insert suburb and State)

Witness signature

LIST OF RELEVANT IDENTITY DOCUMENTS

Schedule 1 Relevant identity documents section 8(2)(a)

- a birth certificate
- a citizenship certificate
- an Australian passport that is current or has been expired for less than two years
- a current overseas passport
- a current drivers licence containing the person's photograph
- a current photo identification card under the Photo Identification Card Act 2008 (including a current adult proof of age card that continues in force under that Act as a photoidentification card) or a corresponding card under the law of another jurisdiction
- a current document evidencing the person's residency or visa status
- a current Medicare card, pensioner concession card, health care card or another identification card issued by the Australian government as evidence of a person's entitlement to a benefit
- a current positive notice blue card issued under the *Working with Children (Risk Management and Screening) Act 2000*
- a telephone, gas or electricity account (not more than one year old)
- a current credit card, debit card or other account card from a financial institution (which includes an embossed name and signature)
- a passbook or statement of account from a financial institution (which is not more than one year old)
- a notice of rates from a local government (that is not more than one year old)
- a current student identity card containing the person's photograph or signature issued by a school or another educational institution
- a Queensland Government employee identity card (which contain the person's photograph)
- an Australian State police officer, Federal police officer or Australian Defence Force identity card containing the person's photograph
- a current crowd controller's licence, private investigator's licence or security officer's licence issued under the *Security Providers Act 1993*
- a current licence issued under the *Weapons Act 1990*.

The two forms of certified identification documents that you provide with your application must be in your current name and, between them, contain your date of birth and signature.

Privacy Notice

The *Adoption Act 2009* authorises the Department of Child Safety, Youth and Women to collect the information on this form for the purposes of assessing your application for adoption information, and where applicable, the provision of the relevant identifying and non-identifying information. The Department of Child Safety, Youth and Women may provide some or all of this information to the Registrar, Registry of Births, Deaths and Marriages and/ or to a relevant tribunal or court or person as authorised under the Act. All information obtained in the process of assessing your application for adoption information, and where applicable, the provision of the relevant identifying and non-identifying information will be managed in accordance with the Information Privacy Principles described in the *Information Privacy Act 2009*.