

# Application for adoption information: Relative of an adopted person who is deceased or does not have capacity

*Adoption Act 2009 (sections 254, 263 and 264)  
Adoption Regulation 2020)*

## The purpose of the form

This form is for use by a relative of an adult adopted person to apply for adoption information on his or her behalf where the adult adopted person is deceased or does not have capacity to apply for adoption information.

If an adopted person is deceased, or does not have capacity to make the application, an eligible relative may apply for the information on their behalf. An eligible relative is a: **parent, spouse, sibling, child, grandparent or grandchild** of the adopted person. 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 and/or Torres Strait Islander custom. An eligible relative of an adopted person, applying on their behalf, may be provided with the following adoption information:

- the adopted person's name before the adoption
- prescribed documents relating to the adoption, including a copy of the adoption order & the consent form
- the adopted person's birth parent/s name at the time of the birth and their date of birth (if applicable)
- the name and date of birth of any other adopted person who is an adult who has at least one birth parent in common with the adopted person.

If a birth parent/s and/or any birth sibling/s (who was also adopted) and have provided their written consent, eligible relative/s may also be provided with their current name and current details as provided to Adoption Services.

If the birth parent/s or birth sibling/s (who was also adopted) 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 birth parent/s or birth sibling/s (who was adopted) before receiving the adoption information.

You may also be provided with further information and support to assist you to understand the typical reason a birth parent 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 an adopted person:

- a certified copy of documents that provide proof of your relationship to the adopted person
- a certified copy of documents that provide evidence of the adopted person's lack of capacity to apply for information (if applicable)
- a certified copy of documents that provide evidence that the adopted person 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 five 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 at the time of your relative's adoption, 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.**



**Application for adoption information:  
Relative of an adopted person who is  
deceased or does not have capacity**  
*Adoption Act 2009 (sections 254, 263 and 264)  
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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 adopted person 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 adopted person on whose behalf you are applying for information**

Current surname			
Current given name/s			
Name at time of adoption <small>(If different from current name)</small>			
Date of birth		Place of birth	
Residential address	Number and street address: ..... ..... State/Territory:.....Postcode:.....		
Gender		ACR (if known)	
Adoptive parent's full name	Adoptive parent one: ..... Date of birth:.....		
	Adoptive parent two : ..... Date of birth:.....		
Your relationship to the adopted person	<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 tradition or Torres Strait Islander custom		

**Details of your relative's inability to apply for information**

A relative of an adopted person may apply for adoption information if the adopted person has died or does not have the capacity to apply for the information.

Is the adopted person deceased?       No       Yes      Date of death     

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

Does the adopted person have capacity to apply for information (if applicable)?      No       Yes

If no, please attach documentary evidence confirming the adopted person 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 adopted person's lack of capacity to apply for adoption information on their own behalf.

### Part C – Consent to the release of information

Please complete this section to indicate whether you agree to your relative's (the adopted person) and/or your current name and details being given to an eligible person who applies for information about your relative who is an adopted person.

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 details (as provided on this form), being given to his or her birth parent/s, birth relative/s or birth sibling/s (who was also adopted) if they apply for information about your relative.

If a birth parent/s, birth relative/s or birth sibling/s (who was also adopted) makes an application for information about your relative, they will be provided with your relative's name (as it was at the time of the adoption), their date of birth and prescribed documents relating to the adoption.

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

#### **Consent to provide your relative's current name and address to an eligible person 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 an eligible person who applies for adoption information about my relative.
- No – I do not consent to my relative's current name or details being given to an eligible person who applies for adoption information about my relative.

#### **You are also able to provide consent to the release of your name and details to an eligible person 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 details being given to an eligible person who applies for adoption information about my relative.

#### **Pre-adoption sibling**

A pre-adoption sibling is a person who would have been your relative's brother or sister if the adoption had not happened and is not an adopted person themselves. If your relative has a birth sibling/s (who was also adopted), they are automatically entitled to receive information about your relative.

However, information about your relative can only be provided to a pre-adoption sibling/s who applies for information about your relative if written consent is provided (unless they apply as a relative of a deceased or incapacitated birth parent).

If you do not provide written consent, no information about your relative will be given to a person who applies for adoption information about them as a pre-adoption sibling.

- No – I do not consent to any information about my relative being given to a pre-adoption sibling/s.
- Yes – I consent to my relative's name as it was at the time of the adoption, date of birth and prescribed documents relating to the adoption being given to my relative's pre-adoption sibling/s.
- I also 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 my relative's pre-adoption sibling/s if they apply for information about my relative.
- I also 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 an eligible person who applies for adoption information about my relative.

**Part D - Proof of identity and declaration**

I have enclosed a certified copy of two proof of identification documents in my current name with this application

Identification Document 1

Identification Document 2

**Applicant's relationship to the adopted person**

You are required to provide a certified copy of documents that prove you are an eligible relative of the adopted person, for example, your birth certificate.

I have provided a certified copy of my birth certificate as evidence of my relationship to the adopted person.

I have provided evidence of my name change (if name on the above mentioned document is different to your current name)

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"/> Departmental Officer <input type="checkbox"/> Justice of the peace <input type="checkbox"/> Doctor <input type="checkbox"/> Commissioner for Declarations <input type="checkbox"/> Police Officer <input type="checkbox"/> An Officer of the Department of Child Safety, Youth and Women		
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

- 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 Queensland 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*.