



STATUTORY INSTRUMENTS.

S.I. No. 535 of 2017



ADOPTION ACT 2010 (CONSENT TO ADOPTION ORDER) (FORMS)
REGULATIONS 2017

S.I. No. 535 of 2017

ADOPTION ACT 2010 (CONSENT TO ADOPTION ORDER) (FORMS)
REGULATIONS 2017

I, KATHERINE ZAPPONE, Minister for Children and Youth Affairs, in exercise of the powers conferred on me by sections 26(3) and 150 of the Adoption Act 2010 (No. 21 of 2010) and the Office of the Minister for Children and Youth Affairs (Transfer of Departmental Administration and Ministerial Functions) Order 2011 (S.I. No. 218 of 2011), hereby make the following regulations:

1. These Regulations may be cited as the Adoption Act 2010 (Consent to Adoption Order) (Forms) Regulations 2017.
2. These Regulations come into operation on 27 November 2017.
3. Each of the forms set out in the Schedule is prescribed for the purposes of section 26 of the Adoption Act 2010 (No. 21 of 2010) and shall be used in the case and manner indicated in the form.
4. The Adoption Act 2010 (Consent to Adoption Order) (Forms) Regulations 2010 (S.I. No. 519 of 2010) are revoked.



GIVEN under my Official Seal,
27 November 2017.

KATHERINE ZAPPONE,
Minister for Children and Youth Affairs.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 1st December, 2017.*

SCHEDULE

FORMS OF CONSENT TO ADOPTION

Form 1

The Adoption Authority of Ireland

AFFIDAVIT OF CONSENT TO ADOPTION

(For use by a mother where the identity of the applicant(s) is known to her)

In the matter of an application for the adoption of

(child's full name)

I,.....,(name)

of.....

....., (address)

am single/married/separated/widowed/divorced/in a civil partnership/a former civil partner/a co-habitant (*a), aged eighteen years and upwards (or, if under eighteen, aged..... years), make oath and say as follows:

1. I am aware that an application is about to be made or has been made by

..... (name(s))

of.....

....., (address)

for an adoption order in respect of the said child.

2. I am the mother of the said child.

3. I did / I did not marry the father of the said child. (*b)

4. I am / I am not the sole guardian of the said child. (*c)

5. I say that is a legal guardian of the said child, pursuant to a court order or otherwise. (Write their name, or "no one else" if there is no other legal guardian)

6. To the best of my knowledge and belief has instituted proceedings in relation to guardianship or custody of the said child. (Write their name, or "no one" if there are no proceedings)

7. The said child is not less than six weeks old, having been born on the day of 20.... .

8. I know that the religion of the first applicant is
and that the religion of the second applicant is (*d).

9. I understand that the nature and effect of an adoption order is that I shall lose all parental rights and that I shall be freed from all parental duties with respect to the said child and that these rights and duties shall be transferred to the adopter or adopters.

10. I have been informed and I understand that the Authority may make an adoption order in respect of the said child at any time after the signing of this consent.

11. I hereby freely give my consent to the making of an adoption order in pursuance of the application referred to above.

12. I have been informed and I understand that this consent may be withdrawn, at any time before the making of the Adoption Order, by my so informing the Authority and that on the making of the Adoption Order my consent becomes irrevocable.

13. I have been informed and I understand that I am entitled to be heard in person or to be represented by counsel or solicitor on the application for the Adoption Order or otherwise to be consulted again in relation to the application and that I should indicate in writing to the Authority my wishes in this respect. I also understand that if I wish to be heard I will be informed of the date on which the Authority will hear me or my counsel or solicitor.

14. I have been informed and I understand that, despite any subsequent withdrawal of my consent, the High Court, on application, may, at its discretion, authorise the Authority to dispense with my consent.

15. I say that my wishes in respect of the matters referred to in paragraph 13 above are as follows:

(i) I do/I do not wish to be heard on the application for the Adoption Order; (*e)

(ii) I do/I do not wish otherwise to be consulted again in relation to the application for the Adoption Order. (*f)

16. I understand that this affidavit may be used as evidence that I consent to the Adoption Order being made.

Signature.....

Sworn at..... in the county of

.....on this

..... day of 20.....

before me and I know the deponent (or I know
who certifies to me that (s)he knows the deponent).

Signature

Description (*g)

(*a), (*b), (*c), (*d), (*e) and (*f): Delete words which do not apply. All deletions must be initialled by the deponent and by the person before whom the affidavit is sworn.

(*g) If the affidavit is being sworn in the State, it should be sworn before a Commissioner for Oaths; if it is being sworn elsewhere, it should be sworn before a Notary Public or other person duly authorised to administer oaths.

Form 2

The Adoption Authority of Ireland

AFFIDAVIT OF CONSENT TO ADOPTION

(For use by a person other than the mother where the identity of the applicant(s) is known to the consenting party)

In the matter of an application for the adoption of
(child's full name)

I,, (name)
of
....., (address)

am single/married/separated/widowed/divorced/in a civil partnership/a former civil partner/a co-habitant (*a), aged eighteen years and upwards (or, if under eighteen, aged..... years), make oath and say as follows:

1. I am aware that an application is about to be made or has been made by
..... (name(s))
of.....
....., (address)

for an adoption order in respect of the said child.

2. I am the father of the said child. (*b)

3. I married the mother of the said child. (*c)

4. I am a legal guardian of the said child / a person having charge of or control over the said child. (*d)

5. The said child is not less than six weeks old, having been born on the day of 20..... .

6. I know that the religion of the first applicant is
and that the religion of the second applicant is (*e).

7. I understand that the nature and effect of an adoption order is that I shall lose all parental/guardianship rights and that I shall be freed from all parental/guardianship duties with respect to the said child and that parental rights and duties shall be transferred to the adopter or adopters. (*f)

8. I have been informed and I understand that the Authority may make an adoption order in respect of the said child at any time after the signing of this consent.

9. I hereby freely give my consent to the making of an adoption order in pursuance of the application referred to above.

10. I have been informed and I understand that this consent may be withdrawn, at any time before the making of the Adoption Order, by my so informing the Authority and that on the making of the Adoption Order my consent becomes irrevocable.

11. I have been informed and I understand that I am entitled to be heard in person or to be represented by counsel or solicitor on the application for the Adoption Order or otherwise to be consulted again in relation to the application and that I should indicate in writing to the Authority my wishes in this respect. I also understand that if I wish to be heard I will be informed of the date on which the Authority will hear me or my counsel or solicitor.

12. I have been informed and I understand that, despite any subsequent withdrawal of my consent, the High Court, on application, may, at its discretion, authorise the Authority to dispense with my consent.

13. I say that my wishes in respect of the matters referred to in paragraph 11 above are as follows:

(i) I do/I do not wish to be heard on the application for the Adoption Order; (*g)

(ii) I do/I do not wish otherwise to be consulted again in relation to the application for the Adoption Order. (*h)

14. I understand that this affidavit may be used as evidence that I consent to the Adoption Order being made.

Signature

Sworn at in the county of

.....on this

..... day of 20..... .

before me and I know the deponent (or I know

who certifies to me that (s)he knows the deponent).

Signature

Description (*i)

(*a), (*d), (*e), (*f), (*g) and (*h): Delete words which do not apply. All deletions must be initialled by the deponent and by the person before whom the affidavit is sworn.

(*b) and (*c): Delete entire line if it does not apply. The deletions must be initialled by the deponent and by the person before whom the affidavit is sworn.

(*i) If the affidavit is being sworn in the State, it should be sworn before a Commissioner for Oaths; if it is being sworn elsewhere, it should be sworn before a Notary Public or other person duly authorised to administer oaths.

Form 3

The Adoption Authority of Ireland

AFFIDAVIT OF CONSENT TO ADOPTION

(For use by a mother where the identity of the applicant(s) is not known to her)

In the matter of an application for the adoption of
(child's full name)

I,, (name)
of
....., (address)

am single/married/separated/widowed/divorced/in a civil partnership/a former civil partner/a co-habitant (*a), aged eighteen years and upwards (or, if under eighteen, aged years), make oath and say as follows:

1. I have been informed and I believe that an application has been made under reference number (*b) for an adoption order in respect of the said child.
2. I am the mother of the said child.
3. I did / I did not marry the father of the said child. (*c)
4. I am / I am not the sole guardian of the said child. (*d)
5. I say that is a legal guardian of the said child, pursuant to a court order or otherwise. (Write their name, or "no one else" if there is no other legal guardian)
6. To the best of my knowledge and belief has instituted proceedings in relation to guardianship or custody of the said child. (Write their name, or "no one" if there are no proceedings)
7. The said child is not less than six weeks old, having been born on the day of..... 20..... .
8. I know that the religion of the first applicant is and that the religion of the second applicant is (*e).
9. I understand that the nature and effect of an adoption order is that I shall lose all parental rights and that I shall be freed from all parental duties with respect to the said child and that these rights and duties shall be transferred to the adopter or adopters.

10. I have been informed and I understand that the Authority may make an adoption order in respect of the said child at any time after the signing of this consent.

11. I hereby freely give my consent to the making of an adoption order in pursuance of the application referred to above.

12. I have been informed and I understand that this consent may be withdrawn, at any time before the making of the Adoption Order, by my so informing the Authority and that on the making of the Adoption Order my consent becomes irrevocable.

13. I have been informed and I understand that I am entitled to be heard in person or to be represented by counsel or solicitor on the application for the Adoption Order or otherwise to be consulted again in relation to the application and that I should indicate in writing to the Authority my wishes in this respect. I also understand that if I wish to be heard I will be informed of the date on which the Authority will hear me or my counsel or solicitor.

14. I have been informed and I understand that, despite any subsequent withdrawal of my consent, the High Court, on application, may, at its discretion, authorise the Authority to dispense with my consent.

15. I say that my wishes in respect of the matters referred to in paragraph 13 above are as follows:

(i) I do/I do not wish to be heard on the application for the Adoption Order; (*f)

(ii) I do/I do not wish otherwise to be consulted again in relation to the application for the Adoption Order. (*g)

16. I understand that this affidavit may be used as evidence that I consent to the Adoption Order being made.

Signature.....

Sworn at in the county of

.....on this

..... day of 20..... .

before me and I know the deponent (or I know

who certifies to me that (s)he knows the deponent).

Signature.....

Description (*h)

(*a), (*c), (*d), (*e), (*f) and (*g): Delete words which do not apply. All deletions must be initialled by the deponent and by the person before whom the affidavit is sworn.

(*b) Where the identity of the applicant(s) is not known to the consenting party, the applicant(s) should request the Authority to assign a reference number to the application, and this number should be inserted here.

(*h) If the affidavit is being sworn in the State, it should be sworn before a Commissioner for Oaths; if it is being sworn elsewhere, it should be sworn before a Notary Public or other person duly authorised to administer oaths.

Form 4

The Adoption Authority of Ireland

AFFIDAVIT OF CONSENT TO ADOPTION

(For use by a person other than the mother where the identity of the applicant(s) is not known to the consenting party)

In the matter of an application for the adoption of
(child's full name)

I,, (name)
of
....., (address)

am single/married/separated/widowed/divorced/in a civil partnership/a former civil partner/a co-habitant (*a), aged eighteen years and upwards (or, if under eighteen, aged years), make oath and say as follows:

1. I have been informed and I believe that an application has been made under reference number (*b) for an adoption order in respect of the said child.
2. I am the father of the said child. (*c)
3. I married the mother of the said child. (*d)
4. I am a legal guardian of the said child / a person having charge of or control over the said child. (*e)
5. The said child is not less than six weeks old, having been born on the day of 20..... .
6. I know that the religion of the first applicant is
and that the religion of the second applicant is
(*f).
7. I understand that the nature and effect of an adoption order is that I shall lose all parental/guardianship rights and that I shall be freed from all parental/guardianship duties with respect to the said child and that parental rights and duties shall be transferred to the adopter or adopters. (*g)
8. I have been informed and I understand that the Authority may make an adoption order in respect of the said child at any time after the signing of this consent.

9. I hereby freely give my consent to the making of an adoption order in pursuance of the application referred to above.

10. I have been informed and I understand that this consent may be withdrawn, at any time before the making of the Adoption Order, by my so informing the Authority and that on the making of the Adoption Order my consent becomes irrevocable.

11. I have been informed and I understand that I am entitled to be heard in person or to be represented by counsel or solicitor on the application for the Adoption Order or otherwise to be consulted again in relation to the application and that I should indicate in writing to the Authority my wishes in this respect. I also understand that if I wish to be heard I will be informed of the date on which the Authority will hear me or my counsel or solicitor.

12. I have been informed and I understand that, despite any subsequent withdrawal of my consent, the High Court, on application, may, at its discretion, authorise the Authority to dispense with my consent.

13. I say that my wishes in respect of the matters referred to in paragraph 11 above are as follows:

(i) I do/I do not wish to be heard on the application for the Adoption Order; (*h)

(ii) I do/I do not wish otherwise to be consulted again in relation to the application for the Adoption Order. (*i)

14. I understand that this affidavit may be used as evidence that I consent to the Adoption Order being made.

Signature.....

Sworn at in the county of
.....on this
..... day of 20..... .

before me and I know the deponent (or I know
who certifies to me that (s)he knows the deponent).

Signature.....

Description (*j)

(*a), (*e), (*f), (*g), (*h) and (*i): Delete words which do not apply. All deletions must be initialled by the deponent and by the person before whom the affidavit is sworn.

(*b) Where the identity of the applicant(s) is not known to the consenting party, the applicant(s) should request the Authority to assign a reference number to the application, and this number should be inserted here.

(*c) and (*d): Delete entire line if it does not apply. The deletion must be initialled by the deponent and by the person before whom the affidavit is sworn.

(*j) If the affidavit is being sworn in the State, it should be sworn before a Commissioner for Oaths; if it is being sworn elsewhere, it should be sworn before a Notary Public or other person duly authorised to administer oaths.

Form 5

The Adoption Authority of Ireland

AFFIDAVIT OF CONSENT TO ADOPTION

(For use by a mother in a step parent adoption by her spouse, civil partner or co-habitant)

In the matter of an application for the adoption of
(child's full name)

I,, (name)
of
....., (address)

am married/in a civil partnership/a co-habitant (*a), aged eighteen years and upwards (or, if under eighteen, aged..... years), make oath and say as follows:

1. I am aware that an application is about to be made or has been made by
.....(name)
of
....., (address)

to whom I am married / civil partnered / co-habiting, (*b) for an adoption order in respect of the said child.

2. I am the mother of the said child.

3. I did / I did not marry the father of the said child. (*c)

4. I am / I am not the sole guardian of the said child. (*d)

5. I say that is a legal guardian of the said child, pursuant to a court order or otherwise. (Write their name, or "no one else" if there is no other legal guardian)

6. To the best of my knowledge and belief has instituted proceedings in relation to guardianship or custody of the said child. (Write their name, or "no one" if there are no proceedings)

7. The said child is not less than six weeks old, having been born on the day of 20.... .

8. I know that the religion of the applicant is

9. I understand that the nature and effect of an adoption order is that the adopter will gain parental rights and duties with respect to the said child and my legal parent-child relationship is not affected.

10. I have been informed and I understand that the Authority may make an adoption order in respect of the said child at any time after the signing of this consent.

11. I hereby freely give my consent to the making of an adoption order in pursuance of the application referred to above.

12. I have been informed and I understand that this consent may be withdrawn, at any time before the making of the Adoption Order, by my so informing the Authority and that on the making of the Adoption Order my consent becomes irrevocable.

13. I have been informed and I understand that I am entitled to be heard in person or to be represented by counsel or solicitor on the application for the Adoption Order or otherwise to be consulted again in relation to the application and that I should indicate in writing to the Authority my wishes in this respect. I also understand that if I wish to be heard I will be informed of the date on which the Authority will hear me or my counsel or solicitor.

14. I say that my wishes in respect of the matters referred to in paragraph 13 above are as follows:

(i) I do/I do not wish to be heard on the application for the Adoption Order; (*e)

(ii) I do/I do not wish otherwise to be consulted again in relation to the application for the Adoption Order. (*f)

15. I understand that this affidavit may be used as evidence that I consent to the Adoption Order being made.

Signature.....

Sworn at in the county of

.....on this

..... day of 20..... .

before me and I know the deponent (or I know

who certifies to me that (s)he knows the deponent).

Signature.....

Description (*g)

(*a), (*b), (*c), (*d), (*e) and (*f): Delete words which do not apply. All deletions must be initialled by the deponent and by the person before whom the affidavit is sworn.

(*g) If the affidavit is being sworn in the State, it should be sworn before a Commissioner for Oaths; if it is being sworn elsewhere, it should be sworn before a Notary Public or other person duly authorised to administer oaths.

Form 6

The Adoption Authority of Ireland

AFFIDAVIT OF CONSENT TO ADOPTION

(For use by a father in a step parent adoption by his spouse, civil partner or co-habitant)

In the matter of an application for the adoption of
(child's full name)

I,, (name)
of
....., (address)

am married/in a civil partnership/a co-habitant (*a), aged eighteen years and upwards (or, if under eighteen, aged..... years), make oath and say as follows:

1. I am aware that an application is about to be made or has been made by
.....(name)
of
....., (address)

to whom I am married / civil partnered / co-habiting, (*b) for an adoption order in respect of the said child.

2. I am the father and a legal guardian of the said child.

3. I did / I did not marry the mother of the said child. (*c)

4. I say that myself, the mother, and are legal guardians of the said child, pursuant to parental rights, a court order or otherwise. (Write the name of any other guardian, or "no one else" if there are no other legal guardians)

5. To the best of my knowledge and belief, has instituted proceedings in relation to guardianship or custody of the said child. (Write their name, or "no one" if there are no proceedings)

6. The said child is not less than six weeks old, having been born on the day of 20.... .

7. I know that the religion of the applicant is..... .

8. I understand that the nature and effect of an adoption order is that the adopter will gain parental rights and duties with respect to the said child and my legal parent-child relationship is not affected.

9. I have been informed and I understand that the Authority may make an adoption order in respect of the said child at any time after the signing of this consent.

10. I hereby freely give my consent to the making of an adoption order in pursuance of the application referred to above.

11. I have been informed and I understand that this consent may be withdrawn, at any time before the making of the Adoption Order, by my so informing the Authority and that on the making of the Adoption Order my consent becomes irrevocable.

12. I have been informed and I understand that I am entitled to be heard in person or to be represented by counsel or solicitor on the application for the Adoption Order or otherwise to be consulted again in relation to the application and that I should indicate in writing to the Authority my wishes in this respect. I also understand that if I wish to be heard I will be informed of the date on which the Authority will hear me or my counsel or solicitor.

13. I say that my wishes in respect of the matters referred to in paragraph 12 above are as follows:

(i) I do/I do not wish to be heard on the application for the Adoption Order; (*d)

(ii) I do/I do not wish otherwise to be consulted again in relation to the application for the Adoption Order. (*e)

14. I understand that this affidavit may be used as evidence that I consent to the Adoption Order being made.

Signature.....

Sworn at in the county of

.....on this

..... day of 20..... .

before me and I know the deponent (or I know

who certifies to me that (s)he knows the deponent).

Signature

Description (*f)

(*a), (*b), (*c), (*d) and (*e): Delete words which do not apply. All deletions must be initialled by the deponent and by the person before whom the affidavit is sworn.

(*f) If the affidavit is being sworn in the State, it should be sworn before a Commissioner for Oaths; if it is being sworn elsewhere, it should be sworn before a Notary Public or other person duly authorised to administer oaths.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations set out the prescribed consent forms under section 26 of the Adoption Act 2010 (No. 21 of 2010).

These Regulations may be cited as the Adoption Act 2010 (Consent to Adoption Order) (Forms) Regulations 2017 and come into operation on 27 November 2017.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
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