

INTERCOUNTRY
CHILD ADOPTION PROCEDURE
SRI LANKA

WHO IS A FOREIGN APPLICANT?

Any applicant who is not a citizen of Sri Lanka and not domiciled or resident in Sri Lanka is considered a foreign applicant.

(A) Part I – General Guide Lines

1. The foreign applicants who desire to adopt Sri Lankan children are required to forward their joint applications to the Commissioner of Probation and Child Care Services whose address is given below:

Commissioner

***Department of Probation and Child Care Services
Wing B, 03rd Floor, Sethsiripaya Stage II,
Battaramulla,
Sri Lanka.***

Tel No : 0094 11 218 7283

Fax : 0094 11 218 6065

Email : pcc@sltnet.lk

Documents for adoption of a Sri Lankan Child must be accompanied by the following supporting reports.

- (a) General information sheet of the applicants (Annexure 1- Page No: 8-12)
- (b) The documents should be accompanied by a "Home Study Report" (in duplicate) in respect of the applicants from an organization recognized by the country of the applicants

and authenticated by the accredited representative for the Republic of Sri Lanka in that country.

(b-1)

Passport Size photographs of the applicants should be attached to both copies of the Home Study Report.

(b-2).

The applicants must attach to the Home Study Report a formal letter (in duplicate) requesting a child for adoption together with their preference if any.

NOTE :- As per Adoption Ordinance the " A Home Study Report" means a report on the mental health of the applicants, their social, religious and financial background and their suitability to adopt a child. Overseas Social Welfare Agencies / Departments must include information on these specific aspects in the Home Study Report prepared in respect of proposed adoptive parents by the country of permanent residence of the applicants.

- (c) Certified copies of the birth certificate of both prospective parents.
- (d) Certified copies of the marriage certificate of both prospective parents.
- (e) Certified copies of health certificates of both prospective parents.
- (f) Certified copies of employment records of both prospective parents.
- (g) Police reports on the conduct and activities of the applicants.
- (h) Copies of the passport of the applicants must also be submitted.

NOTE :- All documents must be submitted (in duplicate) with certified English translations, when documents are in another language. Each and every Page of the documents should be authenticated by the Sri Lankan High Commission / Embassy in the country of the applicants. Applications not in conformity with these requirements will be rejected

When you send us the documents, they have to be marked A to H in respective order.

The original copy has to be prepared by annexing the English copy first, to be followed by the copy of the other language. In preparing the copy also the same order has to be followed. The original and the copy of the documents have to be prepared separately. The original copy will be submitted to the relevant District Court and the copy will be retained in this Department.

The applications together with the Home study Report (in duplicate) should be sent to the Sri Lanka overseas mission in the country of the applicants for authentication and transmission to the Department of Probation and Child Care Services in Sri Lanka.

3. The applicants should deal with the Department of Probation and Child Care Services through their respective Adoption Agencies.
4. When the Commissioner finds a suitable child after assessment of the Home Study Report of the applicants, a letter will be issued intimating Commissioner's decision to the adoption agency, which has forwarded the application. The Adoption Agency is expected to intimate the same to the applicants. The applicants will have to come to Sri Lanka **only after receiving Commissioner's letter of allocation**. No foreign applicant can find children for adoption privately. Allocation of children can be made only from the State Receiving Homes and Voluntary Children's Homes that are registered by the Department of

Probation and Child Care Services for over five years and only by specific authorization of the Commissioner of Probation and Child Care Services.

- 4.1 Upon receipt of the Commissioner's letter the applicants should make arrangements for their travel to Sri Lanka. The applicants will have to stay about 4 to 5 weeks in Sri Lanka, until all formalities connected with the adoption are completed.
- 4.2 After their arrival in Sri Lanka, applicants should present themselves for an interview at the under mentioned address. Applicants should produce at the interview their passports and the letter sent to them by the Commissioner.

Commissioner

***Department of Probation and Child Care Services
Wing B, 03rd Floor, Sethsiripaya Stage II,
Battaramulla,
Sri Lanka.***

Tel No : 0094 11 218 7283

Fax : 0094 11 218 6065

Email : pcc@sltnet.lk

5. Information regarding hotel accommodation and other facilities available to visitors to this country could be obtained from the Sri Lanka Mission in the applicant's country.
- 6 After the interview of the applicants they will be issued with a letter by the Commissioner authorizing them to see the child at the particular Children's Home. However, they should not take the child out of the custody of the person in-charge for any purpose without the prior approval of the Commissioner. Authority will be given to the applicants for the purpose of medical examination of the child, if such necessity does arise.

6.1 At the same time the applicants should arrange to institute court proceedings for which they should engage the services of an Attorney-at-Law.

7 After the adoption, copies of the adoption order should be obtained upon application to the court that made the order.

7.1 A copy of the certificate of Adoption should be obtained from the Registrar General, whose office is situated in Indika Building Main Street, Colombo 11, Sri Lanka.

7.2 The adoptive parents should meet the Commissioner, with a copy of the certificate of adoption and request for a letter for the issuance of a passport. Thereafter the prospective adoptive parents have to apply for Sri Lanka passport for the adoptive child to the Department of Immigration and Emigration (Passport section), Ananda Rajakaruna Mawatha, Colombo -10, Sri Lanka, with the following documents.

1. Certificate of adoption (after registration)
2. The letter from the Commissioner
3. The original Birth certificate of the child.

Applicants should consult their respective Diplomatic Missions regarding the issue of the Visa for the adopted child.

8. Where the adoption laws of the adoptive parent's country of domicile do not provide for automatic recognition of adoptions authorized by a court of law outside their country, the adoptive parents should take steps early, to institute in legal proceedings in their country of domicile and a copy of the fresh Adoption Order should be sent to this Department.

9. Adoptive parents should furnish to this Department progress reports

- (a) Quarter yearly Progress Reports on the child prepared by a recognized Adoption Agency until the adoption is legally confirmed in their country of domicile.
- (b) Half yearly in respect of such child along with the child's photograph for a period of 3 years from the date on which the adoption is legally confirmed in the receiving country.
- (c) Yearly, in respect of such child until he or she reaches the age of 10 years,

Prepared by an institution recognized by the country of such adopter and authenticated by the accredited representative for the Republic of Sri Lanka in that country. (Annexure – II- Page No: 13 / Annexure III - Page No:)

Adoption of children (amendment)
Act No 15 of 1992

(B) Part II Legal Requirements

10 The adoptive parents must be married.

10.1 The application to Court must be made jointly by the husband and the wife.

10.2 Each of the applicants must be over the age of 25 years and not less than 21 years older than the child in respect of whom the application is made.

10.3 The personal attendance of both spouses is required during the court proceedings, unless the court dispensed with the personal attendance of one of them, on grounds of ill health supported by a Medical Certificate issued by a Medical Practitioner recognized by the Government of the country of the applicants. In such cases power of attorney would also be necessary.

- 10.4 A report on the social and psychological aspects of the adoption must be furnished by the Commissioner of Probation and Child Care Services for consideration of Court in accordance with Section 3 sub section (6) of Adoption of Children (Amendment) Act No. 38 of 1979.
- 10.5 The period fixed by the Court for the submission of the Commissioner's Report shall be not less than 14 days and not more than 28 days from the date on which the Court calls for the report.
- 10.6 The Commissioner is required to annex to his/her report a Home Study Report in respect of the applicant from an institution recognized by the country of the applicants and authenticated by the accredited representative of the Republic of Sri Lanka in the country of the applicants.
- 10.7 All applications for adoption of a Sri Lankan child by persons not resident and domiciled in Sri Lanka shall be made to the District Court of Colombo and District Court Colombo South or such other District Court as may be confirmed by jurisdiction for such purpose by regulations, which may be formed from time to time.
- 10.8 Every application for adoption of a child must be in conformity with the provisions of the Adoption of Children Ordinance (chapter 6) as amended and Rules framed there under. Attention is particularly drawn to section 3 and 5 of the Ordinance which relate to restrictions in making of Adoption orders, matters with regard to which Court must be satisfied and terms and conditions of Adoption Orders respectively.
11. The Applicants should abstain from making any payment or giving any reward to any person in consideration of the adoption

except such as the Court may sanction. Legal action would be taken against those who commit this offence.

12. The maximum number of adoptions that can be allowed during each calendar year will be gazetted by the Hon. Minister and the Sri Lankan missions abroad will be kept informed every year of such ceiling.
13. The Department may, as the need arises, amend the procedure followed by the Department, in which case our Overseas Missions will be informed of the changes.
14. This guideline is being issued with the approval of the Secretary, Ministry of Child Development and Women's Affairs No: Stage II, 5th Floor, Sethsiripaya, Battaramulla, Sri Lanka.
15. Any form of canvassing or any influence on the procedure regarding adoption, will be a disqualification for adoption.

Commissioner
Probation & Child Care Services.

Date :