

## GUIDELINES FOR INTER - COUNTRY ADOPTION OF A THAI CHILD

1. It is necessary for the applicants to make adoption application through the competent social welfare authority in their country i.e the governmental organization which is responsible for Social Welfare (Competent Authority) or the non-governmental Child Welfare Organization which is licensed by their Government to handle the matter of Inter-Country adoption
2. Under the Child Adoption Act of 1979 of Thailand, all Inter-Country adoption application have to be proceeded through the Department of Social Development and Welfare ( DSDW : Competent Authority ) or the non - governmental child welfare agencies (Authorized Agencies) which are particularly authorized by DSDW, in cooperation with the Competent Authority and under the direction of the Child Adoption Board of Thailand. The Board members comprise the representatives of various concerned authorities and qualified person. The Director General of DSDW is designated as the chairman of the Board while the Director of the Child Adoption Center of the Bureau of Anti - Trafficking in Women and Children, Department of Social Development and Welfare, functions as the secretary of the Board. **Private Adoption is not allowed.**
3. Preliminary qualification of applicants for adoption are as follows :
  - Be at least 25 years of age and be at least fifteen years older than the child to be adopted.
  - Be eligible to adopt a foreign child under the concerned law of country of domicile.
  - Have legitimate spouse in case of applying as a family.
4. Adoption applications and documents, including those for adoption of step - children or relatives have to be submitted by the Competent Authority to DSDW or Authorized Agencies. In this connection, the Competent Authority has to provide DSDW or Authorized Agencies with the three documents as follows :
  - 4.1 A Home Study Report made by the Competent Authority which should be included of the applicants' physical and mental health, family status, assets, liabilities and financial standing, personal reputation, conditions of residence and surrounding, size of family maturity and ability to give love and care to the child, motivation and any special reasons related to the welfare and interest of the child, parental relationship and obligation with the children born out of previous marriages (if applicable), and other matters pertinent to the applicants.

- 4.2 A statement of approval made by the Competent Authority or the responsible authority as the case may be, confirming that the applicants are qualified for adoption under the concerned legislation in their country and are in all respects suitable to be the adoptive parents of a foreign child.
- 4.3 A Statement made by the Competent Authority agreeing to supervise the pre-adoption placement of a child in case such placement is granted to the applicants and to provide three bi-monthly progress reports to DSDW. The pre-adoption placement period is a probationary period of not less than six months.
5. An official Adoption Application ( as attached) is to be filled out and returned by the applicants to DSDW or Authorized Agencies via the Competent Authority. Such completed Application has to be attached with the additional required documents, alien certificate and residence certificate as cited below.
  - 5.1 Copy of passport or identity card
  - 5.2 Copy of document certifying marriage or divorce (if any)
  - 5.3 Medical certificate verifying good physical health and mental stability indication and the applicants' infertility (if any)
  - 5.4 Document certifying occupation and income
  - 5.5 Document certifying current financial status (dating back not more than six months);
  - 5.6 Document certifying asset
  - 5.7 Four photographs of the applicant and spouse (if any) size 4.5 x 6 centimeters, applicants' children and the home area (photograph taken dating back not over than six months)
  - 5.8 Copy of law, regulation or document from relevant authorities of the country of domicile or residence of the applicant certifying the eligibility of the applicant to adopt a child
  - 5.9 Copy of law, regulation or document from relevant authorities of the country of domicile or residence of the applicant certifying the

eligibility of an adopted child to enter into such country. The prospective parents should check with their immigration authority of a child's entry visa before applying especially in the case of Relative Adoption.

- 5.10 Letter of consent for adoption from the applicants' spouse or an approval order of the court in lieu of the spouse's consent (if any)
  - 5.11 Copy of work permit of alien (if any) ; and work contract
  - 5.12 References certifying the suitability of the applicants for adoption from at least two persons
  - 5.13 Confirmation from the COMPETENT AUTHORITY or concerned authority that after the adoption is finalized under the Thai Law, it will also be legalized under the concerned Law of the applicants' country when due
  - 5.14 Police check / Criminal record from the country of domicile and residence.
6. It is required that all of the documents have to be original and be verified by the Royal Thai Embassy or General Consulate in the applicants' country, or sent through diplomatic channels. Accordingly, please note that our official language is Thai. However, English is applicable. Therefore, the documents in other languages have to be attached with their translation which must be translated by authorized translator, either in Thai or English, which have to be verified by the Royal Thai Embassy or Consulate.
  7. For the applicants who have lived temporarily in a foreign country where they do not have permanent residence, the Home Study Report will have to be made and their eligibility for Inter-Country adoption will have to be assessed and confirmed by the Competent Authority in their country of domicile. Unless the applicants have been living in that country for at least not less than 6 months before submitting their application and will remain in that country until the adoption is finalized, cooperation may be sought from the Competent Authority in the country where they have temporary resided. The Competent Authority may prepare the Home Study Report and supervise the pre - adoption placement when due. The eligibility for Inter-Country adoption may be confirmed by the Embassy of

their country of residence in such country. Furthermore, the permission for the child to be adopted to enter the countries have to be confirmed to DSDW by the concerned authorities of both countries.

8. When all of required documents are received, in certain cases, they will be submitted to the Child Adoption Board of which, the results will be informed to the applicants through the Competent Authority whether or not they are approved as prospective adoption parents.
9. In case the application is processed through DSDW, the matching of the prospective adoptive parents with a child who is legally available for Inter-Country adoption, will be arranged by DSDW.
10. In case the adoption application is processed through the Authorized Agencies, DSDW is entitled to review and investigate (if needed) the background of the child to be adopted in order to be confirmed that the child is legally available for Inter-Country adoption. This investigation will have to be done before submission the case to the Child Adoption Board.
11. After matching and the Board' approval, photographs and information about background and health condition of the child will be sent through the Competent Authority to the prospective adoptive parents for consideration.
12. In case the prospective parents accept the child, the case will be further submitted to the Child Adoption Board and the Director General of the Department of Social Development and Welfare respectively for approval of pre - adoption placement either in Thailand or aboard. In case the prospective adoptive parents living abroad, the case will be accordingly submitted to the Minister of the Ministry of Social Development and Human Security for a permission to take the child out of the kingdom for the purpose of arranging its adoption.
13. In case the pre-adoption placement is approved, a definite appointment will be made by DSDW through the Competent Authority in such countries for both of the prospective adoptive parents to travel to Thailand in order to meet with and be interviewed by the Child Adoption Board, and then to receive the child for pre-adoption placement. **Please be advised the according to the current Ministerial Regulation, both of the prospective adoptive parents have to travel to Thailand to collect the child.**

14. For children allocated by DSDW, DSDW will facilitate the issuance of documents necessary for travel of the child. Accordingly, the prospective adoptive parents should manage to stay on in Thailand for about two weeks for this purpose. The prospective adoptive parents have to be responsible for the expenses to be incurred by the travelling of the child to be adopted such as passport fee, air fares, transportation, and concerned medical fee etc.
15. For the second adoption of a Thai child, it could be possible to request with reasonable reason for DSDW social worker to escort the child to the country of the prospective adoptive parents. All the travel expenses to be incurred will be obligated by the prospective adoptive parents.
16. Upon returning to their country, the prospective adoptive parents are requested to report to the Competent Authority in order that the supervision of the pre-adoption placement of the child could be commenced.
17. When at least three bi-monthly report on the pre-adoption placement have been received and if the placement case to the Child Adoption Board for approval of finalization of such adoption under the Thai Law by registration.
18. It is obligated that the prospective adoptive parents have to register their adoption under Thai Law within the period of six months after acknowledging such notification. The registration can be carried out either at the respective Royal Thai Embassy or at a District Office in Thailand. The adoption is then finalized under Thai Law. After this, the legalization of the adoption under the concerned Law of the respective country shall be carried out, the outcomes of which shall be informed to DSDW by the Competent Authority.
19. Please be advised that it is not possible to apply for more than one child at one time, except twins, siblings or in the case of the adoption of the applicants' Thai spouse. Generally, children who are available for adoption will be between 6 months to 4 years old. Children who are older than 4 years old or have medical problem or handicapped are considered as special needs children. As regards the period of the processing an adoption application, it is not possible to specify such length. Nevertheless, in general cases, it approximately takes more or less than two years depending on such related factors i.e the completeness of the required documents as above - mentioned and the availability of a child to suit each individual family of the prospective adoptive parents.

## 20. Fee

Adoption is provided free of charge. The prospective adoptive parent have to be responsible only for the expenses to be incurred by the travelling of the child to be adopted such as passport fee, air fares, transportation, and concerned medical fee.



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