



ANNO TRICESIMO SEXTO

ELIZABETHAE SECUNDAE REGINAE

No. 6 of 1987

**An Act to amend the Adoption of Children Act Amendment
Act 1983-1986 in certain particulars**

[ASSENTED TO 15TH APRIL, 1987]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. Short title. This Act may be cited as the *Adoption of Children (Amendment) Act 1987*.

2. Principal Act and amended citation. (1) In this Act the *Adoption of Children Act Amendment Act 1983-1986* is referred to as the Principal Act.

(2) The Principal Act as amended by this Act may be cited as the *Adoption of Children Act Amendment Act 1983-1987*.

3. Amendment of s. 1. Short title and citation. Section 1 of the Principal Act is amended by, in subsection (3), omitting the expression "1986" and substituting the expression "1987".

4. Amendment of s. 15. Repeal of and new s. 18. Section 15 of the Principal Act is amended by—

(a) omitting the note appearing in and at the beginning of the section and substituting the note "Repeal of s. 18 and new ss. 18 and 18A.";

(b) omitting the words "following section" and substituting the words "following sections";

(c) inserting after section 18, provided for therein, the following section:—

"18A. Placement of children with indigenous or ethnic backgrounds. In making arrangements with a view to the adoption of a child in respect of whom a general consent has been given or dispensed with and, in particular, in determining which prospective adopter or prospective adopters he will approve in the case of such a child the Director shall have regard to the indigenous or ethnic background and cultural background of the child and shall approve a prospective adopter who, or prospective adopters one of whom, has a similar indigenous or ethnic background and cultural background, unless—

(a) it appears to the Director that such a prospective adopter or prospective adopters is not or are not available and cannot reasonably be expected to become available promptly;

or

(b) in the Director's opinion, the welfare and interests of the child would not be best served by so doing."

5. Amendment of s. 21. New s. 27A. Section 21 of the Principal Act is amended, in section 27A provided for therein, by—

(a) omitting from subsection (3) all words from and including the words "would be guardian of the child" to the end of the subsection

and substituting the words “gave consent to the adoption of the child, unless—

(a) that person has advised the Director that he or she does not desire, or that he or she no longer desires, as the case may be, such notification;

or

(b) the whereabouts of that person is unknown to the Director after reasonable enquiries have been made.”;

(b) omitting subsection (4) and substituting the following subsection:—

“(4) The Director may, in writing, declare a child named in the register to be a special needs child where—

(a) an adoption order has not been made in respect of that child within four months after the child becomes a child whose name is required to be entered in the register;

or

(b) at any time, the Director is of the opinion that because of the special needs of that child there is little prospect of the child being adopted without considering as a prospective adopter or prospective adopters either a person or persons whose name or names is or are in the adoption list referred to in paragraph (a) of section 17 (2) or a person or persons who may wish to apply to adopt the child.”.

6. Amendment of s. 31. Repeal of and new s. 59. Section 31 of the Principal Act is amended, in section 59 provided for therein, by omitting from subsection (7) the expression “(5)” and substituting the expression “(6)”.

7. Amendment of s. 34. Amendment of s. 65. Regulations. Section 34 of the Principal Act is amended by—

(a) in provision (e), inserting after the words “Deed of Adoption” the words “ ” or to entries relating to adopted persons in the registers of births kept under the law of Queensland”;

(b) in provision (f), inserting after the words “either of the” the words “first two”.