



Queensland

Adoption of Children Amendment Regulation (No. 1) 2007

Subordinate Legislation 2007 No. 257

made under the

Adoption of Children Act 1964

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1 Short title

This regulation may be cited as the *Adoption of Children Amendment Regulation (No. 1) 2007*.

2 Commencement

This regulation commences on 29 October 2007.

3 Regulation amended

This regulation amends the *Adoption of Children Regulation 1999*.

4 Amendment of s 15A (Fee for expression of interest)

Section 15A(1), after ‘fee’—

insert—

‘stated in schedule 1’.

5 Insertion of new s 22A

After section 22—

insert—

‘22A Removal from assessment register if adoption order made

‘(1) If an adoption order is made in favour of a person named in the assessment register, the chief executive must remove the person’s name from the register.

‘(2) This section does not apply if—

(a) the adoption order mentioned in subsection (1) relates to a special needs child; and

(b) the person mentioned in subsection (1) is also named in the Special Needs Children’s Adoption List.’.

6 Amendment of s 23 (Notice of removal of person's name from adoption list, expression of interest register or assessment register)

Section 23(1), 'sections 20 to 20B or section 22'—

omit, insert—

'section 20, 20A, 20B, 22 or 22A'.

7 Omission of s 26 (Application for identifying information)

Section 26—

omit.

8 Insertion of new s 28A

After section 28—

insert—

'28A Supervision fee

- '(1) If an interim order is made that is subject to a term or condition relating to the supervision of the welfare and interests of the child and the child is a non-citizen child, the prospective adopter named in the order must, within the reasonable time required by the chief executive, pay the supervision fee stated in schedule 1.
- '(2) If the chief executive decides to supervise the welfare and interests of a child under section 38A of the Act, the adopter of the child must, within the reasonable time required by the chief executive, pay the supervision fee stated in schedule 1.
- '(3) However, this section does not apply if the child mentioned in subsection (1) or (2) is a special needs child.'

9 Insertion of new pt 7, div 3

After section 34—

insert—

**‘Division 3 Transitional provisions for Adoption
of Children Amendment Regulation
(No. 1) 2007**

**‘35 Supervision fee not payable in particular
circumstances**

- ‘(1) Despite section 28A(1), a supervision fee is not payable by a prospective adopter named in an interim order if—
- (a) the prospective adopter was named in the assessment register immediately before the commencement of this section; and
 - (b) the prospective adopter continued to be named in the register until the interim order was made.
- ‘(2) Despite section 28A(2), a supervision fee is not payable by the adopter of a child mentioned in section 38A of the Act if—
- (a) the adopter was named in the assessment register immediately before the commencement of this section; and
 - (b) the adopter continued to be named in the register until the chief executive decided to supervise the welfare and interests of the child under section 38A of the Act.’.

10 Replacement of sch 1 (Fees)

Schedule 1—

omit, insert—

‘Schedule 1 Fees

sections 15, 15A, 16 and 28A

		\$
1	For an application by a person to become an adoptive parent and have the person’s name entered in the Special Needs Children’s Adoption List—	
	(a) application fee	nil
	(b) assessment fee	nil
2	For an application by a person to become an adoptive parent and have the person’s name entered in the Relative Children’s Adoption List—	
	(a) application fee	60.00
	(b) assessment fee	450.00
3	For an expression of interest by a person, in response to an invitation, in being assessed as suitable to be a prospective adopter—	
	(a) for a non-resident child—	
	(i) expression of interest fee	60.00
	(ii) assessment fee	3 500.00
	(b) for a child, other than a child of whom the person is a relative, or a non-resident or special needs child—	
	(i) expression of interest fee	60.00
	(ii) assessment fee	487.30
4	For the supervision of the welfare and interests of a child by the chief executive, the supervision fee	1 500.00’.

ENDNOTES

- 1 Made by the Governor in Council on 25 October 2007.
- 2 Notified in the gazette on 26 October 2007.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Child Safety.

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