

Subsidiary Legislation made under s.101, s.38 of the Supreme Court Act and s.69 of the Magistrates Court Act.

Family Procedure (Adoption) Rules 2024

LN.2024/052

Commencement

18.4.2024

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FORMS

In exercise of the powers conferred by section 101 of the Adoption Act 2023, section 38 of the Supreme Court Act and section 69 of the Magistrates Court Act, and of all other enabling powers, the Chief Justice has made the following Rules-

Title.

1. These Rules may be cited as the Family Procedure (Adoption) Rules 2024.

Commencement.

2. These Rules come into operation on the day of publication.

Interpretation, Application & Allocation.

- 3.(1) In these Rules-

“the Act” means the Adoption Act 2023;

“Agency” means the Care Agency established under section 3 of the Care Agency Act 2009;

“Minister” means the Minister with responsibility for families and children;

“Convention adoption order” means an adoption order which is made as a Convention adoption order;

“guardian” in relation to a child, means any person lawfully appointed to be that child’s guardian;

“provision for contact” means-

- (i) contact provision contained in an order under section 25 of the Children Act 2009;
or
- (ii) an order under section 68 of the Children Act 2009.

“Registrar” means the registrar of the Supreme Court appointed under section 3 of the Supreme Court Act;

“section 80 direction” means a direction given by the Supreme Court under section 80 of the Act that section 62(3) of the Act does not apply or does not apply to any extent specified in the direction.

- (2) These Rules apply to the following proceedings –

- (a) adoption proceedings;
- (b) placement proceedings; and
- (c) proceedings for –
 - (i) the making of an order under section 21 or an order under section 47(2)(a) of the Act;
 - (ii) the making of an order under section 47(2)(b) of the Act;
 - (iii) the variation or revocation of;
 - (aa) an order pursuant to section 22 of the Act; or
 - (bb) an order under section 47(2) of the Act in accordance with section 48(1)(c);
 - (iv) an order giving permission to change a child's surname or remove a child from Gibraltar under section 23(2) and (3) of the Act;
 - (v) a section 76 order;
 - (vi) a section 80 direction;
 - (vii) a section 81 order; or
 - (viii) any other order that may be referred to in a practice direction.

(3) All originating applications under the Act shall be issued in the Registry of the Supreme Court and, subject to sub-rule (4), shall be heard in the Supreme Court.

(4) Where an application for an adoption order is made by a couple and one of the couple is the mother or the father of the person to be adopted, the Chief Justice of the Supreme Court may allocate those proceedings to the Magistrates' Court.

The Court's general powers of management

4.(1) The list of powers in this rule is in addition to any powers given to the court by any other rule or practice direction or by any other enactment or any powers it may otherwise have.

(2) Except where these Rules provide otherwise, the court may—

- (a) extend or shorten the time for compliance with any rule, practice direction or court direction (even if an application for extension is made after the time for compliance has expired);
 - (b) adjourn or bring forward a hearing;
 - (c) require a party or a party's legal representative to attend the court;
 - (d) hold a hearing and receive evidence by telephone or by using any other method of direct oral communication;
 - (e) direct that part of any proceedings be dealt with as separate proceedings;
 - (f) stay the whole or part of any proceedings or judgment either generally or until a specified date or event;
 - (g) consolidate proceedings;
 - (h) hear two or more applications on the same occasion;
 - (i) direct a separate hearing of any issue;
 - (j) decide the order in which issues are to be heard;
 - (k) exclude an issue from consideration;
 - (l) dismiss or give judgment on an application after a decision on a preliminary issue;
 - (m) direct any party to file and serve an estimate of costs; and
 - (n) take any other step or give any other direction for the purpose of managing the case and furthering the overriding objective.
- (3) The court may not extend the period within which a section 81 order must be made.
- (4) Subrule (2)(f) does not apply to proceedings in a magistrates' court.

Exercise of powers of Court's own initiative

5.(1) Except where an enactment provides otherwise, the court may its powers on an application or of its own initiative.

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- (2) Where the court proposes to exercise its powers of its own initiative—
- (a) it may give any person likely to be affected an opportunity to make representations; and
 - (b) where it does so it must specify the time by and the manner in which the representations must be made.
- (3) Where the court proposes to hold a hearing to decide whether to exercise its powers of its own initiative it must give each party likely to be affected at least 5 days' notice of the hearing.
- (4) The court may exercise its powers of its own initiative, without hearing the parties or giving them an opportunity to make representations.
- (5) Where the court has exercised its powers under subrule (4)—
- (a) a party affected by the direction may apply to have it set aside or varied; and
 - (b) the direction must contain a statement of the right to make such an application.
- (6) An application under subrule (5)(a) must be made—
- (a) within such period as may be specified by the court; or
 - (b) if the court does not specify a period, within 7 days beginning with the date on which the order was served on the party making the application.
- (7) If the court of its own initiative dismisses an application (including an application for permission to appeal) and it considers that the application is totally without merit—
- (a) the court's order must record that fact; and
 - (b) the court must at the same time consider whether it is appropriate to make a civil restraint order.
- (8) Where there has been an error of procedure such as a failure to comply with a rule or practice direction—
- (a) the error does not invalidate any step taken in the proceedings unless the court so orders; and
 - (b) the court may make an order to remedy the error.

Confidentiality.

6.(1) This rule applies where –

- (a) any application in proceedings is made by a person who intends to adopt a child; or
- (b) an adoption order in respect of the child has been made and an application is made for –
 - (i) a contact order under section 47(2)(a) of the Act;
 - (ii) an order prohibiting contact with the child under section 47(2)(b) of the Act; or
 - (iii) the variation or revocation of an order under section 47(2) of the Act in accordance with section 48(1)(c).

(2) The court may at any time direct that the identity of a party to proceedings under sub rule (1)(a) or (b) be secured so that it is not made known to any person or party except with the person's consent.

Parties.

7.(1) In relation to the proceedings set out in column 1 of the table in Schedule 1, column 2 of the table in Schedule 1 sets out who the application may be made by and column 3 of the table in Schedule 1 sets out who the respondents to those proceedings will be.

(2) The court may at any time direct that a child, who is not already a respondent to proceedings, be made a respondent to proceedings where –

- (a) the child –
 - (i) wishes to make an application; or
 - (ii) has evidence to give to the court or a legal submission to make which has not been given or made by any other party; or
- (b) there are other special circumstances.

(3) The court may at any time direct that –

- (a) any other person or body be made a respondent to proceedings; or
 - (b) a party be removed.
- (4) If the court makes a direction for the addition or removal of a party, it may give consequential directions about –
- (a) serving a copy of the application form on any new respondent;
 - (b) serving relevant documents on the new party; and
 - (c) the management of the proceedings.

Notice of proceedings to person with foreign parental responsibility.

- 8.(1) This rule applies where a child is subject to proceedings to which these Rules apply and–
- (a) a parent of the child holds or is believed to hold parental responsibility for the child under the law of another State which subsists in accordance with the Hague Convention following the child becoming habitually resident in Gibraltar; and
 - (b) that parent is not otherwise required to be joined as a respondent under rule 7.
- (2) The applicant shall give notice of the proceedings to any parent to whom the applicant believes sub-rule (1) applies in any case in which a person who was a parent with parental responsibility under the Children Act 2009 would be a respondent to the proceedings in accordance with rule 7.
- (3) The applicant and every respondent to the proceedings shall file notice of such details as they possess as to the identity and whereabouts of any parent they believe to hold parental responsibility for the child in accordance with sub-rule (1) to the court officer, upon making, or responding to the application as appropriate.
- (4) Where the existence of such a parent only becomes apparent to a party at a later date during the proceedings, that party must file a notice with the court officer of those details at the earliest opportunity.
- (5) Where a parent to whom sub-rule (1) applies receives notice of proceedings, that parent may apply to the court to be joined as a party.

Who is to serve.

- 9.(1) The general rules about service are subject to this rule.

(2) In proceedings to which these Rules apply, a document which has been issued or prepared by a court officer will be served by the applicant except where –

- (a) a practice direction provides otherwise; or
- (b) the court directs otherwise.

(3) Where a court directs that a court officer is to serve a document, it is for the court to decide which method of service is to be used.

What the Court or a court officer will do when the application has been issued.

10.(1) As soon as practicable after the application has been issued in proceedings –

- (a) the court will –
 - (i) if section 43 of the Act applies, consider whether it is proper to hear the application;
 - (ii) subject to subrule (4), set a date for the first directions hearing;
 - (iii) appoint a children's guardian and consider whether a report relating to the welfare of the child is required, and if so, request such a report;
 - (iv) set a date for the hearing of the application; and
 - (v) do anything else that may be set out in a practice direction; and
- (b) a court officer will –
 - (i) subject to receiving confirmation in accordance with sub-rule (2)(b)(ii), give notice of any directions hearing set by the court to the parties and to any children's guardian;
 - (ii) send a copy of the certified copy of the entry in the Register of Births and Deaths or the Adoption and Parental Order Register and any health report attached to an application for an adoption order to –
 - (aa) any children's guardian; and
 - (bb) the Agency pursuant to section 39 of the Act; and

(iii) do anything else that may be set out in a practice direction.

(c) the applicant will –

- (i) serve a copy of the application form (but, subject to sub-rules (1)(b)(iii) and (1)(b)(iv), not the documents attached to it) on the persons referred to in Schedule 2;
- (ii) if notice under rule 13(2) has been given, in accordance with that rule inform the parent or guardian of the request and send a copy of the statement of facts to –
 - (aa) the parent or guardian;
 - (bb) any children's guardian; and
 - (cc) the Agency pursuant to section 39 of the Act.

(2) In addition to the matters referred to in sub-rule (1), as soon as practicable after an application for an adoption order or a section 76 order has been issued the court or the court officer will –

(a) where the child is not placed for adoption by the Agency –

- (i) ask the Agency to prepare a report on the suitability of the prospective adopters if one has not already been prepared; and

(b) where the child is placed for adoption by the Agency, and the Agency is served with one of the applications referred to, the Agency shall –

- (i) file any relevant form of consent to –
 - (aa) the child being placed for adoption;
 - (bb) an adoption order;
 - (cc) a future adoption order under the Act; or
 - (dd) a section 76 order;
- (ii) confirm whether a statement has been made under section 16(4)(a) of the Act and if so, to file that statement;

- (iii) file any statement made under section 16(4)(b) of the Act as soon as it is received by the Agency; and
 - (iv) prepare a report on the suitability of the prospective adopters if one has not already been prepared.
- (c) If the application is for a placement order the Agency will–
- (i) file a report giving the Agency’s reasons for placing the child for adoption; and
 - (ii) file any form of consent to the child being placed for adoption.

(3) Where it considers it appropriate, and upon the request of the parties, the court may, instead of setting a date for a first directions hearing, give the directions provided for by rule 12.

Date for first directions hearing.

11. Unless the court directs otherwise, the first directions hearing must be within 4 weeks beginning with the date on which the application is issued.

First directions hearing.

12.(1) At the first directions hearing in the proceedings the court will –

- (a) fix a timetable for the proceedings including a timetable for the filing of –
 - (i) any report relating to the suitability of the applicants to adopt a child;
 - (ii) any report from the Agency;
 - (iii) any report from a children's guardian;
 - (iv) if a statement of facts has been filed, any amended statement of facts;
 - (v) any other evidence; and
 - (vi) give directions relating to the reports and other evidence;
- (b) consider whether the child or any other person should be a party to the proceedings and, if so, give directions in accordance with rule 7(2) or (3) joining that child or person as a party;

- (c) give directions relating to the appointment of a litigation friend for any protected party or child who is a party to, but not the subject of, proceedings unless a litigation friend has already been appointed;
 - (d) in the Magistrate's Court consider whether the case needs to be transferred to the Supreme Court and, if so, give directions to transfer the proceedings to the Supreme Court;
 - (e) give directions about –
 - (i) tracing parents or any other person the court considers to be relevant to the proceedings;
 - (ii) service of documents;
 - (iii) subject to sub-rule (2), disclosure as soon as possible of information and evidence to the parties; and
 - (iv) the final hearing.
- (2) Rule 17(2) applies to any direction given under sub-rule (1)(e)(iii) as it applies to a direction given under rule 17(1).
- (3) In addition to the matters referred to in sub-rule (1), the court will give any of the directions listed in Schedule 3 in proceedings for –
- (a) a Convention adoption order;
 - (b) a section 76 order;
 - (c) a section 80 direction;
 - (d) a section 81 order; or
 - (e) an adoption order where section 75(1) of the Act applies.
- (4) The parties or their legal representatives must attend the first directions hearing unless the court directs otherwise.
- (5) Directions may also be given at any stage in the proceedings –
- (a) of the court's own initiative; or

- (b) on the application of a party or any children's guardian.
- (6) For the purposes of giving directions or for such purposes as the court directs –
- (a) the court may set a date for a further directions hearing or other hearing; and
 - (b) the court officer will give notice of any date so fixed to the parties and to any children's guardian.
- (7) After the first directions hearing the court will list a compliance hearing on the application by any of the parties to monitor compliance with the court's timetable and direction.

Requesting the court to dispense with the consent of any parent or guardian.

13.(1) This rule applies where the applicant wants to ask the court to dispense with the consent of any parent or guardian of a child to –

- (a) the child being placed for adoption;
 - (b) the making of an adoption order except a Convention adoption order; or
 - (c) the making of a section 76 order.
- (2) The applicant requesting the court to dispense with the consent must –
- (a) give notice of the request in the relevant application form or at any later stage by filing a written request setting out the reasons for the request; and
 - (b) file a statement of facts setting out a summary of the history of the case and any other facts to satisfy the court that –
 - (i) the parent or guardian cannot be found or is incapable of giving consent; or
 - (ii) the welfare of the child requires the consent to be dispensed with.
- (3) On receipt of the notice of the request –
- (a) the applicant will –
 - (i) inform the parent or guardian of the request unless the parent or guardian cannot be found; and

- (ii) send a copy of the statement of facts filed in accordance with sub-rule (2)(b) to –
 - (aa) the parent or guardian unless the parent or guardian cannot be found;
 - (bb) any children's guardian, reporting officer or children and family reporter;
 - (cc) the Agency pursuant to section 39 of the Act; and
- (b) if the applicant considers that the parent or guardian is incapable of giving consent, the court will consider whether to –
 - (i) appoint a litigation friend for the parent or guardian; or
 - (ii) give directions for an application to be made,
unless a litigation friend is already appointed for that parent or guardian.

Consent.

14.(1) Consent of any parent or guardian of a child –

- (a) under section 15 of the Act, to the child being placed for adoption; and
- (b) under section 16 of the Act, to the making of a future adoption order,

must be given in the relevant form or a form to the like effect.

(2) Subject to sub-rule (3), consent –

- (a) to the making of an adoption order; or
- (b) to the making of a section 76 order,

may be given in the relevant form or a form to the like effect or otherwise as the court directs.

(3) Any consent to a Convention adoption order must be in a form which complies with the internal law relating to adoption of the Convention country of which the child is habitually resident.

(4) Any form of consent executed outside Gibraltar must be witnessed by –

- (a) any person for the time being authorised by law in the place where the document is executed to administer an oath for any judicial or other legal purpose;
- (b) a British Consular officer;
- (c) a notary public; or
- (d) if the person executing the document is serving in any of the regular armed forces of the Crown, an officer holding a commission in any of those forces.

Reports by the Agency.

15.(1) The Agency must file the report on the suitability and placement of the applicant to adopt a child within the timetable fixed by the court.

(2) If directed to prepare a report on the placement of the child for adoption, the Agency must file that report within the timetable fixed by the court.

(3) The reports must cover the matters specified in Schedule 4.

(4) The court may at any stage request a further report or ask the Agency to assist the court in any other manner.

(5) A court officer will send a copy of any report referred to in this rule to any children's guardian.

(6) A report to the court under this rule is confidential.

Health reports.

16.(1) Reports by a registered medical practitioner ('health reports') made not more than 3 months earlier on the health of the child and of each applicant must be attached to an application for an adoption order or a section 76 order except where –

- (a) the child was placed for adoption with the applicant by the Agency;
- (b) the applicant or one of the applicants is a parent of the child; or
- (c) the applicant is the partner of a parent of the child.

(2) Health reports must contain the matters set out in Schedule 5.

(3) A health report is confidential.

Confidential reports to the court and disclosure to the parties.

17.(1) The court will consider whether to give a direction that a confidential report be disclosed to each party to the proceedings, whether on application by the parties or by its own motion.

(2) Before giving such a direction the court will consider whether any information should be deleted including information which –

- (a) discloses, or is likely to disclose, the identity of a person who has secured confidentiality under rule 6; or
- (b) discloses the particulars referred to in Schedule 8.

(3) The court may direct that the report will not be disclosed to a party.

Communication of information relating to proceedings.

18. For the purposes of the law relating to contempt of court, information (whether or not it is recorded in any form) relating to proceedings held in private may be communicated –

- (a) where the court gives permission;
- (b) unless the court directs otherwise, in accordance with Schedule 6; or
- (c) where the communication is to –
 - (i) a party;
 - (ii) the legal representative of a party;
 - (iii) a professional legal adviser;
 - (v) a social worker;
 - (vii) an expert whose instruction by a party has been authorised by the court for the purposes of the proceedings; or
 - (viii) a professional acting in furtherance of the protection of children.

Notice of final hearing.

19. A court officer will give notice to the parties, any children's guardian, and to any other person to whom a practice direction may require such notice to be given of the date and place where the application will be heard.

The final hearing.

20.(1) Any person who has been given notice in accordance with rule 19 may attend the final hearing and, subject to sub-rule (2), be heard on the question of whether an order should be made.

(2) A person whose application for the permission of the court to oppose the making of an adoption order under section 42(3) or (5) of the Act has been refused is not entitled to be heard on the question of whether an order should be made.

(3) Any member or employee of the Agency or other body may address the court at the final hearing if authorised by the court to do so.

(4) The court may direct that any person must attend a final hearing.

(5) Sub-rules (6) and (7) apply to –

(a) an adoption order;

(b) a section 76 order; or

(c) a section 81 order.

(6) Subject to sub-rules (7) and (8), the court cannot make an order unless the applicant personally attends the final hearing and the child, should the court so direct.

(7) The court may direct that the applicant need not attend the final hearing.

(8) In a case of adoption by a couple under section 45 of the Act, the court may make an adoption order after personal attendance of one only of the applicants if there are special circumstances.

(9) The court cannot make a placement order unless a legal representative of the applicant attends the final hearing.

Proof of identity of the child.

21.(1) Unless the contrary is shown, the child referred to in the application will be deemed to be the child referred to in the form of consent –

- (a) to the child being placed for adoption;
- (b) to the making of an adoption order; or
- (c) to the making of a section 76 order,

where the conditions in sub-rule (2) apply.

(2) The conditions referred to in sub-rule (1) are –

- (a) the application identifies the child by reference to a full certified copy of an entry in the Register of Births and Deaths;
- (b) the form of consent identifies the child by reference to a full certified copy of an entry in the Register of Births and Deaths attached to the form; and
- (c) the copy of the entry in the Register of Births and Deaths referred to in sub-rule (2)(a) is the same or relates to the same entry in the Register of Births and Deaths as the copy of the entry in the Register of Births and Deaths attached to the form of consent.

(3) Where the child is already an adopted child sub-rule (2) will have effect as if for the references to the Register of Births and Deaths there were substituted references to the Adoption and Parental Order Register.

(4) Subject to sub-rule (7), where the precise date of the child's birth is not proved to the satisfaction of the court, the court will determine the probable date of birth.

(5) The probable date of the child's birth may be specified in the placement order, adoption order or section 76 order as the date of the child's birth.

(6) Subject to sub-rule (7), where the child's place of birth cannot be proved to the satisfaction of the court –

- (a) the child may be treated as having been born in Gibraltar where it is probable that the child may have been born in –
 - (i) the United Kingdom;
 - (ii) the Channel Islands; or

(iii) the Isle of Man; or

(b) in any other case, the particulars of the country of birth may be omitted from the placement order, adoption order or section 76 order.

(7) A placement order identifying the probable date and place of birth of the child will be sufficient proof of the date and place of birth of the child in adoption proceedings and proceedings for a section 76 order.

Disclosing information to an adopted person.

22.(1) The adopted person has the right, on request, to receive from the court which made the adoption order a copy of the following –

- (a) the application form for an adoption order (but not the documents attached to that form);
- (b) the adoption order and any other orders relating to the adoption proceedings;
- (c) orders containing any provision for contact with the child after the adoption order was made; and
- (d) any other document or order referred to in Schedule 7.

(2) The court will remove any protected information from any copy of a document or order referred to in sub-rule (1) before the copies are given to the adopted person.

(3) This rule does not apply to an adopted person under the age of 18 years.

(4) In this rule ‘protected information’ means information which would be protected information under section 54(3) of the Act if the Agency gave the information and not the court.

Translation of documents.

23. Where a translation of any document is required for the purposes of proceedings for a Convention adoption order the translation must –

- (a) unless the court directs otherwise, be provided by the applicant; and
- (b) be signed by the translator to certify that the translation is accurate and the translator shall include his or her qualifications.

Application for recovery orders.

24.(1) An application for any of the orders referred to in section 36(2) of the Act may be made without notice, in which case the applicant must file the application –

- (a) where the application is of such urgency that a hearing is listed on the same day, the next business day after the making of the application; or
- (b) in any other case, in the usual manner.

(2) Where the court refuses to make an order on an application without notice it may direct that the application is made on notice in which case the application will proceed in accordance with rules 3(2) to 21.

(3) The respondents to an application under this rule are –

- (a) in a case where –
 - (i) placement proceedings;
 - (ii) adoption proceedings; or
 - (iii) proceedings for a section 76 order,

are pending, all parties to those proceedings;

- (b) the Agency;
- (c) any person having parental responsibility for the child;
- (d) any person in whose favour there is provision for contact;
- (e) any person who was caring for the child immediately prior to the making of the application; and
- (f) any person whom the applicant alleges to have effected, or to have been or to be responsible for, the taking or keeping of the child.

Inherent jurisdiction and fathers without parental responsibility.

25. Where no proceedings have started the Agency may ask the court for directions on the need to give a father without parental responsibility notice of the intention to place a child for adoption.

Timing of applications for section 81 order.

26. An application for a section 81 order must be made within 2 years beginning with the date on which –

- (a) the Convention adoption or Convention adoption order; or
- (b) the overseas adoption or determination under section 83 of the Act,

to which it relates was made.

Documents held by the Court not to be inspected or copied without the court's permission.

27.(1) Subject to the provisions of these rules, any practice direction or any direction given by the court –

- (a) no document or order held by the court in proceedings under the Act will be open to inspection by any person; and
- (b) no copy of any such document or order, or of an extract from any such document or order, will be taken by or given to any person.

(2) Sub-rule (1) shall also apply to parties to proceedings.

Orders.

28. An order takes effect from the date when it is made, or such later date as the court may specify.

Copies of orders.

29.(1) Within 7 days beginning with the date on which the perfected final order was sealed by the Registrar in proceedings, or such shorter time as the court may direct, a court officer will–

- (a) leave a copy of the order for collection by the applicant;
- (b) send a copy, which is sealed, of –

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- (i) an adoption order;
- (ii) a section 81 order; or
- (iii) an order quashing or revoking an adoption order or allowing an appeal against an adoption order,

to the Registrar of Births and Deaths;

- (c) leave for collection a copy of a Convention adoption order for the relevant Central Authority (as defined in the Adoption (Foreign Element) Regulations 2024) to be served by the Agency;
- (d) a copy of a section 81 order relating to a Convention adoption order or a Convention adoption to the –
 - (i) relevant Central Authority, to be served by the Agency;
 - (ii) adopters; and
 - (iii) Agency;
- (e) unless the court directs otherwise, leave for collection a copy of an order under section 21 of the Act or a variation or revocation of such order under section 22 of the Act to the –
 - (i) person with whom the child is living; and
 - (ii) Agency;
- (f) unless the court directs otherwise, a copy of a contact order under section 47(2)(a) of the Act leave for collection, an order prohibiting contact under section 47(2)(b) of that Act or a variation or revocation of such orders under section 48(1)(c) of the Act to the parties to the proceedings;
- (g) leave for collection a notice of the making or refusal of –
 - (i) the final order; or
 - (ii) an order quashing or revoking an adoption order or allowing an appeal against an order in proceedings,

to every respondent and, with the permission of the court, any other person.

(2) A copy of any final order may be provided to any other person with the permission of the court.

(3) The court officer will make available a copy of any order made during the course of the proceedings to the following persons or bodies, unless the court directs otherwise –

(a) all the parties to those proceedings;

(b) the Agency;

Amendment and revocation of orders.

30.(1) Subject to sub-rule (2), an application under –

(a) section 52 of the Act; or

(b) paragraph 3 of Schedule 1 to the Act,

may be made without serving a copy of the application notice.

(2) The court may direct that an application notice be served on such persons as it thinks fit.

(3) Where the court makes an order granting the application, a court officer will send the Registrar of Births and Deaths a copy of the order. –

Forms.

31. The Forms set out at the end of these Rules shall be used for the purpose to which they relate.

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SCHEDULE 1

Rule 7(1)

PARTIES

Proceedings for	Applicants	Respondents
1. An adoption order (section 41 of the Act) - FORM AR7, FORM AR8, FORM AR9.	1. The prospective adopters (sections 45 and 46 of the Act).	1. Each parent who has parental responsibility for the child unless that parent has given notice under section 16(4)(a) of the Act which has effect. 2. Any guardian of the child unless that guardian has given notice under section 16(4)(a) of the Act which has effect. 3. Any person in whose favour there is provision for contact. 4. the Agency 5. The child where – — permission has been granted to a parent or guardian to oppose the making of the adoption order (section 42(3) or 42(5) of the Act); — the child opposes the making of an adoption order; — the child is already an adopted child; — any party to the proceedings or the child is opposed to the arrangements for allowing any person contact with the child, or a person not being allowed contact with the child after the making of the adoption order; — the application is for a Convention adoption order or a section 76 order;

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Proceedings for	Applicants	Respondents
		<ul style="list-style-type: none"> — the child has been brought into Gibraltar in the circumstances where section 75(1) of the Act applies; — the application is for an adoption order other than a Convention adoption order and the prospective adopters intend the child to live in a country or territory outside Gibraltar after the making of the adoption order; or — the prospective adopters are relatives of the child
1. A section 76 order – FORM AR10.	1. The prospective adopters asking for parental responsibility prior to adoption abroad.	1. As for an adoption order.
1. A placement order (section 17 of the Act). FORM AR15.	1. The Agency (section 18 of the Act).	<ol style="list-style-type: none"> 1. Each parent who has parental responsibility for the child. 2. Any guardian of the child. 3. Any person in whose favour an order under the Children Act 2009 is in force in relation to the child. 4. The child. 5. The parties or any persons who are or have been parties to proceedings for a care order in respect of the child where those proceedings have led to the application for the placement order.
1. An order revoking a placement order (section 19 of the Act) – FORM AR1.	<ol style="list-style-type: none"> 1. The child. 2. The Agency having being authorised to place the child for adoption. 3. Where the child is not placed for adoption by the Agency, 	<ol style="list-style-type: none"> 1. The parties to the proceedings leading to the placement order which it is sought to have revoked. 2. Any person in whose favour there is provision for contact.

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Proceedings for	Applicants	Respondents
	any other person who has the permission of the court to apply (section 19 of the Act).	
1. An order under section 21 of the Act) -FORM AR2.	<ol style="list-style-type: none">1.The child.2. The Agency.3. Any parent, guardian or relative.4. Any person in whose favour there was provision for contact under the Children Act 2009 which ceased to have effect on the Agency being authorised to place a child for adoption, or placing a child for adoption who is less than six weeks old (section 21(1) of the Act).5. If a child arrangements order was in force immediately before the Agency was authorised to place the child for adoption or (as the case may be) placed the child for adoption at a time when he or she was less than six weeks old, any person named in the order as a person with whom the child was to live.6. A person who by virtue of an order made in the exercise of the court’s inherent jurisdiction with respect to children had care of the child immediately before that time.7. Any person who has the permission of the court to make the application (section 21 of the Act).	<ol style="list-style-type: none">1. The Agency having been authorised to place the child for adoption or which has placed the child for adoption.2. The person with whom the child lives or is to live.3. Each parent with parental responsibility for the child.4. Any guardian of the child; and the child where<ul style="list-style-type: none">— the Agency having being authorised to place the child for adoption or which has placed the child for adoption or a parent with parental responsibility for the child opposes the making of the order under section 21 of the Act;— the child opposes the making of the order under section 21 of the Act;— existing provision for contact is to be revoked;— relatives of the child do not agree to the arrangements for allowing any person contact with the child, or a person not being allowed contact with the child; or— the child is suffering or is at risk of suffering harm within the meaning of the Children Act 2009.
1. An order varying or revoking an order under	<ol style="list-style-type: none">1.The child.2. The Agency.	The parties to the proceedings leading to the order which it is

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Proceedings for	Applicants	Respondents
section 21 of the Act (section 22 of the Act) - FORM AR3.	3. Any person named in the order (section 22(1) of the Act).	sought to have varied or revoked; and any person named in the order.
1. An order permitting the child's name to be changed or the removal of the child from Gibraltar (section 23(2) and (3) of the Act)- FORM AR4 or FORM AR5.	Any person including the Agency authorised to place, or which has placed, the child for adoption (section 23(2) of the Act).	1. The parties to proceedings leading to any placement order. 2. The Agency having been authorised to place the child for adoption or which has placed the child for adoption. 3. Any prospective adopters with whom the child is living. each parent with parental responsibility for the child. 4. Any guardian of the child.
1. A contact order under section 47(2)(a) of the Act -FORM AR2.	1. The child. 2. Any person who has obtained the court's leave to make the application.	1. A person who has applied for the adoption order or in whose favour the adoption order is or has been made. 2. The Agency having parental responsibility for the child under section 20 of the Act.
1. An order prohibiting the person named in the order from having contact with the child (section 47(2)(b) of the Act).	1. A person who has applied for the adoption order or in whose favour the adoption order is or has been made; the child; or any person who has obtained the court's leave to make the application.	1. A person against whom an application is made who- (but for the child's adoption) would be related to the child by blood (including half-blood), marriage or civil partnership. 2. A former guardian of the child. 3. A person who had parental responsibility for the child immediately before the making of the adoption order. 4. A person who was entitled to make an application for an order under section 21 of the Act in respect of the child by virtue of subsection 21(3)(c), (d) or (e) of the Act. 5. A person with whom the child

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Proceedings for	Applicants	Respondents
		has lived for a period of at least one year. 6. The Agency having had parental responsibility for the child under section 20 of the Act.
1. The variation or revocation of a contact order or an order prohibiting contact under section 47(2) of the Act (section 48(1)(c) of the Act)- FORM AR3.	1. The child. 2. A person in whose favour the adoption order was made. 3. A person named in the order.	1. The parties to the proceedings leading to the contact order or an order prohibiting contact which it is sought to have varied or revoked. 2. Any person named in the contact order or the order prohibiting contact.
1. A section 80 direction – FORM AR11.	1. The adopted child. 2. The adopters. 3. Any parent. 4. Any other person	1. The adopters. 2. The parents. 3. The Agency. 4. The Attorney-General.
1. A section 81 order.	1. The adopters. 2. The adopted person. 3. Any parent. 4. The Minister. 5. The Agency. 6. Any other person	1. The adopters. 2. The parents. 3. The Agency.

SCHEDULE 2

Rule 10(1)(c)(i)

WHO RECEIVES A COPY OF THE APPLICATION FORM FOR ORDERS IN PROCEEDINGS

Proceeding for	Who Receives a Copy of the Application Form
1. An adoption order (section 41 of the Act); or a section 76 order.	1. Any appointed children's guardian. 2. The Agency. 3. Any other person directed by the court to receive a copy.
1. A placement order (section 17 of the Act);	1. Each parent with parental responsibility for the child or guardian of the child. 2. Any appointed children's guardian.; 3. Any other person directed by the court to receive a copy.
1. An order revoking a placement order (section 19 of the Act).	1. Each parent with parental responsibility for the child or guardian of the child. 2. Any appointed children's guardian. 3. The Agency having been authorised by the placement order to place the child for adoption. 4. Any other person directed by the court to receive a copy.
1. A contact order (section 21 of the Act). 2. An order varying or revoking a contact order (section 22 of the Act). 3. An order permitting the child's name to be changed or the removal of the child from Gibraltar (section 23(2) of the Act). 4. A recovery order (section 36(2) of the Act). 5. A contact order under section 47(2)(a) of the Act. 6. The making of an order prohibiting contact with the child under section 47(2)(b) of the Act.	1. All the parties. 2. Any appointed children's guardian. 3. Any other person directed by the court to receive a copy.

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Proceeding for	Who Receives a Copy of the Application Form
7. The variation or revocation of an order under section 47(2) of the Act in accordance with section 48(1)(c) of the Act. 8. A section 81 order. 9. A section 80 direction.	

A person listed in column 2 of the above table shall not receive a copy of the application form, if the court, on application by any party, directs that such notification is not required.

SCHEDULE 3

Rule 12(3)

The First Directions Hearing – Adoptions With a Foreign Element.**Application**

1. This Schedule applies to proceedings for –

- (a) a Convention adoption order;
- (b) a section 76 order;
- (c) a section 80 direction;
- (d) a section 81 order; and
- (e) an adoption order where the child has been brought into Gibraltar in the circumstances where section 75(1) of the Act applies.

The first directions hearing

2. At the first directions hearing the court will, in addition to any matters referred to in rule 10(1), –

- (a) consider whether the requirements of the Act and the Adoption (Foreign Element) Regulations 2024 appear to have been complied with and, if not, consider whether it is appropriate that the case should be considered by a puisne judge of the Supreme Court;
- (b) consider whether all relevant documents are translated into English and, if not, fix a timetable for translation by the parties of any relevant documents;
- (c) consider whether the applicant needs to file an affidavit setting out the full details of the circumstances in which the child was brought to Gibraltar, of the attitude of the parents to the application and confirming compliance with the requirements of Adoption (Foreign Element) Regulations 2024;
- (d) give directions about–
 - (i) the production of the child's passport and visa;

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- (ii) the need for an employee of the Agency and a representative of His Majesty's Attorney General to attend future hearings; and
- (iii) personal service on the parents (via the Central Authority in the case of an application for a Convention Adoption Order) including availability of legal assistance to be represented within the proceedings; and
- (e) consider fixing a further directions appointment no later than 6 weeks after the date of the first directions appointment and timetable a date by which an employee of the Agency should file an interim report in advance of that further appointment.

SCHEDULE 4

Rule 15(3)

Matters to be contained in reports

1. The matters to be covered in the report on the suitability of the applicant to adopt a child are set out in Part A to this Schedule.
2. The matters to be covered in a report on the placement of the child for adoption are set out in Part B to this Schedule.
3. Where a matter to be covered in the reports set out in Part A and Part B does not apply to the circumstances of a particular case, the reasons for not covering the matter should be given.

Part A:**Report to the Court where there has been an Application for an Adoption Order or an Application for a Section 76 Order***Section A: The Report and matters for the Proceedings*

Part 1

The Report

For each of the principal author/s of the report:

- (a) name;
- (b) role in relation to this case;
- (c) sections completed in this report;
- (d) qualifications and experience; and
- (e) Agency case reference number.

Part 2

Matters for the Proceedings

- (a) Whether the Agency considers that any other person should be made a respondent or a party to the proceedings, including the child.

- (b) Whether the Agency or other party considers that any person should not receive notification of the proceedings or should not be made a party. Parties should discuss the matter before proceedings are issued.
- (c) Whether any of the respondents is under the age of 18.
- (d) Whether a respondent is a person who, by reason of mental disorder within the meaning of the Mental Health Act, is incapable of managing and administering his or her property and affairs. If so, medical evidence should be provided with particular regard to the effect on that person's ability to make decisions in the proceedings.

Section B: The Child and the Birth Family

Part 1

Information about the Child

- (a) Name, sex, date and place of birth and address.
- (b) Photograph and physical description.
- (c) Nationality.
- (d) Racial origin and cultural and linguistic background.
- (e) Religious persuasion (including details of baptism, confirmation or equivalent ceremonies).
- (f) Details of any siblings, half-siblings and step-siblings, including dates of birth.
- (g) Whether the child is looked after by the Agency.
- (h) Whether the child has been placed for adoption with the prospective adopter by the Agency.
- (i) Whether the child was being fostered by the prospective adopter.
- (j) Whether the child was brought into Gibraltar for adoption, including date of entry and whether an adoption order was made in the child's country of origin.
- (k) Personality and social development, including emotional and behavioural development and any related needs.

- (l) Details of interests, likes and dislikes.
- (m) A summary, written by the Agency's medical adviser, of the child's health history, his or her current state of health and any need for health care which is anticipated, and date of the most recent medical examination.
- (n) Any known learning difficulties or known general medical or mental health factors which are likely to have, or may have, genetic implications.
- (o) Names, addresses and types of nurseries or schools attended, with dates.
- (p) Educational attainments.
- (q) Any special needs in relation to the child (whether physical, learning, behavioural or any other) and his or her emotional and behavioural development.
- (r) Previous orders concerning the child:
 - (i) the name of the court;
 - (ii) the order made; and
 - (iii) the date of the order.
- (s) Inheritance rights the child stands to retain or lose if adopted.
- (t) Any other relevant information which might assist the court.

Information about each Parent of the Child

- (a) Name, date and place of birth and address (date on which last address was confirmed current).
- (b) Photograph, if available, and physical description.
- (c) Nationality.
- (d) Racial origin and cultural and linguistic background.
- (e) Whether the mother and father were married to each other at the time of the child's birth or have subsequently married.

- (f) Where the parent has been previously married or entered into a civil partnership, dates of those marriages or civil partnerships.
- (g) Where the mother and father are not married, whether the father has parental responsibility and, if so, how it was acquired.
- (h) If the identity or whereabouts of the father are not known, the information about him that has been ascertained and from whom, and the steps that have been taken to establish paternity.
- (i) Past and present relationship with the other parent.
- (j) Other information about the parent, where available:
 - (i) health, including any known learning difficulties or known general medical or mental health factors which are likely to have, or may have, genetic implications;
 - (ii) religious persuasion;
 - (iii) educational history;
 - (iv) employment history; and
 - (v) personality and interests.
- (k) Any other relevant information which might assist the court.

Part 2*Relationships, contact arrangements and views***The Child**

- (a) If the child is in the care of Agency, or has been, details (including dates) of any placements with foster parents, or other arrangements in respect of the care of the child, including particulars of the persons with whom the child has had his or her home and observations on the care provided.
- (b) The child's wishes and feelings (if appropriate, having regard to the child's age and understanding) about adoption, the application and its consequences, including any wishes in respect of religious and cultural upbringing.

- (c) The child's wishes and feelings in relation to contact (if appropriate, having regard to the child's age and understanding).
- (d) The child's wishes and feelings recorded in any other proceedings.
- (e) Date when the child's views were last ascertained.

The Child's Parents (or guardian) and relatives

- (a) The parents' wishes and feelings before the placement, about the placement and about adoption, the application and its consequences, including any wishes in respect of the child's religious and cultural upbringing.
- (b) Each parent's (or guardian's) wishes and feelings in relation to contact.
- (c) Date/s when the views of each parent or guardian were last ascertained.
- (d) Arrangements concerning any siblings, including half-siblings and step-siblings, and whether any are the subject of a parallel application or have been the subject of any orders. If so, for each case give:
 - (i) the name of the court;
 - (ii) the order made, or (if proceedings are pending) the order applied for; and
 - (iii) the date of order, or date of next hearing if proceedings are pending.
- (e) Extent of contact with the child's mother and father and, in each case, the nature of the relationship enjoyed.
- (f) The relationship which the child has with relatives, and with any other person considered relevant, including:
 - (i) the likelihood of any such relationship continuing and the value to the child of its doing so; and
 - (ii) the ability and willingness of any of the child's relatives, or of any such person, to provide the child with a secure environment in which the child can develop, and otherwise to meet the child's needs.
- (g) The wishes and feelings of any of the child's relatives, or of any such person, regarding the child.

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- (h) Whether the parents (or members of the child's family) have met or are likely to meet the prospective adopter and, if they have met, the effect on all involved of such meeting.
- (i) Dates when the views of members of the child's wider family and any other relevant person were last ascertained.

Part 3

A summary of the actions of the Agency

- (a) Brief account of the Agency's actions in the case, with particulars and dates of all written information and notices given to the child and his parents and any person with parental responsibility.
- (b) If consent has been given for the child to be placed for adoption, and also consent for the child to be adopted, the names of those who gave consent and the date such consents were given. If such consents were subsequently withdrawn, the dates of these withdrawals.
- (c) If any statement has been made under section 16(4)(a) of the Act that a parent or guardian does not wish to be informed of any application for an adoption order, the names of those who have made such statements and the dates the statements were made. If such statements were subsequently withdrawn, the dates of these withdrawals.
- (d) Whether an order has been made under section 17 of the Act.
- (e) Details of the support and advice given to the parents and any services offered or taken up.
- (f) If the father does not have parental responsibility, details of the steps taken to inform him of the application for an adoption order.
- (g) Brief details and dates of assessments of the child's needs, including expert opinions.
- (h) Reasons for considering that adoption would be in the child's best interests (with date of relevant decision and reasons for any delay in implementing the decision).

Section C: The Prospective Adopter of the Child

Part 1

Information about the Prospective Adopter, including suitability to adopt

- (a) Name, date and place of birth and address (date on which last address was confirmed current).
- (b) Photograph and physical description.
- (c) Whether the prospective adopter is domiciled or habitually resident in Gibraltar and, if habitually resident, for how long they have been habitually resident.
- (d) Racial origin and cultural and linguistic background.
- (e) Marital status or civil partnership status, date and place of most recent marriage (if any) or civil partnership (if any).
- (f) Details of any previous marriage, civil partnership, or relationship where the prospective adopter lived with another person as a partner in an enduring family relationship.
- (g) Relationship (if any) to the child.
- (h) Where adopters wish to adopt as a couple, the status of the relationship and an assessment of the stability and permanence of their relationship.
- (i) If a married person or a civil partner is applying alone, the reasons for this.
- (j) Description of how the prospective adopter relates to adults and children.
- (k) Previous experience of caring for children (including as a step-parent, foster parent, child-minder or prospective adopter) and assessment of ability in this respect, together where appropriate with assessment of ability in bringing up the prospective adopter's own children.
- (l) A summary, written by the Agency's medical adviser, of the prospective adopter's health history, current state of health and any need for health care which is anticipated, and date of most recent medical examination.
- (m) Assessment of ability and suitability to bring up the child throughout his childhood.
- (n) Details of income and comments on the living standards of the household with particulars of the home and living conditions (and particulars of any home where the prospective adopter proposes to live with the child, if different).

- (o) Details of other members of the household, including any children of the prospective adopter even if not resident in the household.
- (p) Details of the parents and any siblings of the prospective adopter, with their ages or ages at death.
- (q) Other information about the prospective adopter:
 - (i) religious persuasion;
 - (ii) educational history;
 - (iii) employment history; and
 - (iv) personality and interests.
- (r) Confirmation that the applicants have not been convicted of, or cautioned for, a specified offence within the meaning of regulation 20(3) of the Adoption (Care Agency) Regulations 2024.
- (s) Confirmation that the prospective adopter is still approved.
- (t) Confirmation that any referees have been interviewed, with a report of their views and opinion of the weight to be placed thereon and whether they are still valid.
- (u) Details of any previous family court proceedings in which the prospective adopter has been involved (which have not been referred to elsewhere in the report.)

Part 2*Wishes, views and contact arrangements***Prospective Adopter**

- (a) Whether the prospective adopter is willing to follow any wishes of the child or his parents or guardian in respect of the child's religious and cultural upbringing.
- (b) The views of other members of the prospective adopter's household and wider family in relation to the proposed adoption.
- (c) Reasons for the prospective adopter wishing to adopt the child and extent of understanding of the nature and effect of adoption. Whether the prospective adopter has discussed adoption with the child.

- (d) Any hope and expectations the prospective adopter has for the child's future.
- (e) The prospective adopter's wishes and feelings in relation to contact.

Part 3

Actions of the Agency

- (a) Brief account of the Agency's actions in the case, with particulars and dates of all written information and notices given to the prospective adopter.
- (b) The Agency's proposals for contact, including options for facilitating or achieving any indirect contact or direct contact.
- (c) The Agency's opinion on the likely effect on the prospective adopter and on the security of the placement of any proposed contact.
- (d) Where the prospective adopter has been approved by the Agency as suitable to be an adoptive parent, the Agency's reasons for considering that the prospective adopter is suitable to be an adoptive parent for this child (with dates of relevant decisions).

Section D: The Placement

- (a) Where the child was placed for adoption by the Agency (section 14 of the Act), the date and circumstances of the child's placement with prospective adopter.
- (b) Where the child is living with persons who have applied for the adoption order to be made (section 39 of the Act), the date when notice of intention to adopt was given.
- (c) Where the placement is being provided with adoption support, this should be summarised and should include the plan and timescales for continuing the support beyond the making of the adoption order.
- (d) Where the placement is not being provided with adoption support, the reasons why.
- (e) A summary of the information obtained from the Agency's visits and reviews of the placement, including whether the child has been seen separately to the prospective adopter and whether there has been sufficient opportunity to see the family group and the child's interaction in the home environment.

- (f) An assessment of the child's integration within the family of the prospective adopter and the likelihood of the child's full integration into the family and community.
- (g) Any other relevant information that might assist the court.

Section E: Recommendations

- (a) The relative merits of adoption and other orders with an assessment of whether the child's long term interests would be best met by an adoption order or by other orders (such as child arrangements and special guardianship orders).
- (b) Recommendations as to whether or not the order sought should be made (and, if not, alternative proposals).
- (c) Recommendations as to whether there should be future contact arrangements (or not).

Section F: Further Information for Proceedings relating to Convention Adoption Orders, Convention Adoptions, Section 76 Orders or an Adoption where Section 75(1) of the Act applies

- (a) The child's knowledge of their racial and cultural origin.
- (b) The likelihood of the child's adaptation to living in the country he/she is to be placed.
- (c) Where Gibraltar is the State of origin, reasons for considering that, after possibilities for placement of the child within Gibraltar have been given due consideration, intercountry adoption is in the child's best interests.
- (d) Confirmation that the requirements of regulations made under sections 75(4), (5), (6) and (7) and 76(3) of the Act have been complied with.
- (e) For a Convention adoption or a Convention Adoption Order where Gibraltar is either the State of origin or the receiving State, confirmation that the Central Authorities of both States have agreed that the adoption may proceed.
- (f) Where the State of origin is not Gibraltar, the documents supplied by the Central Authority of the State of origin should be attached to the report, together with translation if necessary.

- (g) Where a Convention adoption order is proposed, details of the arrangements which were made for the transfer of the child to Gibraltar and that they were in accordance with the Adoption (Foreign Element) Regulations 2024.

Part B:

Report to the Court where there has been an Application for a Placement Order

Section A: The Report and matters for the Proceedings

Part 1

The Report

For each of the principal author/s of the report:

- (a) name;
- (b) role in relation to this case;
- (c) sections completed in this report;
- (d) qualifications and experience; and
- (e) Agency case reference number.

Part 2

Matters for the Proceedings

- (a) Whether the Agency considers that any other person should be made a respondent or a party to the proceedings.
- (b) Whether any of the respondents is under the age of 18.
- (c) Whether a respondent is a person who, by reason of mental disorder within the meaning of the Mental Health Act, is incapable of managing and administering his or her property and affairs. If so, medical evidence should be provided with particular regard to the effect on that person's ability to make decisions in the proceedings.

Section B: The Child and the Birth Family

Part 1

Information about the Child

- (a) Name, sex, date and place of birth and address.

- (b) Photograph and physical description.
- (c) Nationality.
- (d) Racial origin and cultural and linguistic background.
- (e) Religious persuasion (including details of baptism, confirmation or equivalent ceremonies).
- (f) Details of any siblings, half-siblings and step-siblings, including dates of birth.
- (g) Whether the child is looked after by the Agency.
- (h) Personality and social development, including emotional and behavioural development and any related needs.
- (i) Details of interests, likes and dislikes.
- (j) A summary, written by the Agency's medical adviser, of the child's health history, his current state of health and any need for health care which is anticipated, and date of the most recent medical examination.
- (k) Any known learning difficulties or known general medical or mental health factors which are likely to have, or may have, genetic implications.
- (l) Names, addresses and types of nurseries or schools attended, with dates.
- (m) Educational attainments.
- (n) Any special needs in relation to the child (whether physical, learning, behavioural or any other) and his or her emotional and behavioural development.
- (o) Previous orders concerning the child:
 - (i) the name of the court;
 - (ii) the order made; and
 - (iii) the date of the order.
- (p) Inheritance rights the child stands to retain or lose if adopted.

- (q) Any other relevant information which might assist the court.

Information about each Parent of the Child

- (a) Name, date and place of birth and address (date on which last address was confirmed current).
- (b) Photograph, if available, and physical description.
- (c) Nationality.
- (d) Racial origin and cultural and linguistic background.
- (e) Whether the mother and father were married to each other at the time of the child's birth, or have subsequently married.
- (f) Where the parent has been previously married or entered into a civil partnership, dates of those marriages or civil partnerships.
- (g) Where the mother and father are not married, whether the father has parental responsibility and, if so, how it was acquired.
- (h) If the identity or whereabouts of the father are not known, the information about him that has been ascertained and from whom, and the steps that have been taken to establish paternity.
- (i) Past and present relationship with the other parent.
- (j) Other information about the parent, where available:
- (i) health, including any known learning difficulties or known general medical or mental health factors which are likely to have, or may have, genetic implications;
 - (ii) religious persuasion;
 - (iii) educational history;
 - (iv) employment history; and
 - (v) personality and interests.
- (k) Any other relevant information which might assist the court.

Part 2*Relationships, contact arrangements and views***The Child**

- (a) If the child is in the care of the Agency, or has been, details (including dates) of any placements with foster parents, or other arrangements in respect of the care of the child, including particulars of the persons with whom the child has had his home and observations on the care provided.
- (b) The child's wishes and feelings (if appropriate, having regard to the child's age and understanding) about the application, its consequences, and adoption, including any wishes in respect of religious and cultural upbringing.
- (c) The child's wishes and feelings in relation to contact (if appropriate, having regard to the child's age and understanding).
- (d) The child's wishes and feelings recorded in any other proceedings.
- (e) Date when the child's views were last ascertained.

The Child's Parents (or guardian) and relatives

- (a) The parents' wishes and feelings about the application, its consequences, and adoption, including any wishes in respect of the child's religious and cultural upbringing.
- (b) Each parent's (or guardian's) wishes and feelings in relation to contact.
- (c) Date/s when the views of each parent or guardian were last ascertained.
- (d) Arrangements concerning any siblings, including half-siblings and step-siblings, and whether any are the subject of a parallel application or have been the subject of any orders. If so, for each case give:
 - (i) the name of the court;
 - (ii) the order made, or (if proceedings are pending) the order applied for; and
 - (iii) the date of order, or date of next hearing if proceedings are pending.

-
- (e) Extent of contact with the child's mother and father and in each case the nature of the relationship enjoyed.
 - (f) The relationship which the child has with relatives, and with any other person considered relevant, including:
 - (i) the likelihood of any such relationship continuing and the value to the child of its doing so; and
 - (ii) the ability and willingness of any of the child's relatives, or of any such person, to provide the child with a secure environment in which the child can develop, and otherwise to meet the child's needs.
 - (g) The wishes and feelings of any of the child's relatives, or of any such person, regarding the child.
 - (h) Dates when the views of members of the child's wider family and any other relevant person were last ascertained.

Part 3

Summary of the actions of the Agency

- (a) Brief account of the Agency's actions in the case, with particulars and dates of all written information and notices given to the child and his or her parents and any person with parental responsibility.
- (b) If consent has been given for the child to be placed for adoption, and also consent for the child to be adopted, the names of those who gave consent and the date such consents were given. If such consents were subsequently withdrawn, the dates of these withdrawals.
- (c) If any statement has been made under section 16(4)(a) of the Act that a parent or guardian does not wish to be informed of any application for an adoption order, the names of those who have made such statements and the dates the statements were made. If such statements were subsequently withdrawn, the dates of these withdrawals.
- (d) Details of the support and advice given to the parents and any services offered or taken up.
- (e) If the father does not have parental responsibility, details of the steps taken to inform him of the application for a placement order.

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- (f) Brief details and dates of assessments of the child's needs, including expert opinions.
- (g) Reasons for considering that adoption would be in the child's best interests (with date of relevant decision and reasons for any delay in implementing the decision).

Section C: Recommendations

- (a) The relative merits of a placement order and other orders (such as a child arrangements or special guardianship order) with an assessment of why the child's long term interests are likely to be best met by a placement order rather than by any other order.
- (b) Recommendations as to whether there should be future contact arrangements (or not), including whether a contact order under section 21 of the Act should be made.

SCHEDULE 5

Rule 16(2)

1. Rule 16 requires that health reports must be attached to an application for an adoption order or a section 76 order except where –
 - (a) the child was placed for adoption with the applicant by the Agency or an adoption agency;
 - (b) the applicant or one of the applicants is a parent of the child; or
 - (c) the applicant is the partner of a parent of the child.
2. The matters to be contained in the health reports are set out in the Part A to this Schedule.
3. Where a matter to be contained in the health report does not apply to the circumstances of a particular case, the reasons for not covering the matter should be given.

**Part A:
Contents of Health Reports**

This information is required for reports on the health of children and their prospective adopter(s). Its purpose is to build up a full picture of each child's health history and current state of health, including strengths and weaknesses. This will enable the Agency's medical adviser to base their advice to the court on the fullest possible information when commenting on the health implications of the proposed adoption. The reports made by the examining doctor should cover, as far as practicable, the following matters.

The Child

- (a) Name, date of birth, sex, weight and height.
- (b) A health history of each natural parent, so far as is possible, including:
 - (i) name, date of birth, sex, weight and height;
 - (ii) a family health history, covering the parents, the brothers and sisters and the other children of the natural parent, with details of any serious physical or mental illness and inherited and congenital disease;

- (iii) past health history, including details of any serious physical or mental illness, disability, accident, hospital admission or attendance at an out-patient department, and in each case any treatment given;
 - (iv) a full obstetric history of the mother, including any problems in the ante-natal, labour and post-natal periods, with the results of any tests carried out during or immediately after pregnancy;
 - (v) details of any present illness including treatment and prognosis;
 - (vi) any other relevant information which might assist the medical adviser; and
 - (vii) the name and address of any doctor(s) who might be able to provide further information about any of the above matters.
- (c) A neo-natal report on the child, including:
- (i) details of the birth, and any complications;
 - (ii) results of a physical examination and screening tests;
 - (iii) details of any treatment given;
 - (iv) details of any problem in management and feeding;
 - (v) any other relevant information which might assist the medical adviser; and
 - (vi) the name and address of any doctor(s) who might be able to provide further information about any of the above matters.
- (d) A full health history and examination of the child, including:
- (i) details of any serious illness, disability, accident, hospital admission or attendance at an out-patient department, and in each case any treatment given;
 - (ii) details and dates of immunisations;
 - (iii) a physical and developmental assessment according to age, including an assessment of vision and hearing and of neurological, speech and language development and any evidence of emotional or conduct disorder;

- (iv) details, if relevant, of the impact of any addiction or substance use on the part of the natural mother before, during or following the pregnancy, and its impact or likely future impact on the child;
 - (v) the impact, if any, on the child's development and likely future development of any past exposure to physical, emotional or sexual abuse or neglectful home conditions and/or any non-organic failure to thrive;
 - (vi) for a child of school age, the school health history (if available);
 - (vii) any other relevant information which might assist the medical adviser; and
 - (viii) the name and address of any doctor(s) who might be able to provide further information about any of the above matters.
- (e) The signature, name, address and qualifications of the registered medical practitioner who prepared the report, and the date of the report and of the examinations carried out.

The Applicant

(If there is more than one applicant, a report on each applicant should be supplied covering all the matters listed below.)

- (a) name, date of birth, sex, weight and height;
- (b) a family health history, covering the parents, the brothers and sisters and the children of the applicant, with details of any serious physical or mental illness and inherited and congenital disease;
- (c) marital history, including (if applicable) reasons for inability to have children, and any history of domestic violence;
- (d) past health history, including details of any serious physical or mental illness, disability, accident, hospital admission or attendance at an out-patient department, and in each case any treatment given;
- (e) obstetric history (if applicable);
- (f) details of any present illness, including treatment and prognosis;
- (g) a full medical examination;

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- (h) details of any consumption of alcohol, tobacco and habit-forming drugs;
- (i) any other relevant information which might assist the medical adviser; and
- (j) the name and address of any doctor(s) who might be able to provide further information about any of the above matters.
- (k) the signature, name, address and qualifications of the registered medical practitioner who prepared the report, and the date of the report and of the examinations carried out.

SCHEDULE 6

Rule 18(b)

Communication of information relating to proceedings

1. Rule 18 deals with the communication of information (whether or not it is recorded in any form) relating to proceedings.
2. Subject to any direction of the court, information may be communicated for the purposes of the law relating to contempt in accordance with paragraphs 3 or 4.
3. A person specified in the first column of the following table may communicate to a person listed in the second column such information as is specified in the third column for the purpose or purposes specified in the fourth column.

Communicated by	To	Information	Purpose
A party	A lay adviser	Any information relating to the proceedings	To enable the party to obtain advice or assistance in relation to the proceedings.
A party	The party's spouse, civil partner, cohabitant or close family member	As above	For the purpose of confidential discussions enabling the party to receive support from his spouse, civil partner, cohabitant or close family member.
A party	A health care professional or a person or body providing counselling services for children or families	As above	To enable the party or any child of the party to obtain health care or counselling.
A party	An adoption panel	As above	To enable the adoption panel to discharge its functions as appropriate.
A party	The Agency's medical adviser appointed under the Adoption		To enable the medical adviser to discharge his or her functions as appropriate

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	(Care Agency) Regulations 2024		
A party or a legal representative	A mediator	As above	For the purpose of mediation in relation to the proceedings.
A party, any person lawfully in receipt of information or a proper officer	A person or body conducting an approved research project	As above	For the purpose of an approved research project.
A party, a legal representative or a professional legal adviser	A person or body responsible for investigating or determining complaints in relation to legal representatives or professional legal advisers	As above	For the purposes of making a complaint or the investigation or determination of a complaint in relation to a legal representative or a professional legal adviser.
A legal representative or a professional legal adviser	A professional indemnity insurer	As above	To enable the professional indemnity insurer to be notified of a claim or complaint, or potential claim or complaint, in relation to the legal representative or a professional legal adviser, and the legal representative or professional legal adviser to obtain advice in respect of that claim or complaint
A legal representative or a professional legal adviser	A person or body assessing quality assurance systems	Any information relating to the proceedings providing that it does not, or is not likely to, identify any person	To enable the legal representative or professional legal adviser to obtain a quality assurance assessment.

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		involved in the proceedings	
A legal representative or a professional legal adviser	An accreditation body	As above	To enable the legal representative or professional legal adviser to obtain accreditation.
A party	An elected representative	The text or summary of the whole or part of a judgment given in the proceedings	To enable the elected representative or peer to give advice, investigate any complaint or raise any question of policy or procedure.
A party	The Gibraltar Health Authority	As above	For the purpose of making a complaint to the Gibraltar Health Authority.
A party	A police officer	As above	For the purpose of a criminal investigation.
A party or any person lawfully in receipt of information	A representative of His Majesty's Attorney General	As above	To enable the Attorney general to discharge his or her functions under any enactment.
A party or the Agency that is not a party	The Agency	Any information relating to the proceedings	To enable the sharing of relevant information between adoption agencies for more effective undertaking of their functions

4. A person in the second column of the table may only communicate information relating to the proceedings received from a person in the first column for the purpose or purposes –

- (a) for which he or she received that information; or
- (b) of professional development or training, providing that any communication does not, or is not likely to, identify any person involved in the proceedings without that person's consent.

SCHEDULE 7

Rule 22(1)(d)

How to request for information

1. Rule 22 states that an adopted person who is over the age of 18 has the right to receive from the court which made the adoption order a copy of –
 - (a) the application form for an adoption order (but not the documents attached to that form);
 - (b) the adoption order and any other orders relating to the adoption proceedings; and
 - (c) orders allowing any person contact with the child after the adoption order was made.
2. An application under rule 22 must be made in the relevant form and must have attached to it a full certified copy of the entry in the Adopted Children Register relating to the applicant.
3. The completed application form must be taken to the court which made the adoption order along with evidence of the applicant's identity showing a photograph and signature, such as a passport or driving licence.

Additional documents that the adopted person is also entitled to receive from the court.

4. The adopted adult is also entitled to receive the following documents –
 - (a) any transcript or written reasons of the court's decision; and
 - (b) a report made to the court by –
 - (i) a children's guardian,; or
 - (ii) the Agency.

Before the documents are sent to the adopted adult.

5. The court will remove protected information from documents before they are sent to the adopted adult.

SCHEDULE 8

Rule 17(2)(b)

Particulars of Personal details

- 1.(1) Unless the court directs otherwise, a party is not required to reveal –
- (a) the party's home address or other contact details;
 - (b) the address or other contact details of any child;
 - (c) the name of a person with whom the child is living, if that person is not the applicant; or
 - (d) in relation to an application under section 23(2) of the Act (application for permission to change the child's surname), the proposed new surname of the child.
- (2) Where a party does not wish to reveal any of the particulars in paragraph (1), that party must give notice of those particulars to the court and the particulars will not be revealed to any person unless the court directs otherwise.
- (3) Where a party changes home address during the course of proceedings, that party must give notice of the change to the court.

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FORMS

FORM AR1

Application for revocation of a placement order
Section 19 Adoption Act 2023

Name of court

Case no.

Date received by the court.

Date issued

Notes to applicants

- Please complete every Part. If any Part does not apply to you, or you are not sure of the answer to any question, please say so. If there is not enough room for your reply, please continue on a separate sheet. Put the child's name, the number of the Part and the paragraph reference at the top of the continuation sheet.
- Please use blue or black ink when filling in the form.

Part 1 About you

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

e) My solicitor in these proceedings is

Name of solicitor	
Name of firm	
Address	
Telephone Number	
Email address	

f) I am

- the child named in the placement order
- an authorised representative of the Agency named in the placement order

(please state your position in the Agency)

- the mother of the child named in the placement order
- the father of the child named in the placement order
- the guardian of the child named in the placement order
- none of the above. I am

g) I am a prospective adopter of the child and wish to keep my identity confidential

- Yes
- No

Part 2 About the Child

a) The name of the child is

First name(s) in full

Last name(s)

b) The child is

- Boy
- Girl

c) The child was born on

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d) The Agency authorised to place the child for adoption (give the name and telephone number of the adoption worker who deals with the child)

Name of Agency

Address of Agency

Name of contact in the Agency

Telephone number

About other orders or proceedings that affect the child

e) To the best of my knowledge, no proceedings relating to the child (other than the placement order entered in Part 4 of this application) have been completed or commenced in any court

or

The following proceedings relating to the child have been completed/commenced (in addition to placement order entered in Part 4 of this application)

Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Cases concerning a related child

f) To the best of my knowledge, no proceedings relating to a full, half or step brother or sister of the child have been completed or commenced in any court

or

The following proceedings relating to a full, half or step brother or sister of the child have been completed or commenced (please give details below and, if you were a party to any proceedings that have been completed, attach a copy of the final order)

Relationship to child (eg. sister, half-brother)	Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Part 3 About the child's parents or guardian

The name(s) and address(es) of the child's parent(s) are:

The child's mother

a) The name of the child's mother is

First name(s) in full

Last name(s)

b) Her address is (if deceased, please write 'Deceased')

The child's father

c) The name of the child's father is

First name(s) in full

Last name(s)

d) His address is (if deceased, please write 'Deceased')

e) Does he have parental responsibility for the child?

Yes

No

If No, does he intend to apply for a parental responsibility order under the Children Act 2009 or a child arrangements order in respect of the child?

Yes

No

The child's guardian

f) The name of the child's guardian is

First name(s) in full

Last name(s)

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g) His/Her address is

Part 4 About this application

a) I apply for revocation of the order made by (give name of court)

on (date)

authorising (name of Agency)

to place (give name of child)

for adoption

A copy of the placement order is attached

b) The court's permission to make this application

Is not required

Has been given (give details below and attach a copy of the court order giving permission)

c) The reasons for this application are:

Part 5 Statement of truth

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed

Date

*[Applicant] [Applicant's solicitor] [Litigation friend]

If you attend the court for a hearing

If you require an interpreter or sign language assistance please arrange this yourself

1. Do you have a disability for which you require special assistance or special facilities?

Yes

No

If Yes, please what your needs are below (the court staff will get in touch with you about your requirements)

What to do now

Once you have completed and signed this form, you should take or send the form and **three copies** to the court, together with the court fee* and the following documents:

- a copy of the placement order you are asking the court to revoke;
- if you were a party to the proceedings, a copy of any other final order relating to the child that has effect;
- if you were a party to the proceedings, a copy of any final order relating

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to a full, half or step brother or sister of the child that has effect;

- a copy of any order giving you permission to apply for the placement order to be revoked.

* If you are not sure about the court fee payable for your application, or you think that you may be exempt from paying all or part of the fee, you should contact the court for information.

FORM AR2

Application for a contact order under section 21 of the Adoption Act 2023 or an order for contact or prohibiting contact under section 47 of the Adoption Act 2023

Name of court

Case no.

Date received by the court.

Date issued

Notes to applicants

- This form is only for use if you are applying for a contact order under section 21 of the Adoption Act 2023 or an order for contact or to prohibit contact under section 47 of the Adoption Act 2023.
- Please complete every Part. If any question does not apply to your application, or you are not sure of the answer, please say so.
- If there is not enough room for your reply to any question, continue on a separate sheet. Please put the child's name, the number of the Part and the paragraph reference at the head of the continuation sheet.
- Please use blue or black ink when filling in the form

Part 1 About you

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

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e) My solicitor in these proceedings is

Name of solicitor	
Name of firm	
Address	
Telephone Number	
Email address	

f) I am

- the child whom the Agency is authorised to place for adoption
- an officer of the Agency that is authorised to place the child for adoption/has placed the child (who is less than six weeks old) for adoption

(please state your position in the Agency)

- an adopted child
- the child's birth mother
- the child's birth father
- the child's adoptive mother
- the child's adoptive father
- the child's guardian
- a relative of the child (please state your relationship to the child/and whether you are related to the child by birth or by adoption)

and

- I am applying for an order for contact under s47 of the Adoption Act 2023
- I am applying for an order to prohibit contact under s47 of the Adoption Act 2023 (if you have ticked either of these boxes go to Part 2, section h)

or

The following order in my favour was in force immediately before the Agency was authorised to place the child for adoption/placed the child (who is less than six weeks old) for adoption:

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b) The child is

- Boy
 Girl

c) The child was born on

d) The child's address is (if you do not know the child's address, please enter 'Not known')

--

e) The child lives with (if you do not know the name of the person with whom the child lives, please enter 'Not known')

--

f) The Agency authorised to place the child for adoption (give the name and telephone number of the adoption worker who deals with the child)

Name of Agency

Address of Agency

Name of contact in the Agency

Telephone number

g) Is the child subject to a placement order

- Yes
 No

(if Yes, please give details below)

or

The child is subject of ongoing placement proceedings

- Yes
 No

(if Yes, please give details below)

Name of court	
Case number	

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Date of placement order or	
Date of hearing if placement proceedings are current	

h) Date of placement (if known)

--

i) Is the child subject to a final adoption order?

Yes

No

(if Yes, please give details below)

Name of court	
Case number	
Date of adoption order	

About other orders or proceedings that affect the child

j) To the best of my knowledge, no proceedings relating to the child (other than the order(s) already entered above) have been completed or commenced in any court

or

The following proceedings relating to the child have been completed/commenced (in addition to any order(s) entered above)

Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Cases concerning a related child

k) To the best of my knowledge, no proceedings relating to a full, half or step brother or sister of the child have been completed or commenced in any court

or

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The following proceedings relating to a full, half or step brother or sister of the child have been completed or commenced (please give details below and, if you were a party to any proceedings that have been completed, attach a copy of the final order)

Relationship to child (eg. sister, half-brother)	Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Part 3 The respondents

Complete this section only if you are applying for an order for contact, or to prohibit contact, post-adoption under s47.

The respondents

First name(s) in full

Last name(s)

Relationship to the child

Address or solicitor details

First name(s) in full

Last name(s)

Relationship to the child

Address or solicitor details

Part 4 About the child's parents or guardian

The child's mother

a) The name of the child's mother is

First name(s) in full

Last name(s)

b) Her address is (if deceased, please write 'Deceased')

The child's father

c) The name of the child's father is

First name(s) in full

Last name(s)

d) His address is (if deceased, please write 'Deceased')

e) Does he have parental responsibility for the child?

Yes

No

The child's guardian

f) The name of the child's guardian is

First name(s) in full

Last name(s)

g) His/Her address is

Part 5 About this application

Give details of the order you wish the court to make and the reasons why (if you have applied for confidentiality do not insert anything here which may reveal your identity)

Part 6 Statement of truth

Proceedings for contempt of court may be brought against a person who _____ makes _____ or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed Date

*[Applicant] [Applicant's solicitor] [Litigation friend]

If you attend the court for a hearing

If you require an interpreter or sign language assistance please arrange this yourself

1. Do you have a disability for which you require special assistance or special facilities?

- Yes
- No

If Yes, please what your needs are below (the court staff will get in touch with you about your requirements)

What to do now

Once you have completed and signed this form, you should take or send _____ the _____ form _____ and **three copies** to the court, together with the court fee* and the following documents:

If you are applying for an order under section 21 of the Adoption Act 2023 or for an order under section 47 or the adoption is to be heard at the same time as or prior to the adoption order being made.

- a copy of any of the following orders that was in effect immediately before _____ the _____ adoption agency was authorised to place the child for adoption, or placed a child for adoption at a _____ time when he/she was less than six weeks old:

- an order under section 25 or an order for contact under section 68 under the Children Act 2009 made in your favour;
- an order made in exercise of the Court's jurisdiction with respect to children giving you care of the child;
- an order under section 21 or the Adoption Act 2023.

If you are applying for an order under section 47 of the Adoption Act 2023 in relation to an adopted child.

- A copy of the adoption order in relation to that child;
- if you were a party to the proceedings, a copy of any other final order relating to the child that has effect;
- if you were a party to the proceedings, a copy of any final order relating to a full, half or step brother or sister of the child that has effect;
- a copy of any court order giving you permission to apply for the contact order.

* If you are not sure about the court fee payable for your application, or you think that you may be exempt from paying all or part of the fee, you should contact the court for information.

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FORM AR3

**Application for variation or revocation of a contact order
Section 22 or Section 48 Adoption Act 2023**

Name of court

Case no.

Date received by the court.

Date issued

Notes to applicants

- This form is only for use if you are applying for variation or revocation of a contact order made under section 21 or section 47 of the Adoption Act 2023.
- Please complete every Part. If any question does not apply to your application, or you are not sure of the answer, please say so.
- If there is not enough room for your reply to any question, continue on a separate sheet. Please put the child's name, the number of the Part and the paragraph reference at the head of the continuation sheet.
- Please use blue or black ink when filling in the form

Part 1 About you

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

e) My solicitor in these proceedings is

Name of solicitor	
Name of firm	
Address	
Telephone Number	
Email address	

f) I am

- the child to whom the contact order relates
- the person named in the contact order
- an officer of the Agency that is authorised to place the child for adoption/has placed the child (who is less than six weeks old) for adoption

(please state your position in the Agency)

Part 2 About the Child

a) The name of the child is

First name(s) in full

Last name(s)

b) The child is

- Boy
- Girl

c) The child was born on

d) The child's address is (if you do not know the child's address, please enter 'Not known')

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e) The child lives with (if you do not know the name of the person with whom the child lives, please enter 'Not known')

f) The Agency authorised to place the child for adoption (give the name and telephone number of the adoption worker who deals with the child)

Name of Agency

Address of Agency

Name of contact in the Agency

Telephone number

About other orders or proceedings that affect the child

g) To the best of my knowledge, no proceedings relating to the child (other than the contact order entered in Part 4 of this application) have been completed or commenced in any court

or

The following proceedings relating to the child have been completed/commenced (in addition to the contact order entered in Part 4 of this application)

Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Cases concerning a related child

h) To the best of my knowledge, no proceedings relating to a full, half or step brother or sister of the child have been completed or commenced in any court

or

The following proceedings relating to a full, half or step brother or sister of the child have been completed or commenced (please give details below and, if you were a party to any proceedings that have been completed, attach a copy of the final order)

Relationship to child (eg. sister, half-brother)	Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Part 3 About the child's parents or guardian

The child's mother

a) The name of the child's mother is

First name(s) in full

Last name(s)

b) Her address is (if deceased, please write 'Deceased')

The child's father

c) The name of the child's father is

First name(s) in full

Last name(s)

d) His address is (if deceased, please write 'Deceased')

e) Does he have parental responsibility for the child?

Yes

No

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The child's guardian

f) The name of the child's guardian is

First name(s) in full

Last name(s)

g) His/Her address is

Part 4 About this application

a) I request that the order made by this court on (give date)

in favour of (give name of person(s) granted contact)

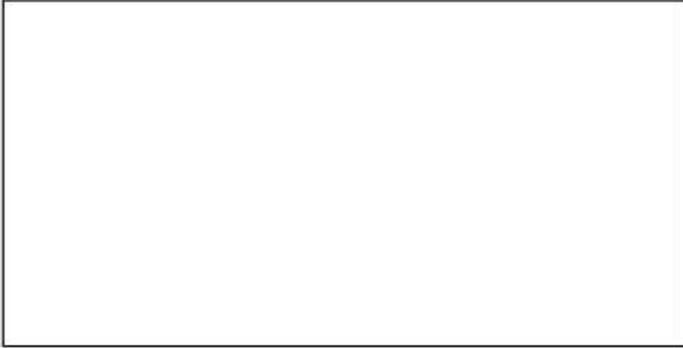
requiring contact with (name of child)

be revoked

or

be varied as follows: (please give details of the order you wish the court to make; continue on an additional sheet if necessary)

b) My reasons for this application are as follows: (continue on additional sheet if necessary)
necessary)



Important: you must attach a copy of the contact order you are asking the court to vary or revoke to your application

Part 6 Statement of truth

Proceedings for contempt of court may be brought against a person who _____ makes _____ or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed

Date

*[Applicant] [Applicant's solicitor] [Litigation friend]

If you attend the court for a hearing

If you require an interpreter or sign language assistance please arrange this yourself

1. Do you have a disability for which you require special assistance or special facilities?

Yes

No

If Yes, please what your needs are below (the court staff will get in touch with you about your requirements)

What to do now

Once you have completed and signed this form, you should take or send _____ the _____ form _____ and **three copies** to the court, together with the court fee* and the following documents:

- a copy of the contact order you are asking the court to vary or revoke;
- if you were a party to the proceedings, a copy of any other final order relating to the child that has effect;
- if you were a party to the proceedings, a copy of any final order relating to a full, half or step brother or sister of the child that has effect.

*If you are not sure about the court fee payable for your application, or you think that you may be exempt from paying all or part of the fee, you should contact the court for information.

FORM AR4

**Application for permission to change a child's surname
Section 23 Adoption Act 2023**

Name of court

Case no.

Date received by the court.

Date issued

Notes to applicants

- This form is only for use if you are applying for permission to change a child's surname under section 23 of the Adoption Act 2023.
- Please complete every Part. If any question does not apply to your application, or you are not sure of the answer, please say so.
- If there is not enough room for your reply to any question, continue on a separate sheet. Please put the child's name, the number of the Part and the paragraph reference at the head of the continuation sheet.
- Please use blue or black ink when filling in the form

Part 1 About you

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

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e) My solicitor in these proceedings is

Name of solicitor	
Name of firm	
Address	
Telephone Number	
Email address	

f) My relationship to the child is

Part 2 About the Child

a) The name of the child is

First name(s) in full

Last name(s)

b) The child is

- Boy
 Girl

c) The child was born on

d) The child's address is (if you do not know the child's address, please enter 'Not known')

e) The child lives with (if you do not know the name of the person with whom the child lives, please enter 'Not known')

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f) The Agency authorised to place the child for adoption (give the name and telephone number of the adoption worker who deals with the child)

Name of Agency

Address of Agency

Name of contact in the Agency

Telephone number

g) The child

is not the subject of a placement order

or

is the subject of a placement order (please give details and attach a copy of the placement order)

Name of court	
Case number	
Date of placement order	

About other orders or proceedings that affect the child

h) To the best of my knowledge, no proceedings relating to the child (other than any placement order entered above) have been completed or commenced in any court

or

The following proceedings relating to the child have been completed/commenced (in addition to any placement order entered above)

Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Cases concerning a related child

i) To the best of my knowledge, no proceedings relating to a full, half or step brother or sister of the child have been completed or commenced in any court

or

The following proceedings relating to a full, half or step brother or sister of the child have been completed or commenced (please give details below and, if you were a party to any proceedings that have been completed, attach a copy of the final order)

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Relationship to child (eg. sister, half-brother)	Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Part 3 About the child's parents or guardian

The child's mother

a) The name of the child's mother is

First name(s) in full

Last name(s)

b) Her address is (if deceased, please write 'Deceased')

The child's father

c) The name of the child's father is

First name(s) in full

Last name(s)

d) His address is (if deceased, please write 'Deceased')

e) Does he have parental responsibility for the child?

Yes

No

The child's guardian

f) The name of the child's guardian is

First name(s) in full

Last name(s)

g) His/Her address is

Part 4 About this application

a) My reasons for this application are (please give a brief statement of the reasons for your application; include full details of the country (or countries) of destination, the purpose and duration of stay and the child's address(es) (if known) while outside Gibraltar)

Part 5 Statement of truth

Proceedings for contempt of court may be brought against a person who _____ makes _____ or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed

Date

*[Applicant] [Applicant’s solicitor] [Litigation friend]

If you attend the court for a hearing

If you require an interpreter or sign language assistance please arrange this yourself

1. Do you have a disability for which you require special assistance or special facilities?

- Yes
- No

If Yes, please what your needs are below (the court staff will get in touch with you about your requirements)

What to do now

Once you have completed and signed this form, you should take or send _____ the _____ form _____ and **three copies** to the court, together with the court fee* and the following documents:

- a copy of the placement order relating to the child;
- if you were a party to the proceedings, a copy of any other final order relating to the child that has effect;
- if you were a party to the proceedings, a copy of any final order relating to a full, half or step brother or sister of the child that has effect.

*If you are not sure about the court fee payable for your application, or you think that you may be exempt from paying all or part of the fee, you should contact the court for information.

FORM AR6

**Application for a recovery order
Section 36 Adoption Act 2023**

Name of court

Case no.

Date received by the court.

Date issued

Notes to applicants

- This form is only for use if you are applying for a recovery order under section 36 of the Adoption Act 2023.
- Please complete every Part. If any question does not apply to your application, or you are not sure of the answer, please say so.
- If there is not enough room for your reply to any question, continue on a separate sheet. Please put the child's name, the number of the Part and the paragraph reference at the head of the continuation sheet.
- Please use blue or black ink when filling in the form

Part 1 About you

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

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e) Are you applying as an officer of the Agency?

Yes

No

If Yes, please give below your position within the Agency

If No, please give below your relationship to the child

f) My solicitor in these proceedings is

Name of solicitor	
Name of firm	
Address	
Telephone Number	
Email address	

Part 2 About the Child

a) The name of the child is

First name(s) in full

Last name(s)

b) The child is

Boy

Girl

c) The child was born on

d) The child's usual address is

--

e) The child lives with (if you do not know the name of the person with whom the child lives, please enter 'Not known')

--

f) If the child is or has been the subject of continuing or previous court proceedings please give the details of the case and the court in which the proceedings are taking place or took place

Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Cases concerning a related child

i) To the best of my knowledge, no proceedings relating to a full, half or step brother or sister of the child have been completed or commenced in any court

or

The following proceedings relating to a full, half or step brother or sister of the child have been completed or commenced (please give details below and, if you were a party to any proceedings that have been completed, attach a copy of the final order)

Relationship to child (eg. sister, half-brother)	Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Part 3 Reason for Application

Please tick the box(es) that apply to your application and give full details. It is important to give as much information as possible about the whereabouts of the child, the person or persons who may have this information and the names and addresses of anyone who has removed or not returned the child. In every case give the name and address of the person referred to, their relationship to the child, the circumstances in which the child comes to be with them and any other information you think the court requires.

The child has:

Been removed by the persons or persons whose name(s) and address(es) are given below in contravention of any of the provisions of sections 25 to 35 of the Adoption Act 2023.

or

Not yet been removed, but there are reasonable grounds to believe that the person or persons whose name(s) and address(es) are given below intend(s) to remove the child in contravention of sections 25 to 36 of the Adoption Act 2023.

or

Prospective adopters (who details are given below or on form AR14) have not returned the child to the Agency within 7 days of the Agency giving them notice to return the child under section 26(4) or 30(2) of the Adoption Act 2023.

Prospective adopters (who details are given below or on form AR14) have not returned the child to the Agency within 14 days of the Agency giving them notice to return the child under section 27(2) of the Adoption Act 2023.

Prospective adopters (who details are given below or on form AR14) have not returned the child to the Agency on the date set by the court under section 28(2) of the Adoption Act 2023.

Prospective adopters (who details are given below or on form AR14) have not returned the child to the Agency within the period determined by the court under section 29(3) of the Adoption Act 2023.

Part 4 The order and directions applied for

Please indicate the type of order you will be asking the court to make

An order directing the person identified below or any person who is in a position to do so to produce the child to one of the following (please tick the box that applies)

The person named in the order

Any police officer

Any person authorised to exercise any power under the order by the Agency

An order that one of the following people do remove the child (please tick the box that applies)

- The person named in the order
- Any police officer
- Any person authorised to exercise any power under the order by the Agency

Please give information below about the whereabouts of the child

- An order requiring the person(s) identified below to disclose information as to the child's whereabouts to any police officer or officer of the court

- An order authorising a police officer to enter into the premises specified below to search for the child (include your grounds for believing the child to be on the premises)

Is this application being made without notice being given to another party

- Yes
- No

If Yes, please state why

Part 5 Statement of truth

Proceedings for contempt of court may be brought against a person who _____ makes _____ or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed

Date

*[Applicant] [Applicant's solicitor] [Litigation friend]

If you attend the court for a hearing

If you require an interpreter or sign language assistance please arrange this yourself

1. Do you have a disability for which you require special assistance or special facilities?

Yes

No

If Yes, please what your needs are below (the court staff will get in touch with you about your requirements)

What to do now

Once you have completed and signed this form, you should take or send _____ the _____ form _____ and **three copies** to the court, together with the court fee* and the following documents:

- a copy of the contact order you are asking the court to vary or revoke;
- if you were a party to the proceedings, a copy of any other final order relating to the child that has effect;
- if you were a party to the proceedings, a copy of any final order relating to a full, half or step brother or sister of the child that has effect.

*If you are not sure about the court fee payable for your application, or you think that you may be exempt from paying all or part of the fee, you should contact the court for information.

FORM AR7**Application for an adoption order
Section 41 Adoption Act 2023**

Name of court

Case no.

Date received by the court.

Date issued

Important information – please read (this section of the form applies to all applicants unless the child was placed with you by the Agency)**This may effect your eligibility to apply for an adoption order.**

- You must notify the Agency of your intention to apply for an adoption order at least three months and not more than 2 years before starting your application with the court. The court requires written confirmation of prior notice of this application to the Agency alongside your application (please note, the Agency is an automatic respondent when the application is being made by someone other than the Agency).
- There are certain conditions regarding how long a child must have lived with you before you are able to make this application;
 - If the child was placed with you by the Agency, or you are a parent of the child, the child must have lived with you (if you are applying as a couple, with one or both of you) at all times during the ten weeks before your application to the court.
 - If you are the partner of the child's parent, the child must have lived with you at all times during the period of six months before your application.
 - If you are Agency foster parents, the child must have lived with you at all times during the year before your application. However, if the child has lived with you for less than a year, you may still be able to obtain leave of the court to make this application.
 - In any other case, the child must have lived with you at all times for not less than three years (whether or not continuous) during the period of five years before your application. However, if the child has lived with you for less than three years, you may still be able to obtain leave of the court to make this application.

Notes to applicants

- Do not use this form if the child you want to adopt is not habitually resident in Gibraltar, or if you intend to apply for a Convention adoption order. Instead you should use **Form AR9** Application for an adoption order (excluding a Convention adoption order) where the child has been brought into Gibraltar for the purposes of adoption) or **Form AR8** (Application for a Convention adoption order).
- Please complete every Part. If any question does not apply to your application, or you are not sure of the answer, please say so.
- If there is not enough room for your reply to any question, continue on a separate sheet. Please put the child's name, the number of the Part and the paragraph reference at the head of the continuation sheet.

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• Please use blue or black ink when filling in the form

I/We the undersigned _____

(and _____)

wish to adopt _____

and give the following details in support of my/our application

Part 1 About you

First applicant

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

e) My date of birth is

f) My nationality is

g) My occupation is

h) I am

Male
 Female

i) My relationship to the child is

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Second applicant

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

e) My date of birth is

f) My nationality is

g) My occupation is

h) I am

Male

Female

i) My relationship to the child is

j) My/Our solicitor in these proceedings is

Name of solicitor	
Name of firm	
Address	
Telephone Number	
Email address	

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Domicile and habitual residence

k) I am/we are/one of us, namely

is domiciled in Gibraltar

or

I have/we have both been habitually resident in Gibraltar for a period of at least one year, ending with the date of this application.

Status

If you are applying to adopt as a couple, please go straight to **Part 2 About the child**. Paragraphs (l) to (r) do not apply to you

If you are applying to adopt alone, please tick the box at (l) to (r) below that applies to you. **If you tick (l), (m), (q) or (r) please the give additional information asked for.**

l) I am a partner of the child's

Father or other parent

Mother

If you have ticked box (l), please go straight to Part 2 About the Child. Paragraphs (m) to (r) do not apply to you.

m) I am the partner (not the spouse or civil partner) of a person who is not the child's parent and I am applying to adopt alone because (please give reasons below, continuing on a separate sheet if necessary)

c) The child's nationality is

[Empty box for nationality]

d) I/we confirm that the child is not and has never been married or a civil partner

- Yes
- No

e) The child has had his/her home with me/us continuously since

[Empty box for date]

f) The child was placed with me/us for the purpose of adoption by the Agency

- Yes (if you ticked this box, please complete paragraphs (g) and (h) and then go straight to paragraph (j). Paragraph (i) does not apply to you.)
- No (if you ticked this box, please go straight to paragraph (i). Paragraph (g) does not apply to you.)

g) The child was placed with me/us for the purpose of adoption on

Date
by

Name of Agency

Address of Agency

Name of contact in the Agency

Telephone number

h) I/we have notified the Agency in writing of my/our intention to apply for an adoption order (give details)

Name of Agency	
Address	
Date notified	

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Name of your contact in the Agency	
Email Address of Agency	
Telephone no.	

Please note: the Agency is the automatic respondent when the application is being made by someone other than the Agency

The Agency must have been notified of your intention to apply for an adoption order at least 3 months and not more than 2 years before starting your application with the court. The court requires written confirmation of prior notice of this application to the Agency. Your application may be refused if this not provided.

i) The following placement order has been made in respect of the child by a court in Gibraltar

Name of court	
Case number and type of order	
Date of adoption order	

or

No placement order has been made in respect of the child

Care

j) The Agency does not have parental responsibility for the child

or

The Agency has parental responsibility for the child

Maintenance

k) No maintenance order/agreement or award of child support maintenance has been made in respect of the child

or

The following maintenance order/agreement or award of child support maintenance has been made

Person liable to pay maintenance	
Address	
Court and date of order	

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Date of maintenance agreement/child support maintenance award	
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About other orders or proceedings that affect the child

l) To the best of my/our knowledge, no proceedings relating to the child (other than any placement order or any maintenance order as given above) have been completed or commenced in any court

or

The following proceedings relating to the child have been completed/commenced (in addition to any placement order or any maintenance order as given entered above)

Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Cases concerning a related child

m) To the best of my knowledge, no proceedings relating to a full, half or step brother or sister of the child have been completed or commenced in any court

or

The following proceedings relating to a full, half or step brother or sister of the child have been completed or commenced (please give details below and, if you were a party to any proceedings that have been completed, attach a copy of the final order)

or

Don't know

Relationship to child (eg. sister, half-brother)	Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Part 3 About the child's parents or guardian

The child's mother

a) The name of the child's mother is

First name(s) in full

Last name(s)

b) Her address is (if deceased, please write 'Deceased')

c) Her nationality is

d) Her occupation is

The child's father or parent

e) The name of the child's father or parent is

First name(s) in full

Last name(s)

f) What is their relationship to the child

Father

Other parent

g) His address is (if deceased, please write 'Deceased')

h) His nationality is

i) His occupation is

j) Does he have parental responsibility for the child?

Yes

No

If No, does the father or other parent intend to apply for a parental responsibility order under the Children Act 2009 or a child arrangements order in respect of the child

Yes

No

The child's guardian

k) The name of the child's guardian is

First name(s) in full

Last name(s)

l) His/Her address is

Parent/guardian consent to adoption

Note: You do not need to complete paragraph (m) if

- the child you are applying to adopt is the subject of a current placement order, the Agency has placed the child with you, and no parent/guardian of the child opposes the making of an adoption order;

or

- the child you are applying to adopt is the subject of a permanence order

Instead, go straight to Part 4 General. You should give the details of the placement order, order in Part 2 About the Child above. Otherwise, please tick the box that applies to your circumstances and give any further information requested.

m) The child's parent(s)/guardian(s) has/have consented to the making of an adoption order.

or

The child's parent(s)/guardian(s) gave advance consent to the making of a future adoption order (and has/have not withdrawn that consent) and does/do not oppose the making of an adoption order

or

The child was placed with me/us for adoption by the Agency with the consent of each parent/guardian (and the mother's consent was given when the child was at least 6 weeks old), and no parent/guardian opposes the making of an adoption order

or

The following parent(s)/guardian(s) of the child has/have not consented to the making of an adoption order (give names below)

and I/we ask the court to dispense with his/her/their consent on the following grounds

- he/she/they cannot be found
- he/she/they lack capacity (within the meaning of the Mental Health Act) to give consent
- the welfare of the child requires it

You must attach a brief statement of facts and (and two copies of the statement) setting out a summary of the history of the case and any other fact to satisfy the court that the grounds for your request apply.

IMPORTANT: The court will send a copy of your statement of facts to each parent or guardian of the child. If you intend to ask the court to keep your identity confidential, you

should make sure that the statement of facts does not include any information that could identify you, where you live, or where the child goes to school or nursery.

Part 4 General

Child's name on the adoption order

If the adoption order is made, I/we want the child to be known as

First name(s) in full

Last name(s)

Health reports

Separate reports on my/our health and the health of the child made by a registered medical practitioner on (give date(s))

are attached to this application.

Declarations

I/We have not received or given payment or reward in respect of the proposed adoption (except as follows:) (give details below)

To the best of my/our knowledge, only the person(s) or organisation(s) named in Part 2 of this application have taken part in the arrangements for the child's adoption

Part 5 Statement of truth

First applicant

Proceedings for contempt of court may be brought against a person who _____ makes _____ or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed

Date

*[First Applicant] [First Applicant's solicitor] [First Applicant's Litigation friend]

Second applicant

Proceedings for contempt of court may be brought against a person who _____ makes _____ or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed

Date

*[Second Applicant] [Second Applicant's solicitor] [Second Applicant's Litigation friend]

If you attend the court for a hearing

If you require an interpreter or sign language assistance please arrange this yourself

1. Do you have a disability for which you require special assistance or special facilities?

Yes

No

If Yes, please what your needs are below (the court staff will get in touch with you about your requirements)

What to do now

Once you have completed and signed this form, you should take or send the form and **three copies** to the court, together with the court fee and the following documents:

- an original certificate of the full entry in the Register of Births and Deaths that relates to the child or, where the child has been adopted, a certified copy of the entry in the Adoption and Parental Order Register;
- if you are asking the court to dispense with the consent of any parent or guardian to the adoption, a brief statement of the facts relied on in support of the request, and **two copies** of the statement;
- a copy of any placement order relating to the child;
- if you were a party to the proceedings, a copy of any other final order relating to the child that has effect and, if possible, a copy of any maintenance agreement or maintenance award relating to the child;
- if you were a party to the proceedings, a copy of any final order relating to a full, half or step brother or sister of the child that has effect;
- reports by a registered medical practitioner on the health of the child and the applicant(s) covering the matters specified in the Adoption Rules 2023 and **two copies** of the reports. **Note:** You do not have to supply health reports if:
 - the child was placed with you for adoption by the Agency, or
 - he/she is your child, or the child of the other applicant, or
 - you are applying alone as the partner (including the spouse or civil partner) of the child's mother or father or other parent;
 - where a parent of the child has died, an original certificate of the entry in the Register of Births and Deaths;
 - if you are submitting evidence of marriage or civil partnership, an original certificate of the entry in the Register of Marriages or the Register of Civil Partnerships;
 - where your spouse or civil partner has died, an original certificate of the entry in the Register of Births and Deaths;
 - a copy certified by a Gibraltar lawyer of any decree absolute of divorce or decree of nullity of your marriage;

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- in relation to a civil partnership, a copy certified by a Gibraltar lawyer of any dissolution order or nullity order of your civil partnership;
- any documentary evidence supporting the reasons why you are applying to adopt the child without your spouse or civil partner, such as a decree of judicial separation;
- if your name as entered on the application form is different from the name shown on any evidence of marriage or civil partnership you are sending with your application, any documentary evidence to explain the difference.

Attach two photocopies of each of the following documents, if available, for each applicant:

- Photo page of the passport of each applicant
- any Visa, if applicable
- any page showing date of entry stamp by Immigration on the passport, if applicable
- a driving licence with the photo of each applicant

You may need to pay a fee with your application.

FORM AR8

**Application for a Convention adoption order
Section 41 Adoption Act 2023**

Name of court

Case no.

Date received by the court.

Date issued

Notes to applicants

- This form should only be used if you wish to apply for a Convention adoption order.
- You shall need to complete Form AR10 (Application for parental responsibility prior to adoption abroad) if you intend to adopt a child who is habitually resident in Gibraltar (or who is a Commonwealth citizen) in a place outside of Gibraltar (and provided you do not already have an order to remove the child ,even if you will be applying for a Convention adoption order in a place outside Gibraltar).
- Please complete every Part. If any question does not apply to your application, or you are not sure of the answer, please say so.
- If there is not enough room for your reply to any question, continue on a separate sheet. Please put the child's name, the number of the Part and the paragraph reference at the head of the continuation sheet.
- Please use blue or black ink when filling in the form

I/We the undersigned _____

(and _____)

wish to adopt _____

and give the following details in support of my/our application

Part 1 About you

First applicant

a) Title

Mr Mrs Miss Ms Other

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b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

e) My date of birth is

f) My nationality is

g) I am

Male

Female

h) My relationship to the child is

Second applicant

a) Title

Mr

Mrs

Miss

Ms

Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

e) My date of birth is

f) My nationality is

Adoption

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Family Procedure (Adoption) Rules 2024

2024/052

g) I am

Male

Female

h) My relationship to the child is

i) My/Our solicitor in these proceedings is

Name of solicitor	
Name of firm	
Address	
Telephone Number	
Email address	

Habitual residence

Please indicate whether Gibraltar is the receiving State or State of origin by ticking the relevant box and the statement that applies to you (or both of you):

Gibraltar is the receiving State and I/both of us have been habitually resident in Gibraltar for a period of not less than one year ending with the date of the application

Gibraltar is the State of origin and I am/both of us are habitually resident in a Convention country outside Gibraltar on the date of the application

Note: If Gibraltar is the receiving State and you are (or if you are applying as a couple, either of you is) not a British citizen, please complete the following statement. Otherwise delete the following statement:

The First Applicant/the Second Applicant is not a British citizen, but His Majesty's Government of Gibraltar has confirmed that the child is authorised to enter and reside permanently in Gibraltar. Evidence of the authorisation from His Majesty's Government of Gibraltar is attached.

First applicant

j) My occupation is

k) I am

Male

Female

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Adoption

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Family Procedure (Adoption) Rules 2024

l) my relationship to the child is

Second applicant

j) My occupation is

k) I am

Male

Female

l) my relationship to the child is

Status

If you are applying to adopt as a couple, please go straight to **Part 2 About the child**. Paragraphs (m) to (r) do not apply to you

If you are applying to adopt alone, please tick the box at (m) to (r) below that applies to you. **If you tick (m), (n) or (r) please the give additional information asked for.**

m) I am a partner of the child's

Father

Mother

If you have ticked box (m), please go straight to Part 2 About the Child. Paragraphs (m) to (r) do not apply to you.

n) I am the partner (not the spouse or civil partner) of a person who is not the child's parent and I am applying to adopt alone because (please give reasons below, continuing on a separate sheet if necessary)

If you have ticked box (n), please go straight to Part 2 About the Child. Paragraphs (o) to (r) do not apply to you.

o) I am not married/I do not have a civil partner

or

p) I am divorced/my civil partnership has been dissolved

or

q) I am a widow/a widower/a surviving civil partner

or

r) I am married/I have a civil partner, and I can satisfy the court that

my spouse/ civil partner cannot be found

or

I have separated from my spouse/civil partner, we are living apart and the separation is likely to be permanent

or

my spouse/civil partner is physically incapable of making an application due to ill health

Part 2 About the Child

a) The child is

Boy

Girl

b) The child was born or to the best of my knowledge the child

was born on or about

in _____

and is the person to whom the attached copy of the child's original birth certificate, or other evidence attached regarding the child's identity relates.

c) The child's nationality is

d) I/we confirm that the child is not and has never been married or a civil partner

Yes

No

e) The child has had his/her home with me/us continuously since

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Family Procedure (Adoption) Rules 2024

Habitual residence

Please indicate whether Gibraltar is the receiving State or State of origin by ticking the relevant box and the statement that applies to the child:

Gibraltar is the receiving State and the child to be adopted was, on the date on which the Article 17(c) agreement was made, habitually resident in a Convention country outside Gibraltar.

Gibraltar is the State of origin and the child to be adopted was, on the date on which the agreement under Article 17(c) was made, habitually resident in Gibraltar.

f) The child was placed with me/us for the purpose of adoption by the Agency

Yes (if you ticked this box, please complete paragraphs (g) and (h) and then go straight to paragraph (j). Paragraph (i) does not apply to you.)

No (if you ticked this box, please go straight to paragraph (i). Paragraph (g) does not apply to you.)

g) The child was placed with me/us for the purpose of adoption on

Date

by

Name of Agency

Address of Agency

Name of contact in the Agency

Telephone number

h) I/we have notified the Agency in writing of my/our intention to apply for an adoption order (give details)

Name of Agency	
Address	
Date notified	
Name of your contact in the Agency	
Email Address of Agency	
Telephone no.	

Adoption

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Care

i) The Agency does not have parental responsibility for the child

or

The Agency has parental responsibility for the child

Maintenance

j) No maintenance order/agreement or award of child support maintenance has been made in respect of the child

or

The following maintenance order/agreement or award of child support maintenance has been made

Person liable to pay maintenance	
Address	
Court and date of order	
Date of maintenance agreement/child support maintenance award	

About other orders or proceedings that affect the child

k) To the best of my/our knowledge, no proceedings relating to the child (other than any maintenance order as given above) have been completed or commenced in any court, whether in Gibraltar or elsewhere

or

The following proceedings relating to the child have been completed/commenced (in addition to any maintenance order as given above)

Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Cases concerning a related child

l) To the best of my knowledge, no proceedings relating to a full, half or step brother or sister of the child have been completed or commenced in any court, whether in Gibraltar or elsewhere.

or

The following proceedings relating to a full, half or step brother or sister of the child have been completed or commenced (please give details below and, if you were a party to any proceedings that have been completed, attach a copy of the final order)

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Family Procedure (Adoption) Rules 2024

Relationship to child (eg. sister, half-brother)	Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Part 3 About the child's parents or guardian

The child's mother

a) The name of the child's mother is

First name(s) in full

Last name(s)

b) Her address is (if deceased, please write 'Deceased')

c) Her nationality is

The child's father

d) The name of the child's father is

First name(s) in full

Last name(s)

e) His address is (if deceased, please write 'Deceased')

f) His nationality is

g) Does he have parental responsibility for the child?

Yes

No

If No, does the father or other parent intend to apply for a parental responsibility order under the Children Act 2009 or a child arrangements order in respect of the child

Yes

No

The child's guardian

h) The name of the child's guardian is

First name(s) in full

Last name(s)

i) His/Her address is

Parent/guardian consent to adoption

The child's parent(s)/guardian(s) has/have consented to the making of an adoption order

Part 4 General

Child's name on adoption

If the adoption order is made, I/we want the child to be known as

First name(s) in full

Last name(s)

Declarations

I/We have not received or given payment or reward in respect of the proposed adoption (except as follows:) (give details below)

To the best of my/our knowledge, only the person(s) or organisation(s) named in Part 2 of this application have taken part in the arrangements for the child's adoption

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Family Procedure (Adoption) Rules 2024

Part 5 Statement of truth

First applicant

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed

Date

*[First Applicant] [First Applicant's solicitor] [First Applicant's Litigation friend]

Second applicant

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed

Date

*[Second Applicant] [Second Applicant's solicitor] [Second Applicant's Litigation friend]

If you attend the court for a hearing

If you require an interpreter or sign language assistance please arrange this yourself

1. Do you have a disability for which you require special assistance or special facilities?

Yes

No

If Yes, please what your needs are below (the court staff will get in touch with you about your requirements)

What to do now

Once you have completed and signed this form, you should take or send the form and **three copies** to the court, together with the court fee and the following documents:

- where Gibraltar is the State of origin, an original certificate of the full entry in the Register of Births and Deaths that relates to the child or, where the child has been adopted, a certified copy of the entry in the Adoption and Parental Order Register;
- where Gibraltar is the receiving State, a copy certified by a Gibraltar lawyer of the child's original birth certificate, any abandonment certificate/declaration, or where the child has been adopted, a copy certified by a Gibraltar lawyer of the entry in the register of adoptions as recognised in the State of origin or a copy certified by a Gibraltar lawyer of the adoption certificate;
- if you were a party to the proceedings, a copy certified by a Gibraltar lawyer of any final order relating to the child that has effect and, if possible, a copy certified by a Gibraltar lawyer of any maintenance agreement or maintenance award relating to the child;
- if you were a party to the proceedings, a copy certified by a Gibraltar lawyer of any final order relating to a full, half or step brother or sister of the child that has effect;
- where a parent of the child has died, a copy certified by a Gibraltar lawyer of the entry in the Register of Births and Deaths;
- if you are submitting evidence of marriage or civil partnership, an original certificate of the entry in the Register of Marriages or the Register of Civil Partnerships;
- where your spouse or civil partner has died, an original certificate of the entry in the Register of Births and Deaths;
- a copy of any decree absolute of divorce or decree of nullity of your marriage;
- in relation to a civil partnership, a copy of any dissolution order or nullity order of your civil partnership;
- any documentary evidence supporting the reasons why you are applying to adopt the child without your spouse or civil partner, such as a decree of judicial separation;
- where Gibraltar is the receiving State and the applicant (or in the case of a couple, either or both of the applicants) is not a British citizen, the child's passport containing confirmation of the authorisation for the child to enter and reside permanently in Gibraltar;
- if your name as entered on the application form is different from the name shown on any evidence of marriage or civil partnership you are sending with your application, any documentary evidence to explain the difference.

You may need to pay a fee with your application.

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Family Procedure (Adoption) Rules 2024

FORM AR9

Application for an adoption order (excluding a Convention adoption order) where the child is habitually resident outside Gibraltar and is brought into Gibraltar for the purposes of adoption

Section 41 Adoption Act 2023

Name of court

Case no.

Date received by the court.

Date issued

Notes to applicants

This form can be used where:

- a child who is habitually resident outside Gibraltar is brought into Gibraltar for the purpose of adoption by a Gibraltar resident; or
- a child adopted by a Gibraltar resident under the law of any country or territory outside Gibraltar is brought into Gibraltar and the Gibraltar resident wants to apply for an adoption order, and the application is not for a Convention adoption order.
- Please complete every Part. If any question does not apply to your application, or you are not sure of the answer, please say so.
- If there is not enough room for your reply to any question, continue on a separate sheet. Please put _____ the child's name, the number of the Part and the paragraph reference at the head of the continuation sheet.
- Please use blue or black ink when filling in the form

I/We the undersigned _____

(and _____)

wish to adopt _____

and give the following details in support of my/our application

Part 1 About you

Adoption

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Family Procedure (Adoption) Rules 2024

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First applicant

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

e) My date of birth is

f) My nationality is

g) My occupation is

h) I am

Male
 Female

i) My relationship to the child is

Second applicant

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

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e) My date of birth is

f) My nationality is

g) My occupation is

h) I am

Male

Female

i) My relationship to the child is

j) My/Our solicitor in these proceedings is

Name of solicitor	
Name of firm	
Address	
Telephone Number	
Email address	

Domicile and habitual residence

k) I am/we are/one of us, namely

is domiciled in Gibraltar

or

I have/we have both been habitually resident in Gibraltar for a period of at least one year, ending with the date of this application

Status

If you are applying to adopt as a couple, please go straight to **Part 2 About the child**. Paragraphs (l) to (r) do not apply to you

If you are applying to adopt alone, please tick the box at (m) to (r) below that applies to you. **If you tick (l), (m), (q) or (r) please the give additional information asked for.**

Adoption

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l) I am a partner of the child's

Father or other parent

Mother

If you have ticked box (l), please go straight to Part 2 About the Child. Paragraphs (m) to (r) do not apply to you.

m) I am the partner (not the spouse or civil partner) of a person who is not the child's parent and I am applying to adopt alone because (please give reasons below, continuing on a separate sheet if necessary)

If you have ticked box (m), please go straight to Part 2 About the Child. Paragraphs (n) to (r) do not apply to you.

n) I am not married/I do not have a civil partner

or

o) I am divorced/my civil partnership has been dissolved

or

p) I am a widow/a widower/a surviving civil partner

or

q) I am married/I have a civil partner, and I can satisfy the court that

my spouse/ civil partner cannot be found

or

I have separated from my spouse/civil partner, we are living apart and the separation is likely to be permanent

or

my spouse/civil partner is physically incapable of making an application or lacks capacity (within the meaning of the Mental Health Act) to do so.

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or

r) I am applying alone for an adoption order in respect of my own child and I can satisfy the court that

the other natural parent has died

or

the other natural parent cannot be found

or

by virtue of the Surrogacy Act 2021, there is no other parent

or

the other natural parent's exclusion from this application is justified
(please give reasons below)

Part 2 About the Child

a) The child is

Boy

Girl

b) The child was born or to the best of my knowledge was born on or about

in _____

and is the person to whom the original certificate of the entry in the Register of Births and Deaths/ Adoption and Parental Order Register relates

c) The child's nationality is

Note: Please complete the following statements. Otherwise delete the following statements

The child is habitually resident in a country outside Gibraltar

The Child is not a British citizen, however, His Majesty's Government of Gibraltar has certified to the foreign authority that the child is authorised to enter and will be authorised to reside permanently in Gibraltar if an adoption order is made

I attach a copy of the relevant notification letter from His Majesty's Government of Gibraltar.

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d) I/we confirm that the child is not and has never been married or a civil partner

Yes

No

e) The child has had his/her home with me/us continuously since

--

f) I/we have notified the Agency in writing of my/our intention to apply for an adoption order (give details)

Name of Agency	
Address	
Date notified	
Name of your contact in the Agency	
Email Address of Agency	
Telephone no.	

Care

g) The Agency does not have parental responsibility for the child

or

The Agency has parental responsibility for the child

Maintenance

h) No maintenance order/agreement or award of child support maintenance has been made in respect of the child

or

The following maintenance order/agreement or award of child support maintenance has been made

Person liable to pay maintenance	
Address	
Court and date of order	
Date of maintenance agreement/child support maintenance award	

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Family Procedure (Adoption) Rules 2024

About other orders or proceedings that affect the child

i) To the best of my/our knowledge, no proceedings relating to the child (other than any maintenance order as given above) have been completed or commenced in any court, whether in Gibraltar or elsewhere

or

The following proceedings relating to the child have been completed/commenced (in addition to any maintenance order as entered above)

Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Cases concerning a related child

j) To the best of my knowledge, no proceedings relating to a full, half or step brother or sister of the child have been completed or commenced in any court, whether in Gibraltar or elsewhere

or

The following proceedings relating to a full, half or step brother or sister of the child have been completed or commenced (please give details below and, if you were a party to any proceedings that have been completed, attach a copy of the final order)

Relationship to child (eg. sister, half-brother)	Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Part 3 About the child's parents or guardian

The child's mother

a) The name of the child's mother is

First name(s) in full

Last name(s)

b) Her address is (if deceased, please write 'Deceased')

c) Her nationality is

The child's father or other parent

d) What is their relationship to the child

Father

Other parent

The name of the child's father or other parent is

First name(s) in full

Last name(s)

e) His address is (if deceased, please write 'Deceased')

f) His nationality is

The child's guardian

g) The name of the child's guardian is

First name(s) in full

Last name(s)

i) His/Her address is

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Family Procedure (Adoption) Rules 2024

Parent/guardian consent to adoption

j) The child's parent(s)/guardian(s) has/have consented to the making of an adoption order

or

The following parent(s)/guardian(s) of the child has/have not consented to the making of an adoption order (give names below)

and I/we ask the court to dispense with his/her/their consent on the following grounds

he/she/they cannot be found

he/she/they lack capacity (within the meaning of the Mental Health Act) to give consent

the welfare of the child requires it

You must attach a brief statement of facts and (and two copies of the statement) setting out a summary of the history of the case and any other fact to satisfy the court that the grounds for your request apply.

IMPORTANT: The court will send a copy of your statement of facts to each parent or guardian of the child. If you intend to ask the court to keep your identity confidential, you should make sure that the statement of facts does not include any information that could identify you, where you live, or where the child goes to school or nursery.

Part 4 General

Child's name on adoption

If the adoption order is made, I/we want the child to be known as

First name(s) in full

Last name(s)

Health reports

Separate reports on my/our health and the health of the child made by a registered medical practitioner on (give date(s))

are attached to this application

Declarations

I/We have not received or given payment or reward in respect of the proposed adoption (except as follows:) (give details below)

To the best of my/our knowledge, only the person(s) or organisation(s) named in Part 2 of this application have taken part in the arrangements for the child's adoption

Part 5 Statement of truth

First applicant

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed

Date

*[First Applicant] [First Applicant's solicitor] [First Applicant's Litigation friend]

Second applicant

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed

Date

*[Second Applicant] [Second Applicant's solicitor] [Second Applicant's Litigation friend]

If you attend the court for a hearing

If you require an interpreter or sign language assistance please arrange this yourself

1. Do you have a disability for which you require special assistance or special facilities?

Yes

No

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If Yes, please what your needs are below (the court staff will get in touch with you about your requirements)

What to do now

Once you have completed and signed this form, you should take or send the form and **three copies** to the court, together with the court fee and the following documents:

- a copy certified by a Gibraltar lawyer of the child's original birth certificate, any abandonment certificate, or where the child has been adopted, a copy certified by a Gibraltar lawyer of the entry in the register of adoptions as recognised in the State of origin or a copy certified by a Gibraltar lawyer of the adoption certificate;
- if you are asking the court to dispense with the consent of any parent or guardian to the adoption, a brief statement of facts relied on in support of the request, **and two copies** of the statement;
- if you were a party to the proceedings, a copy of any final order relating to the child that has effect and, if possible, a copy of any maintenance agreement or maintenance award relating to the child;
- if you were a party to the proceedings, a copy of any final order relating to a full, half or step brother or sister of the child that has effect;
- reports by a registered medical practitioner on the health of the child and the applicant(s) covering the matters specified in the Adoption Rules 2023, **and two copies** of the reports.
Note: you do not have to supply health reports if:
 - the child was placed with you for adoption by the Agency, or
 - he/she is your child, or the child of the other applicant, or
 - you are applying alone as the partner (including the spouse or civil partner) of the child's mother or father or other parent;
- where a parent of the child has died, a copy certified by a Gibraltar lawyer of the entry in the Register of Births and Deaths;
- if you are submitting evidence of marriage or civil partnership, an original certificate of the entry in the Register of Marriages or the Register of Civil Partnerships;
- where your spouse or civil partner has died, an original certificate of the entry in the Register of Births and Deaths;
- a copy of any decree absolute of divorce or decree of nullity of your marriage;
- in relation to a civil partnership, a copy of any dissolution order or nullity order of your civil partnership;
- any documentary evidence supporting the reasons why you are applying to adopt the child without your spouse or civil partner, such as a decree of judicial separation;
- the notification letter from His Majesty's Government of Gibraltar that they have issued a "certificate of eligibility" to the foreign authority and that the child is authorised to enter and remain and will be authorised to reside permanently in Gibraltar if an adoption order is made;
- if your name as entered on the application form is different from the name shown on any evidence of marriage or civil partnership you are sending with your application, any documentary evidence to explain the difference.

Attach two photocopies of each of the following:

- Photo page of the child's passport
- Page showing date of entry stamp by Immigration on child's passport

Attach two photocopies of each of the following:

- Photo page of passport of each of the applicants
- any Visa, if applicable

Adoption

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- any page showing date of entry stamp by Immigration on passport, if applicable.

You may need to pay a fee with your application.

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Family Procedure (Adoption) Rules 2024

FORM AR10

Application for an order for parental responsibility prior to adoption abroad

Section 76 Adoption Act 2023

Name of court

Case no.

Date received by the court.

Date issued

Notes to applicants

- Do not use this form if you intend to apply to a court in Gibraltar for an adoption order including a Convention adoption order.
- Please complete every Part. If any question does not apply to your application, or you are not sure of the answer, please say so.
- If there is not enough room for your reply to any question, continue on a separate sheet. Please put the child's name, the number of the Part and the paragraph reference at the head of the continuation sheet.
- Please use blue or black ink when filling in the form.

I/We the undersigned _____

(and _____)

intend to adopt _____

under the law of a country or territory outside Gibraltar and therefore want to be given parental responsibility prior to adoption abroad and give the following details in support of my/our application

Part 1 About you

First applicant

a) Title

Mr Mrs Miss Ms Other

Adoption

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Family Procedure (Adoption) Rules 2024

2024/052

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

e) My date of birth is

f) My nationality is

g) My occupation is

h) I am

Male

Female

i) My relationship to the child is

Second applicant

a) Title

Mr

Mrs

Miss

Ms

Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

e) My date of birth is

2023-04

Adoption

2024/052

Family Procedure (Adoption) Rules 2024

f) My nationality is

g) My occupation is

h) I am

Male

Female

i) My relationship to the child is

j) My/Our solicitor in these proceedings is

Name of solicitor	
Name of firm	
Address	
Telephone Number	
Email address	

Status

If you are applying to adopt as a couple, please go straight to **Part 2 About the child**. Paragraphs (k) to (r) do not apply to you.

If you are applying to adopt alone, please tick the box at (k) to (q) below that applies to you.

k) I am a partner of the child's

Father or other parent

Mother

If you have ticked box (l), please go straight to Part 2 About the Child. Paragraphs (l) to (q) do not apply to you.

l) I am the partner (not the spouse or civil partner) of a person who is not the child's parent and I am applying alone for an order for parental responsibility prior to adoption abroad because (please give reasons below, continuing on a separate sheet if necessary)

If you have ticked box (l), please go straight to Part 2 About the Child. Paragraphs (m) to (q) do not apply to you.

m) I am not married/I do not have a civil partner

or

n) I am divorced/my civil partnership has been dissolved

or

o) I am a widow/a widower/a surviving civil partner

or

p) I am married/I have a civil partner, and I can satisfy the court that

my spouse/ civil partner cannot be found

or

I have separated from my spouse/civil partner, we are living apart and the separation is likely to be permanent

or

my spouse/civil partner is physically incapable of making an application or lacks capacity (within the meaning of the Mental Health Act) to do so.

or

q) I am applying alone for an adoption order in respect of my own child and I can satisfy the court that

the other natural parent has died

or

the other natural parent cannot be found

or

by virtue of the Surrogacy Act 2021, there is no other parent

or

the other natural parent's exclusion from this application is justified

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(please give reasons below)

Part 2 About the Child

a) The child is

- Boy
- Girl

b) The child was born or to the best of my knowledge was born on or about

in _____

and is the person to whom the original certificate of the entry in the Register of Births and Deaths/ Adoption and Parental Order Register relates

c) The child's nationality is

d) I/we confirm that the child is not and has never been married or a civil partner

- Yes
- No

e) The child has had his/her home with me/us continuously since

f) The child was placed with me/us for adoption by the Agency

- Yes

(If you ticked this box, please complete paragraph (g) and then go straight to paragraph (i). Paragraph (h) does not apply to you.)

- No

(If you ticked this box, please go straight to paragraph (h). Paragraph (g) does not apply to you.)

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g) The child was placed with me/us for the purpose of adoption on

Date

by

Name of Agency

Address of Agency

Name of contact in the Agency

Telephone number

h) I/we have notified the Agency in writing of my/our intention to apply for an order for parental responsibility prior to adoption abroad (give details)

Name of Agency	
Address	
Date notified	
Name of your contact in the Agency	
Email Address of Agency	
Telephone no.	

i) No placement order has been made in respect of the child

or

The following placement order has been made in respect of the child

Name of court	
Case number	
Type of order	
Date of order	

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Care

j) The Agency does not have parental responsibility for the child

or

The Agency has parental responsibility for the child

Maintenance

k) No maintenance order/agreement or award of child support maintenance has been made in respect of the child

or

The following maintenance order/agreement or award of child support maintenance has been made

Person liable to pay maintenance	
Address	
Court and date of order	
Date of maintenance agreement/child support maintenance award	

About other orders or proceedings that affect the child

l) To the best of my/our knowledge, no proceedings relating to the child (other than any maintenance order as given above) have been completed or commenced in any court

or

The following proceedings relating to the child have been completed/commenced (in addition to any maintenance order as entered above)

Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Cases concerning a related child

m) To the best of my knowledge, no proceedings relating to a full, half or step brother or sister of the child have been completed or commenced in any court

or

The following proceedings relating to a full, half or step brother or sister of the child have been completed or commenced (please give details below and, if you were a party to any proceedings that have been completed, attach a copy of the final order)

Relationship to child (eg. sister, half-brother)	Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Part 3 About the child's parents or guardian

The child's mother

a) The name of the child's mother is

First name(s) in full

Last name(s)

b) Her address is (if deceased, please write 'Deceased')

c) Her nationality is

The child's father or other parent

d) What is their relationship to the child

Father

Other parent

The name of the child's father or other parent is

First name(s) in full

Last name(s)

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e) His address is (if deceased, please write 'Deceased')

f) His nationality is

g) Does he have parental responsibility for the child?

Yes

No

If No, does the father or other parent intend to apply for a parental responsibility order under the Children Act 2009 or a child arrangements order in respect of the child

Yes

No

The child's guardian

h) The name of the child's guardian is

First name(s) in full

Last name(s)

i) His/Her address is

Parent/guardian consent to adoption

Note: You do not need to complete paragraph (j) if

- the child you intend to take abroad for adoption is the subject of a current placement order, the Agency has placed the child with you, and no parent/guardian of the child opposes the making of an order for parental responsibility adoption abroad;

Instead, go straight to Part 4 General. You should give the details of the placement order in Part 2 About the Child above. Otherwise, please tick the box that applies to your circumstances and give any further information requested

j) The child's parent(s)/guardian(s) has/have consented to the making of an order for parental responsibility prior to adoption abroad

or

The child was placed with me/us for adoption by the Agency with the consent of each parent/guardian (and the mother's consent was given when the child was at least 6 weeks

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old), and no parent/guardian opposes the making of an order for parental responsibility prior to adoption abroad

or

The following parent(s)/guardian(s) of the child has/have not consented to the making of an order for parental responsibility prior to adoption abroad (give names below)

and I/we ask the court to dispense with his/her/their consent on the following grounds

- he/she/they cannot be found
- he/she/they lack capacity (within the meaning of the Mental Health Act) to give consent
- the welfare of the child requires it

You must attach a brief statement of facts and (and two copies of the statement) setting out a summary of the history of the case and any other fact to satisfy the court that the grounds for your request apply.

IMPORTANT: The court will send a copy of your statement of facts to each parent or guardian of the child. If you intend to ask the court to keep your identity confidential, you should make sure that the statement of facts does not include any information that could identify you, where you live, or where the child goes to school or nursery.

Part 4 General

Child's name on making the order

If the order for parental responsibility prior to adoption abroad is made, I/we want the child to be known as

First name(s) in full

Last name(s)

Health reports

Separate reports on my/our health and the health of the child made by a registered medical practitioner on (give date(s))

are attached to this application

Declarations

I/We have not received or given payment or reward in respect of the proposed adoption (except as follows:) (give details below)

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To the best of my/our knowledge, only the person(s) or organisation(s) named in Part 2 of this application have taken part in the arrangements for the child's adoption

Part 5 Statement of truth

First applicant

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed

Date

*[First Applicant] [First Applicant's solicitor] [First Applicant's Litigation friend]

Second applicant

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed

Date

*[Second Applicant] [Second Applicant's solicitor] [Second Applicant's Litigation friend]

If you attend the court for a hearing

If you require an interpreter or sign language assistance please arrange this yourself

1. Do you have a disability for which you require special assistance or special facilities?

Yes

No

If Yes, please what your needs are below (the court staff will get in touch with you about your requirements)

What to do now

Once you have completed and signed this form, you should take or send the form and **three copies** to the court, together with the court fee and the following documents:

- an original certificate of the full entry in the Register of Births and Deaths that relates to the child or, where the child has been adopted, an original certificate of the entry in the Adoption and Parental Order Register;
- if you are asking the court to dispense with the consent of any parent or guardian, a brief statement of the facts relied on in support of the request **and two copies of the statement**;
- a copy of any placement order relating to the child;
- if you were a party to the proceedings, a copy of any other final order relating to the child that has effect and if possible, a copy of any maintenance agreement or maintenance award relating to the child;
- if you were a party to the proceedings, a copy of any final order relating to a full, half or step brother or sister of the child that has effect;
- reports by a registered medical practitioner on the health of the child and the applicant(s) covering the matters specified in the Adoption Rules 2023, **and two copies** of the reports.

Note: you do not have to supply health reports if:

- the child was placed with you for adoption by the Agency, or
- he/she is your child, or the child of the other applicant, or
- you are applying alone as the partner (including the spouse or civil partner) of the child's mother or father or other parent;
- where a parent of the child has died, an original certificate of the entry in the Register of Births and Deaths;
- if you are submitting evidence of marriage or civil partnership, an original certificate of the entry in the Register of Marriages or the Register of Civil Partnerships;
- where your spouse or civil partner has died, an original certificate of the entry in the Register of Births and Deaths;
- a copy of any decree absolute of divorce or decree of nullity of your marriage;
- in relation to a civil partnership, a copy of any dissolution order or nullity order of your civil partnership;
- any documentary evidence supporting the reasons why you are applying to for parental responsibility prior to adopting the child abroad without your spouse or civil partner, such as a decree of judicial separation;
- if your name as entered on the application form is different from the name shown on any evidence of marriage or civil partnership you are sending with your application, any documentary evidence to explain the difference.

You may need to pay a fee with your application.

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FORM AR11

**Application for a direction under section 80(1) of
the Adoption Act 2023**

Name of court

Case no.

Date received by the court.

Date issued

Notes to applicants

- Please complete every Part. If any question does not apply to your application, or you are not sure of the answer, please say so.
- If there is not enough room on the form for your reply, you may continue on a separate sheet. Put the child's full name, the number of the Part and the paragraph reference at the top of the continuation sheet.
- Please use blue or black ink when filling in the form

Part 1 About you

First applicant

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

e) My relationship to the child is

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Second applicant

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My telephone number is

e) My relationship to the child is

f) My/Our solicitor in these proceedings is

Name of solicitor	
Name of firm	
Address	
Telephone Number	
Email address	

Part 2 About the Child

a) The child is

- Boy
 Girl

b) The child was born on

Part 3 About the Respondents

a) The child's adopters

The name of the child's adoptive parent(s) is/are:

First adoptive parent

a) Title

Mr Mrs Miss Ms Other

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First name(s) in full

Last name(s)

Address is

Second adoptive parent

a) Title

Mr

Mrs

Miss

Ms

Other

First name(s) in full

Last name(s)

Address is

b) The child's parents

The name of the child's parent(s) is/are:

First parent

a) Title

Mr

Mrs

Miss

Ms

Other

First name(s) in full

Last name(s)

Address is

Second parent

b) Title

Mr

Mrs

Miss

Ms

Other

First name(s) in full

Last name(s)

Address is

c) The Agency

Name of Agency

Address of Agency

Name of contact in the Agency

Telephone number

d) The Attorney General

Part 4 About this application

I/we apply for a direction that, in respect of the child (insert name of child)

 a) section 62(3) of the Adoption Act 2023 shall not apply

or

b) section 62(3) of the Adoption Act 2023 shall apply with the following modifications

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c) The reasons for this application are

Part 5 Declarations

I/we certify that a Convention adoption which was authorised on

_____ at

_____ by which

_____ and

_____ adopted (insert the name of the child)

_____ was not, under the law of the country in which the adoption was effected a full adoption

and

that the consents referred to in Articles 4(c) and (d) of the Convention have not been given for a full adoption

or

that Gibraltar is not the receiving State within the meaning of Article 2 of the Convention

and that it would be more favourable for (insert name of child)

_____ if a direction under section 80(1) of the Adoption Act 2023 was given.

A copy of the Convention adoption is attached

Part 6 Statement of Truth

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed Date

*[First Applicant] [First Applicant's solicitor] [First Applicant's Litigation friend]

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed Date

*[Second Applicant] [Second Applicant's solicitor] [Second Applicant's Litigation friend]

If you attend the court for a hearing

If you require an interpreter or sign language assistance please arrange this yourself

1. Do you have a disability for which you require special assistance or special facilities?

Yes

No

If Yes, please what your needs are below (the court staff will get in touch with you about your requirements)

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What to do now

Once you have completed and signed this form, you should take or send the form and **three copies** to the court, together with the court fee and a copy of the Convention adoption. If you are not sure about the court fee payable for your application, or you think that you may be exempt from paying all or part of the fee, you should contact the court for information.

FORM AR12

Application to receive information from court records about a parental order

Section 56(4) the Adoption Act 2023

Name of court

Case no.

Date received by the court.

Date issued

Notes to applicants

- Please complete every Part. If any question does not apply to your application, or you are not sure of the answer, please say so.
- Please use blue or black ink when filling in the form

Part 1 About you

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My date of birth is

e) The names of my parent(s)

First name(s) in full

Last name(s)

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First name(s) in full

Last name(s)

f) the date of the parental order (if known)

Part 2 The application

I apply for a copy of the following documents

- The application form for a parental order (this will not include the documents attached to that form)
- The parental order or any other order relating to the parental order proceedings
- A transcript of the court's decision
- A report made to the court by the parental order reporter

Part 3 Signature of applicant

I certify that I am the person to whom the original certificate of the entry in the Adoption and Parental Order Register relates. I confirm that I have received information about counselling services and have been given a suitable opportunity to receive such counselling

Print full name

Signed

Date

To be completed by the court	
Proof of Identity	<input type="text"/>
Seen by (court officer)	<input type="text"/>

Counselling

You should contact the Agency about the availability of counselling services in relation to the implications of the court providing you with these documents. You will need to consider this before making your application.

Application for information from court records

You should attach an original certificate of the entry in the Adoption and Parental Order Register which relates to you.

When you have completed the form you should take it in person to any court along with evidence of your identity showing a photograph and signature, such as a passport or driving licence.

The court will check the evidence of your identity, make a note of it on the application form and return it to you.

What happens next

The court which made the order will locate the court records relevant to your application and send copies of the documents you have requested to your home address.

A fee may be payable.

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FORM AR13

**Application to receive information from court records
the Adoption Act 2023**

Name of court

Case no.

Date received by the court.

Date issued

Notes to applicants

- Please complete every Part. If any question does not apply to your application, or you are not sure of the answer, please say so.

- Please use blue or black ink when filling in the form

Part 1 About you

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

c) My address is

d) My date of birth is

e) My name on adoption (if different from your name above)

First name(s) in full

Last name(s)

f) My name at birth (if known)

First name(s) in full

Last name(s)

g) The names of my adoptive parent(s)

First name(s) in full

Last name(s)

First name(s) in full

Last name(s)

h) the date of my adoption (if known)

Part 2 The application

I apply for a copy of the following documents

- The application form for an adoption order (this will not include the documents attached to that form)
- The adoption order or any other order relating to adoption proceedings
- A transcript of the court's decision
- A report made to the court by a children's guardian or the Agency

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Part 3 Signature of applicant

I certify that I am the person to whom the original certificate of the entry in the Adoption and Parental Order Register relates.

Print full name

Signed Date

To be completed by the court	
Proof of Identity	<input type="text"/>
Seen by (court officer)	<input type="text"/>

Application for information from court records

You should attach an original certificate of the entry in the Adoption and Parental Order Register which relates to you.

When you have completed the form you should take it in person to any court along with evidence of your identity showing a photograph and signature, such as a passport or driving licence.

The court will check the evidence of your identity, make a note of it on the application form and return it to you.

What happens next

The court which made the order will locate the court records relevant to your application and send copies of the documents you have requested to your home address. The court may edit the documents before they are sent to you.

A fee may be payable.

FORM AR14

Confidential Information

Do not attach this document to any other form.

Name of court

Case no.

Date received by the court.

Date issued

Notes to applicants

• This form is for use if you are a party in proceedings under the Adoption Act 2023, and you want the court to keep certain details about you or the child confidential.

• Please use blue or black ink when filling in the form

Part 1 Your name and the name of the child

First applicant/respondent

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

Second applicant/respondent

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

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Child's name

First name(s) in full

Last name(s)

Part 2 Information to be kept confidential

Your address and telephone number

If you want your address and telephone number to be kept confidential, please complete the details below:

My address is

My telephone number is

The child's address

If you want the address of the child named in the application to be kept confidential, please complete the details below:

The child's address

Person the child lives with

If you want the name of the person with whom the child lives to be kept confidential, please complete the details below:

Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

Change of surname

If you are applying to the court for permission to change the child's surname and you want the proposed new name to be kept confidential, please complete the details below:

The child's address

Part 3 Statement of Truth

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

*[I believe] [The applicant believes] that the facts stated in this application are true.

*I am duly authorised by the applicant to sign this statement.

Print full name

Signed

Date

*[First Applicant] [First Applicant's solicitor] [First Applicant's Litigation friend]

Notes on completing the form

This Form is for use if you are a party in proceedings under the Adoption Act 2023 and you want the court to keep any of the following details confidential:

- Your private address and telephone number
- The address of the child
- The name of the person with whom the child lives (this does not apply to you if you are making an application and the child lives with you. In those circumstances your name will remain confidential only if you are proposing to adopt the child).
- If you are making an application under section 23(2) for permission to change the child's surname, the new surname proposed for the child.

If you are making the application to court, do not enter the information you wish to be kept confidential on the application form. Instead, give the information on this Form and attach it to your application. If you are a respondent in the court proceedings, when you receive notice of the hearing you should complete the Form and send it to the court, together with your acknowledgment of the notice. Information entered on this Form will not be revealed to any person, unless it is by order of the court.

Part 1 (the full name(s) of the applicant(s)/respondent(s) and the name of the child) must be completed in all cases.

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FORM AR15

**Application for a placement order
Section 17 Adoption Act 2023**

Name of court

Case no.

Date received by the court.

Date issued

Notes to applicants

- Please complete every Part. If any question does not apply to your application, or you are not sure of the answer, please say so.
- If there is not enough room for your reply to any question, continue on a separate sheet. Please put the child's name, the number of the Part and the paragraph reference at the head of the continuation sheet.
- Please do not include information about an adoption order for an adopted brother or sister that has been made or applied for.
- Please do not attach to this application copies of adoption orders for any adopted brother or sister.

- Please use blue or black ink when filling in the form

Part 1 About you

a) Title

Mr Mrs Miss Ms Other

b) My name is

First name(s) in full

Last name(s)

c) My position in the Agency is

d) My telephone number is

e) My solicitor in these proceedings is

Name of solicitor	
Name of firm	
Address	
Telephone Number	
Email address	

Part 2 About this application

f) I apply for an order authorising the Agency to place (give name of child)

First name(s) in full

Last name(s)

The child's address is

for adoption and give the following particulars in respect of this application

Grounds for application

g) The grounds for application are that the Agency is satisfied that the child should be placed for adoption and (please tick the further grounds that apply)

- the child is subject to a care order and the Agency is/is not authorised to place the child for adoption; or
- an application for a care order has been made and has not been disposed of; or
- the child was placed for adoption by the Agency on _____ or the child is being accommodated by the Agency and the Agency is not authorised to place the child for adoption
- and**
- the child has no parent or guardian
- the Agency considers that the conditions in section 64(2) of the Children Act 2009 are met because the child is suffering or is likely to suffer significant harm.

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Please state below why you consider that the conditions in section 64(2) of the Children Act 2009 are being met (continue on a separate sheet if necessary)

Part 3 About the Child

a) The child is a

- Boy
- Girl

b) The child was born or to the best of my knowledge the child was born on or about in

and is the person to whom the original certificate of the entry in the Register of Births and Deaths/ Adoption and Parental Order Register relates

c) The child's nationality is

d) Is this a case with an international element?

- Yes
- No

If Yes, please answer the following questions

Do you have any reason to believe that any child, parent or potentially significant adult in the child's life may be habitually resident in another State?

If Yes, please give details

Has a request been made or should a request be made to a Central Authority or other competent authority in a foreign state or consular office in Gibraltar?

If Yes, please give details

Care

e) The Agency does not have parental responsibility for the child

or

The Agency has parental responsibility for the child

Care Proceedings

f) There are no concurrent or ongoing care proceedings in respect of the child

or

The child is the subject of ongoing/concurrent care proceedings (please give details below)

Name of court	
Case number	
Date of issue	
Date of any timetabled hearing, or pre-hearing review	
Name of any allocated judge or legal advisor	

Maintenance

g) No maintenance order/agreement or award of child support maintenance has been made in respect of the child

or

The following maintenance order/agreement or award of child support maintenance has been made

Person liable to pay maintenance	
----------------------------------	--

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Address	
Court and date of order	
Date of maintenance agreement/child support maintenance award	

About other orders or proceedings that affect the child

h) To the best of my/our knowledge, no proceedings relating to the child (other than any care proceedings or any maintenance order as given above) have been completed or commenced in any court

or

The following proceedings relating to the child have been completed/commenced (in addition to any care proceedings or any maintenance order as given entered above)

Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Cases concerning a related child

i) To the best of my knowledge, no proceedings relating to a full, half or step brother or sister of the child have been completed or commenced in any court

or

The following proceedings relating to a full, half or step brother or sister of the child have been completed or commenced (please give details below and, if you were a party to any proceedings that have been completed, attach a copy of the final order)

Relationship to child (eg. sister, half-brother)	Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number

Part 4 About the child's parents or guardian

The child's mother

a) The name of the child's mother is

First name(s) in full

Last name(s)

b) Her address is (if deceased, please write 'Deceased')

c) Her nationality is

The child's father

e) The name of the child's father is

First name(s) in full

Last name(s)

f) His address is (if deceased, please write 'Deceased')

g) His nationality is

h) Does he have parental responsibility for the child?

Yes

No

If No, does the father or other parent intend to apply for a parental responsibility order under the Children Act 2009 or a child arrangements order in respect of the child

Yes

No

The child's guardian

i) The name of the child's guardian is

First name(s) in full

Last name(s)

j) His/Her address is

Part 5 About the child's parents or guardian

The child's parent(s)/guardian(s) has/have consented to the child being placed for adoption

or

The following parent(s)/guardian(s) of the child has/have not consented to the child being placed for adoption or has/have withdrawn their consent (give names below)

and I/we ask the court to dispense with his/her/their consent to the making of a placement order on the following grounds

You must attach a brief statement of facts and (and two copies of the statement) setting out a summary of the history of the case and any other fact to satisfy the court that the grounds for your request apply.

Part 6 Arrangements for contact with the child

Current contact arrangements

The current arrangements for contact with the child are as follows

Proposed contact arrangements

If the placement order is made, the following contact arrangements are proposed

- if you are asking the court to dispense with the consent of any parent or guardian to the child being placed for adoption, a brief statement of the facts relied on in support of the request, and **two copies** of the statement;
- a copy of any final care order relating to the child;
- if available, a copy of any parental responsibility order or parental responsibility agreement relating to the child;
- if you were a party to the proceedings, a copy of any other final order relating to the child that has effect and, if possible, a copy of any maintenance agreement or maintenance award relating to the child;
- if you were a party to the proceedings, a copy of any final order relating to a full, half or step brother or sister of the child that has effect;

AR16

Consent to the placement of my child for adoption with any prospective adopters chosen by the Agency

Section 15 of the Adoption Act 2023

Name of child.....

Before signing this form you are advised to seek legal advice about consent to placement for adoption and the effect on your parental rights.

Name and address of the adoption agency in the matter:

.....
.....
.....
.....
.....

I consent to _____ (my child), who is the child to whom the attached certified copy of the entry in the Register of Births and Deaths relates, being placed for adoption with any prospective adopter(s) chosen by the Agency.

If my child is adopted, I understand that I will no longer legally be treated as the parent and that my child will become a part of the adopter(s)' family. I also understand that my consent to placement for adoption means that the Agency will have parental responsibility for my child and my own parental rights will be restricted. When my child is placed with the prospective adopter(s), they will also have parental responsibility.

I understand that, once I have signed this form and consented to my child's placement for adoption, my right to change my mind and ask for my child's return will be limited and may be lost altogether. I also understand that I may not remove my child from the Agency or the prospective adopter(s) and that, if I do, I may be liable to prosecution.

I understand that I may withdraw my consent at any time until the prospective adopters start an adoption application in the court. If I do withdraw my consent and want my child returned to me, I understand that I must notify the Agency that I have changed my mind and I must, at all times, act through the agency and not approach the prospective adopter(s) directly.

If I withdraw my consent, I understand that whether or not my child is returned to me will depend on a number of factors:

- If at the time my child has not been placed with prospective adopter(s), the Agency will return my child to me within seven days of receiving my notification, unless they still consider that my child ought to be adopted. In that case, an application may have been or may be made to the court for a placement order and my child will only be returned to me if the court gives permission.
- If at the time my child has been placed with prospective adopter(s), but they have not yet applied to the court for an adoption order then
 - either an application may have been or may be made to the court for a placement order and my child will only be returned to me if the court gives permission;
 - or the Agency will give the prospective adopter(s) notice that they must return my child to the Agency within fourteen days, and the Agency will then return the child to me.
- If at the time the prospective adopter(s) have already applied to the court for an adoption order, I understand that I will not be able to ask the Agency for my child to be returned. I will be entitled to be told when the prospective adopters make their application to the court, but I will only be able to oppose the making of the adoption order if the court gives me permission to do so. For the court to consider giving permission, I must be able to show that there has been a change of circumstances since I gave my consent.

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I understand that once I have given my consent to placement I will have no right to contact with my child, except by arrangement with the agency or under a court order. I am entitled to apply to the court for an order for contact with my child at any time, and the court will decide on the contact arrangements it considers are most appropriate.

I understand that I may sign a separate form consenting in advance to my child's adoption, and that if I do so, I can also ask not to be informed when the adoption application is made.

I have not received any payment or reward from any person making arrangements for the adoption of my child.

**[I have taken legal advice] / * [I have not taken legal advice, but I have been advised to do so],
about giving my consent to my child being placed for adoption and the effect on my parental rights.
(delete as appropriate)

I consent unconditionally and with full understanding of what is involved, to the placement of _____ (my child) for adoption with prospective adopter(s) chosen by the Agency.

Signed.....

On the day of 20xx

Witness statement

This form was signed by
on the day of 20xx
before me *(print full name)*

Signed.....

Office of witness*.....
Address

AR17

Consent to the placement of my child for adoption with identified prospective adopters
Section 15 of the Adoption Act 2023

Name of child.....

Before signing this form you are advised to seek legal advice about consenting to placement for adoption and the effect on your parental rights.

Name and address of the Agency in the matter:

.....
.....
.....
.....
.....

I consent to _____ (my child), who is the child to whom the attached certified copy of the entry in the Register of Births and Deaths relates, being placed for adoption with

*[_____ (the named prospective adopter(s))]

*[the prospective adopter(s) identified as _____]
(*complete as appropriate)

If my child is adopted, I understand that I will no longer legally be treated as the parent and that my child will become a part of the adopter(s)' family. I also understand that my consent to placement for adoption means that the Agency will have parental responsibility for my child and my own parental rights will be restricted. When my child is placed with the prospective adopter(s), they will also have parental responsibility.

I understand that, once I have signed this form and consented to my child's placement for adoption, my right to change my mind and ask for my child's return will be limited and may be lost altogether. I also understand that I may not remove my child from the Agency or the prospective adopter(s) and that, if I do, I may be liable to prosecution.

I understand that I may withdraw my consent at any time until the prospective adopter(s) start(s) an adoption application in the court. If I do withdraw my consent and want my child returned to me, I understand that I must notify the Agency that I have changed my mind and I must, at all times, act through the Agency and not approach the prospective adopter(s) directly.

If I withdraw my consent, I understand that whether or not my child is returned to me will depend on a number of factors:

- If at the time my child has not been placed with the prospective adopter(s), the Agency will return my child to me within seven days of receiving my notification, unless they still consider that my child ought to be adopted. In that case, an application may have been or may be made to the court for a placement order and my child will only be returned to me if the court gives permission.
- If at the time my child has been placed with the prospective adopter(s), but they have not yet applied to the court for an adoption order then
 - either an application may have been or may be made to the court for a placement order and my child will only be returned to me if the court gives permission;
 - or the Agency will give the prospective adopter(s) notice that they must return my child to the Agency within fourteen days, and the Agency will then return the child to me.
- If at the time the prospective adopter(s) have already applied to the court for an adoption order, I understand that I will not be able to ask the Agency for my child to be returned. I will be entitled to be told when the prospective adopters make their application to the court, but I will only be able to oppose the making of the adoption order if the court gives me permission to do so. For the court to consider giving permission, I must be able to show that there has been a change of circumstances since I gave my consent.

I understand that once I have given my consent to placement I will have no right to contact with my child, except by arrangement with the Agency or under a court order. I am entitled to apply to the court for an order for contact with

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my child at any time, and the court will decide on the contact arrangements it considers are most appropriate.

I understand that I may sign a separate form consenting in advance to my child's adoption, and that if I do so, I can also ask not to be informed when the adoption application is made.

I have not received any payment or reward from any person making arrangements for the adoption of my child.

*[I have taken legal advice] / *[I have not taken legal advice, but I have been advised to do so],
about giving consent to my child being placed for adoption and the effect on my parental rights.
*(delete as appropriate)

I consent unconditionally and with full understanding of what is involved, to the placement of
_____ (my child) for adoption with
*[_____] (the named prospective adopter(s))
*[the prospective adopter(s) identified as _____]
*(complete as appropriate)

Signed.....
on day of 20xx

Witness statement

This form was signed by
on the day of 20xx
before me (print full name)

Signed.....

Office of witness*.....
Address of witness.....
.....
.....

AR18

Consent to the placement of my child for adoption with identified prospective adopter(s) and, if the placement breaks down, with any prospective adopter(s) chosen by the Agency

Section 15 of the Adoption Act 2023

Name of child.....

Before signing this form you are advised to seek legal advice about consenting to placement for adoption and the effect on your parental rights.

Name and address of the adoption agency in the matter:

.....
.....
.....
.....

I consent to _____ (my child), who is the child to whom the attached certified copy of the entry in the Register of Births and Deaths relates, being placed for adoption with *[_____ (the named prospective adopter(s))] *[the prospective adopter(s) identified as _____] *(complete as appropriate)

If, for whatever reason, the placement breaks down, I also consent to my child being placed for adoption with any prospective adopter(s) that may be chosen by the Agency.

If my child is adopted, I understand that I will no longer legally be treated as the parent and that my child will become a part of the adopter(s)' family. I also understand that my consent to placement for adoption means that the Agency will have parental responsibility for my child and my own parental rights will be restricted. When my child is placed with the prospective adopter(s), they will also have parental responsibility.

I understand that, once I have signed this form and consented to my child's placement for adoption, my right to change my mind and ask for my child's return will be limited and may be lost altogether. I also understand that I may not remove my child from the adoption agency or the prospective adopter(s) and that, if I do, I may be liable to prosecution.

I understand that I may withdraw my consent at any time until the prospective adopters start an adoption application in the court. If I do withdraw my consent and want my child returned to me, I understand that I must notify the Agency that I have changed my mind and I must, at all times, act through the Agency and not approach the prospective adopter(s) directly.

If I withdraw my consent, I understand that whether or not my child is returned to me will depend on a number of factors:

- If at the time my child has not been placed with the prospective adopter(s), the Agency will return my child to me within seven days of receiving my notification, unless they still consider that my child ought to be adopted. In that case, an application may have been or may be made to the court for a placement order and my child will only be returned to me if the court gives permission.
- If at the time the prospective adopters(s) have not yet applied to the court for an adoption order then
 - either an application may have been or may be made to the court for a placement order and my child will only be returned to me if the court gives permission;
 - or the Agency will give the prospective adopter(s) notice that they must return my child to the Agency within fourteen days, and the Agency will then return the child to me.
- If at the time the prospective adopter(s) have already applied to the court for an adoption order, I understand that I will not be able to ask the Agency for my child to be returned. I will be entitled to be told when the prospective adopters make their application to the court, but I will only be able to oppose the making of the adoption order if the court gives me permission to do so. For the court to consider giving permission, I must be

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able to show that there has been a change of circumstances since I gave my consent.

I understand that once I have given my consent to placement I will have no right to contact with my child, except by arrangement with the Agency or under a court order. I am entitled to apply to the court for an order for contact with my child at any time and the court will decide on the contact arrangements it considers are most appropriate.

I understand that I may sign a separate form consenting in advance to my child's adoption, and that if I do so, I can also ask not to be informed when the adoption application is made.

I have not received any payment or reward from any person making arrangements for the adoption of my child.

**[I have taken legal advice] / * [I have not taken legal advice, but I have been advised to do so],
about giving my consent to my child being placed for adoption and the effect on my parental rights.
(delete as appropriate)

I consent unconditionally and with full understanding of what is involved, to the placement of _____ (my child) for adoption with

*[_____] (the named prospective adopter(s)]

**[the prospective adopter(s) identified as _____]
(complete as appropriate)

and, if this placement breaks down, with any prospective adopter(s) chosen by the adoption agency.

Signed.....

on day of 20xx

Witness statement

This form was signed by

on the day of 20xx

before me *(print full name)*

Signed.....

Office of witness*.....

Address of witness.....

.....

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AR19

Advance Consent to Adoption

Section 16 of the Adoption Act 2023

Name of child

Before signing this form you are advised to seek legal advice about consenting to adoption and the effect on your parental rights.

Name and address of the Agency in the matter:

.....
.....
.....

I consent to the making of a final adoption order for _____ (my child)

*in favour of any prospective adopter(s) chosen by the Agency.

*in favour of _____ (the named prospective adopter(s)).

*in favour of the prospective adopter(s) identified as _____

*in favour of _____ (the named prospective adopter(s)) and, if this placement breaks down, in favour of any prospective adopter(s) chosen by the Agency.

*in favour of the prospective adopter(s) identified as _____ and, if this placement breaks down, in favour of any prospective adopter(s) chosen by the Agency.
(*please delete as appropriate)

I understand that, when an adoption order is made, I will no longer legally be treated as the parent, and that my child will from then on become part of the adopter(s) family.

I understand that I may withdraw my consent to the making of an adoption order at any time until the prospective adopter(s) start(s) an adoption application in the court. After that time, I may only oppose the making of the adoption order if the court gives me permission to do so. The court will only consider giving permission if I can show that there has been a change of circumstances since I gave my consent.

I understand that when the application for an adoption order is heard, this document may be used as evidence of my agreement to the making of the order unless I inform the court otherwise.

I have not received any payment or reward from any person making arrangements for the adoption of my child.

[I have taken legal advice] /[I have not taken legal advice, but I have been advised to do so], about giving my consent to adoption and the effect on my parental rights.
(*delete as appropriate)

I consent, unconditionally and with full understanding of what is involved, to the making of a final adoption order for _____ (my child).

Signed

On the day of 20xx

Witness statement

This form was signed by
on the day of 20xx
before me (print full name)

Signed

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Office of witness*.....
Address of witness.....
.....
.....

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AR20

Consent to Adoption

The Adoption Act 2023

Name of child

Before signing this form you are advised to seek legal advice about consenting to adoption and the effect on your parental rights.

I, the undersigned _____ consent to the making of a final adoption order in respect of _____ (my child), who is the child to whom the attached birth certificate relates⁽¹⁾, in favour of ⁽²⁾

_____ (the applicant(s))

the applicant(s) applying under case number _____

I understand that, once the application for the adoption order has been started in the court, my child may only be returned to me if the court so orders. When the adoption order is made, I understand that I will no longer legally be treated as the parent and that my child will from then on become part of the applicant(s)' family. I will have no right to have my child returned to me. I also understand that I will have no right to contact with my child unless it is by arrangement with the applicant(s), or under a court order, when the court will decide on the contact arrangements it considers are most appropriate. Until the adoption order is made, I am entitled to apply to the court for an order for contact with my child at any time. Once the adoption order is made, I will only be entitled to apply for a contact order if the court gives permission.

I understand that when the application for an adoption order is heard, this document may be used as evidence of my consent to the making of the order, unless I inform the court otherwise.

As far as I know, the only person(s) or body(ies) who has/have taken part in the arrangements for my child's adoption is/are⁽³⁾ _____

I have not received any payment or reward from any person making arrangements for the adoption of my child.

^{*}[I have taken legal advice] / ^{*}[I have not taken legal advice, but I have been advised to do so], about giving my consent to adoption and the effect on my parental rights.

^{*}(delete as appropriate)

I consent, unconditionally and with full understanding of what is involved, to the making of a final adoption order for _____ (my child).

Signed

On the day of 20

Witness statement

This form was signed by on the day of 20 before me (print full name)

Signed

Office of witness*

Address of witness.....

.....

.....

Notes

1. If the child has previously been adopted, a certified copy of the entry in the Adopted Children Register should be attached and not a certified copy of the original entry in the Registers of Births.

Where two or more consent forms are supplied to the court at the same time, they may both or all refer to a certificate attached to one of the consent forms.

2. Enter either the name(s) of the applicant(s) for the adoption order or the serial number assigned to the applicant(s) for purposes of the application.

3. Enter the name and address of any person at the Agency that took part in the arrangements for the child's adoption.

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AR21
Adoption Act 2023

Name of child:

Before signing this form, you are advised to seek legal advice about consenting to the making of an order under section 76 of the Adoption Act 2023 and the effect on your parental rights.

I, the undersigned _____ consent to the making of an order under section 76 of the Adoption Act 2023 giving parental responsibility for _____ (my child), who is the child to whom the attached birth certificate relates (1), to (2)
* [_____ (the applicant(s))
*[the applicant(s) applying under case number _____]
**(complete as applicable)*

prior to my child being taken to [insert name of country if known][a country outside Gibraltar] to be adopted by the applicant(s).

I understand that, once the application for the order under section 76 has been started in the court, I am likely to need the court's permission for my child to be returned to me. Once the order is made, I understand that I will have no right to have my child returned to me.

I also understand that once the application for the order under section 76 has been started in the court I will have no right to contact with my child unless it is by arrangement
*[with the Agency]
*[with the applicant(s)] **(delete as applicable)*
or by order of the court, when the court will decide on the contact arrangements it considers are most appropriate. Once the order under section 76 has been made and my child has been taken to a country outside Gibraltar, I understand that it is likely to be difficult for me to enforce any contact order made here, or to obtain a contact order in that country. If I will want contact with my child after the order has been made, I should obtain legal advice.

As far as I know, the only person(s) or body(ies) who has/have taken part in the arrangements for the adoption of my child is/are(4) _____

I have not received any payment or reward from any person making arrangements for the adoption of my child.

*[I have taken legal advice] *[I have not taken legal advice, but I have been advised to do so], about giving my consent to the making of an order under section 76 giving the applicant(s) parental responsibility for my child prior to adoption abroad and the effect on my parental rights, in particular, the difficulties of maintaining contact with my child once the order is made.
**(delete as applicable)*

I understand that when the application for the order is heard this document may be used as evidence of my agreement to the making of the order, unless I inform the court otherwise.

I consent, unconditionally and with full understanding of what is involved, to the making of an order under section 76 of the Adoption Act 2023 in respect of _____ (my child).

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Signed.....
On the day of 20

Witness statement

This form was signed by.....
on the day of 20
before me (*print full name*).....

Signed.....

Office of witness *.....
Address of witness.....
.....
.....

Notes

1. If the child has previously been adopted, a certified copy of the entry in the Adopted Children Register should be attached and not a certified copy of the original entry in the Registers of Births and Deaths.
2. Enter either the name(s) of the applicant(s) for the order under section 76, or the serial number assigned to the applicant(s) for purposes of the application.
4. Enter the name and address of any person or adoption agency that took part in the arrangements for the child's adoption.

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AR22

Withdrawal of Consent

Sections 15 and 16 of the Adoption Act 2023

Name of child.....

Name and address of the Agency in the matter: .

I, the undersigned _____ of _____

being the parent/guardian of _____ (the child) state as follows:

*I withdraw my consent given on the _____ the
day of _____,
20__, to _____ (the child) being placed for adoption by the Agency in the
matter

*I withdraw my consent given on the _____ the
day of _____,
20__, to _____ (the child) being placed for adoption by the Agency in the matter and
to the future adoption of the child

*I withdraw my consent to the future adoption of _____ (the child)
given on the _____ day of _____, 20__

(* complete as applicable)

Signed.....

on the _____ day of _____, 20[xx]