

# REGULATIONS 1970, No. 12\*

1817

## Regulations under the *Adoption of Children Ordinance* 1964-1967

I, FREDERICK CHARLES CHANEY, the Administrator of the Northern Territory of Australia, having received the advice of the Administrator's Council, in pursuance of the powers conferred on me by the *Adoption of Children Ordinance* 1964-1967 and the *Administrator's Council Ordinance* 1959-1963, hereby make the following Regulations.

Dated this thirteenth day of May, 1970.

F. CHANEY  
Administrator

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### AMENDMENTS OF THE ADOPTION OF CHILDREN REGULATIONS†

1. Regulation 8 of the Adoption of Children Regulations is amended by omitting from sub-regulation (6.) the words "The Registrar" and inserting in their stead the words "Subject to the next succeeding regulation, the Registrar".

Register of  
Adoptions

2. After Regulation 8 of the Adoption of Children Regulations the following regulation is inserted:—

Issue of  
certificate  
of date of  
birth, &c., of  
person born  
overseas

"8A.—(1.) A person may make application in writing to the Registrar of Births, Deaths and Marriages for the issue to him of a certificate stating particulars, as they appear from an entry in the Register of Adoptions, of—

- (a) the date of birth of a person born elsewhere than in a State or Territory of the Commonwealth; or
- (b) the name or names of the adoptive parent or adoptive parents, as the case may be, of the last-mentioned person,

or both.

"(2.) An application under the last preceding sub-regulation shall be deemed not to have been duly made unless it specifies—

- (a) the entry from which the particulars referred to in that sub-regulation appear; and
- (b) except where the application is made by the person to whom the entry relates, the reason for which the certificate is required.

"(3.) Subject to this regulation, the Registrar of Births, Deaths and Marriages shall, on receipt of an application duly made under sub-regulation (1.) of this regulation and of a fee of fifty cents—

- (a) search for the relevant entry in the Register of Adoptions; and
- (b) issue to the person making the application a certificate in accordance with Form II.

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\* Notified in the *Northern Territory Government Gazette* on 20 May, 1970.

† Regulations 1967, No. 12 as amended by Regulations 1967, No. 16.

*Adoption of Children Regulations*

"(4.) The Registrar of Births, Deaths and Marriages shall not, in a certificate issued by him under the last preceding sub-regulation, state any particulars appearing from an entry in the Register of Adoptions other than the name of the person to whom the entry relates, the date of birth of that person and the name or names of the adoptive parent or adoptive parents, as the case may be, of that person.

"(5.) Where an application for the issue of a certificate under this regulation is made by a person other than the person to whom the relevant entry in the Register of Adoptions relates, the Registrar of Births, Deaths and Marriages may refuse to issue the certificate if he is of the opinion that the person making the application has not a proper reason for requiring the issue of the certificate."

Form 1

3.—(1.) The First Schedule to the Adoption of Children Regulations is amended by omitting Form I and inserting in its stead the following form:—

## FORM I

Regulation 6

## THE NORTHERN TERRITORY OF AUSTRALIA

*Adoption of Children Ordinance 1964-1967*

## CONSENT OF PARENT OR GUARDIAN TO ADOPTION

I (or We) (*full name and address of each person consenting and the capacity in which each person's consent is required*) hereby consent to the adoption of (*name in which the birth of the child to be adopted is registered*) born (*date and place of birth*) by any person or persons whose application for an adoption order in respect of the child is approved by or on behalf of the Director (*or by (full names and address of a particular person or persons, being a person who is, or persons one of whom is, a relative of the child)*).

I (or We) have read (or there has been read to me (or us) ) the explanation set out below of the effect of an adoption order.

\*I desire that my child be brought up in the (*name of religion*).

\*I desire that my child be brought up in the religion (if any) of the proposed adoptive parent or parents.

\*I do not desire to express a wish with respect to the religious upbringing of my child.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 .

(*Signature(s) of persons (s) consenting*)

In the presence of: (*Signature, address and occupation of witness*)

\*Strike out  
whichever is  
inappropriate

*Adoption of Children Regulations*

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EFFECT OF ADOPTION ORDER

Upon the making of an adoption order—

- (a) the child is deemed for all purposes and as regards all relationships to become a legitimate child of the adoptive parents;
- (b) rights of guardianship and existing relationships in respect of the child cease except for the purpose of determining forbidden relationships in connection with marriage and the crime of incest;
- (c) rights in respect of property and succession to property are determined according to the relationship created by the adoption, but property rights acquired before the adoption are not affected;
- (d) the child acquires the domicile of the adoptive parents, but the child's race, nationality and citizenship are not affected; and
- (e) an affiliation or maintenance order, or an agreement, made before the adoption order, by which the putative father of the child is to make payments for the maintenance of the child ceases to have any further effect (except as to arrears owing) unless the adopter is the mother of the child and is a single woman.

(2.) The First Schedule to the Adoption of Children Regulations is amended by adding at the end thereof the following Form:—

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FORM II

Regulation 8A

THE NORTHERN TERRITORY OF AUSTRALIA

*Adoption of Children Ordinance 1964-1967*

I, \_\_\_\_\_, the Registrar of Births, Deaths and Marriages, hereby certify that it appears from an entry in a register kept in my office that (*name of person to whom entry relates*) was born on \_\_\_\_\_ (*and, where appropriate*) and that the names of the parents of that person are \_\_\_\_\_ )

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 .

Registrar of Births, Deaths and Marriages.

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