
From: Intercountry Adoption [mailto:Intercountry.Adoption@ag.gov.au]
Sent: Friday, 21 June 2013 10:16 AM
To: rickyb@australiansadopt.org
Subject: RE: MC12/18516 - Response to your correspondence received by the Attorney-General's Department [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Ricky

Thank you for your email of 3 June 2013 requesting an update on Recommendation 11 of the House of Representatives' Standing Committee on Family and Human Services' report *Overseas Adoption in Australia*.

As you're aware, in its response to the *Overseas Adoption in Australia* Report, the Howard Government accepted Recommendation 11 as an enabling recommendation (ie the Attorney-General would request amended legislation that enabled births of overseas adopted children to be registered at the request of the parents or, in future years, at the request of the adopted child).

On 10 August 2007, the then Attorney-General wrote to the relevant State and Territory Ministers requesting that they amend their legislation to provide for registration of births for future adopted children arriving in Australia.

Queensland, Victoria and the Northern Territory have enacted legislation to allow Australian birth certificates to be issued to children whose adoptions are finalised overseas. South Australia has changed its internal policy to enable adoptees whose adoption was completed overseas in a Hague Convention country to be issued with a South Australian birth certificate without changing its legislation.

New South Wales, Western Australia, Tasmania and the ACT have also not amended their legislation. WA has an internal process for children adopted from China to obtain an Australian birth certificate. Tasmanian families may apply to the Magistrate's Court for an order to issue a Tasmanian birth certificate, on a case by case basis. The ACT is currently developing an internal process with the Office of Regulatory Services (births, deaths and marriages). We understand that NSW continues in its consideration of this matter.

Ultimately, the decision to amend legislation to allow Australian birth certificates to be issued to children whose adoptions are finalised overseas is a matter for the relevant authorities in the states and territories. This issue continues to be discussed at a number of national forums, including the most recent Harmonisation Working Group meeting in Canberra on 7 May 2013. The official communiqué from the meeting can be found on the [Harmonisation Working Group](#) page of our website.

I trust this information has been of assistance.

Kind regards

Josh

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