

Because of the new immigration regulations, every single child entering or leaving SA will HAVE to have a current unabridged birth certificate reflecting his or her legal status. In other words, children adopted in SA by “foreigners” will have to have an unabridged certificate in their post adoption names and adoptive surname.

This will have a huge impact on both National and Intercountry adoptions , since all adoptive parents will first have to do the amendment after the adoption(which can take months) and then get the new unabridged birth certificate that will reflect their detail together with the child.

We have done a summary of the required administrative process for intercountry adoptions after 1/10/2014:

**PROCESS FROM 1 OCTOBER 2014 for Intercountry Adoptions
(Families will have to stay minimum 10 weeks)**

Families will need the following documents to leave:

- Adoption order
 - Certificate of conformity in terms of The Hague, Article Section 23 of the Hague Convention of 29 May 1993 on the protection of children and the cooperation in respect of intercountry adoptions issued by the SA Central Authority.
 - Article 17 issued by the Central Authority by the country where the child will be living i.e. the receiving country.
 - Unabridged South African birth certificate with the adoptive parents details (full names and surnames and dates of birth) (according to civic service procedures this will take ± 6-8 weeks after the adoption was registered)
- Passport of child
- Visa – if applicable for the country of origin for the adoptive parents.
 - Some receiving States, like Finland, the adopted child will automatically be granted citizenship from the moment the adoption order is issued. In these cases the children will then leave SA with their emergency Finnish passports and Finnish

unabridged birth certificates.

With National adoptions , adoptive parents will have to wait the Registrar for the order , before they can apply for the amendment and then unabridged. This will take months.

It is clear from this summary that the new requirements will have a huge impact on the time frame required from parents to stay in SA before they can return to their countries of origin. We also realize that the time frame of 6 to 8 weeks to issue the amended unabridged birth certificate is not a given and cannot be guaranteed. In our own experience it can in fact take up to 8-9 months for an unabridged birth certificate to reflect the new legal status of an adopted child. Should there be any mistake or complication, the process can take longer and parents will be required to stay in the country for even longer periods. This will influence the number of parents that will be open to adopt from SA, since not many families can travel for an indeterminate period.

We have been dialoging with both SACA and Home Affairs and have appealed for consideration of more expedient procedures for adoptive parents. We will continue to Lobby for procedures that will not delay children's right to permanent family care. We will keep you informed.