

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 29 April, 1971.*

New South Wales



ANNO VICESIMO

ELIZABETHÆ II REGINÆ

Act No. , 1971.

An Act relating to residence qualifications of adopting parents and guardianship of children in respect of whom general consent to adoption has been given; for these and other purposes to amend the Adoption of Children Act, 1965; and for purposes connected therewith.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Adoption of Children (Amendment) Act, 1971".

2.

Adoption of Children (Amendment).

2. The Adoption of Children Act, 1965, is amended—

Amendment
of Act No.
23, 1965.

- (a) (i) by omitting from subsection two of section eight the word "twenty-one" and by inserting in lieu thereof the word "thirty";

Sec. 8.
(Cases in
which juris-
diction may
be exer-
cised.)

- 5 (ii) by inserting at the end of the same section the following new subsection :—

10 (3) A reference in subsections one and two of this section to an applicant being resident in New South Wales at a particular time or on a particular date includes a reference to an applicant who has had his usual place of abode in New South Wales for a period of at least three months immediately before that time or date.

- 15 (b) by omitting subsection two of section eighteen and by inserting in lieu thereof the following sub-
section :—

Sec. 18.
(Who
may be
adopted.)

(2) Except where—

- 20 (a) the applicant is a person, or the applicants are persons, in whose favour a consent referred to in subsection two of section twenty-seven of this Act has been given; or

- 25 (b) the applicant, or either of the applicants, is a relative of the child, and the appropriate person, or every appropriate person, as the case may be, whose consent to the adoption would, but for the fact that he is deceased, be required under section twenty-six of this Act, has died without giving his consent referred to in that section,

the

Adoption of Children (Amendment).

- the Court shall not make an adoption order unless the application is made on behalf of the applicant or applicants by the Director or by the principal officer of a private adoption agency.
- 5 (c) by omitting from subsection two of section nineteen the words "exceptional circumstances make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 19. (Persons in whose favour adoption orders may be made.)
- 10 (d) by omitting from section twenty the words "there are exceptional circumstances that make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 20. (Age of adopters.)
- 15 (e) (i) by omitting from paragraph (b) of subparagraph (ii) of paragraph (c) of subsection one of section twenty-one the words "exceptional circumstances make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 21. (Court to be satisfied as to certain matters.)
- 20 (ii) by inserting in subsection three of the same section after the word "given" the words "or in any case where the applicant, or either of the applicants, is a relative of the child and the appropriate person, or every appropriate person, as the case may be, whose consent to the adoption would, but for the fact that he is deceased, be required under section twenty-six of this Act, has died without giving his consent referred to in that section";
- 25
- 30 (f) by inserting next after subsection one of section twenty-two the following new subsection :— Sec. 22. (Notice of application for adoption orders.)
- (1A) Notwithstanding the provisions of subsection one of this section, the Court may make an order without a notice referred to in that subsection having been given or sent to a person with
- whom

Adoption of Children (Amendment).

5 whom the child resides or who has the care or custody of the child if the child resides with that person only as a patient or inmate of a hospital of which that person is in charge or that person has the care or custody of the child only as the person in charge of a hospital.

(g) (i) by inserting in subsection one of section twenty-eight after the words "may not" the words ", except as provided by subsection three of this section,"; ^(Revocation of consents.)

(ii) by inserting next after subsection two of the same section the following new subsection :—

(3) Upon the Director's ceasing to be the guardian of a child by reason of paragraph (c1) of subsection five of section thirty-four of this Act, any consent to the adoption of the child given for the purposes of this Act shall be deemed to be lawfully revoked and the Director shall forthwith give notice of the revocation to the Master in Equity and, if the consent was given to the principal officer of a private adoption agency, to that principal officer.

(h) (i) by omitting from subsection one of section thirty-two the words "the request of the Director or of the principal officer of a private adoption agency" and by inserting in lieu thereof the words "a request made in accordance with subsection (1A) of this section,"; ^(Court may dispense with consents.)

(ii) by inserting next after the same subsection the following new subsection :—

(1A) The persons who may make a request for the purposes of subsection one of this section are—

(a) the Director;

(b)

Adoption of Children (Amendment).

- (b) the principal officer of a private adoption agency; or
- (c) where an application has been made to the Court for the adoption of the child and—
- (i) the child is a legitimate child; and
- (ii) that application is made jointly by a husband and wife and one of them is a parent of the child,
- those applicants.
- (iii) by inserting at the end of subsection two of the same section the words “but shall not be made on the request of a person referred to in paragraph (c) of subsection (1A) of this section except in conjunction with an adoption order in favour of that person or of that person and another person”;
- (iv) by omitting paragraph (a) of subsection five of the same section and by inserting in lieu thereof the following paragraph :—
- (a) except—
- (i) in relation to a person referred to in paragraph (a) of subsection one of this section;
- (ii) in relation to a person referred to in paragraph (b) of that subsection whose physical or mental health would, in the opinion of the Court, be detrimentally affected if he were to receive a notice referred to in this paragraph; or
- (iii)

Adoption of Children (Amendment).

5 (iii) where the Court considers that
in the particular circumstances
of the case it is desirable to
make an order under that sub-
section without a notice
referred to in this paragraph
having been given or sent as so
referred to,

10 make such an order unless notice of
the request for the order has been
given or sent by post to the person
whose consent is sought to be dis-
pensed with at least fourteen days
15 before the request for the order is
made to the Court; or;

(i) (i) by inserting next after subsection two of Sec. 34.
section thirty-four the following new sub- (Guardian-
sections :— ship of
child
awaiting
adoption.)

20 (2A) Within twenty-one days after the
receipt by him of a notice referred to in
paragraph (b) of subsection two of this
section, the Director may, by instrument in
writing, decline to be the guardian of the child
to whom that notice relates.

25 (2B) Where the Director executes an
instrument referred to in subsection (2A) of
this section, he shall forthwith cause a copy
of the instrument to be given or sent by
30 registered post to the person or each of the
persons, as the case may be, by whom the
consent to the adoption of the child was given.

(2c) Where—

35 (a) an officer of another State or of a
Territory whose functions correspond
to those of the Director under this Act

has

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- has become the guardian of a child under a law of that State or Territory corresponding to this section;
- 5 (b) the consent to the adoption of the child held by that officer cannot be lawfully revoked by the person or persons by whom it was given;
- (c) the Director is satisfied that the child is present in New South Wales;
- 10 (d) that officer has requested the Director to accept, and the Director has, by an instrument in writing forwarded to that officer, agreed to accept, guardianship of the child; and
- 15 (e) under that law, that officer ceases, upon the execution by him of an instrument renouncing his guardianship of the child, to be the guardian of the child,
- 20 the Director is, upon the execution of that instrument, the guardian of the child (for purposes other than the purposes of section twenty-six of this Act) to the exclusion of all other persons.
- 25 (2D) The provisions of subsection (2C) of this section do not apply to a child who is a ward within the meaning of the Child Welfare Act, 1939, as amended by subsequent Acts.
- 30 (ii) by inserting in subsection three of the same section after the word "one" where firstly occurring the symbols, figure and letter
 ", (2c)";
- (iii)

Adoption of Children (Amendment).

(iii) by inserting next after subsection four of the same section the following new subsection :—

(4A) Where—

- 5 (a) the Director has become the guardian of a child under subsection one, (2c) or four of this section;
- 10 (b) the consent to the adoption of the child cannot be lawfully revoked by the person or persons by whom it was given;
- (c) the Director is satisfied that the child is present in another State or in a Territory of the Commonwealth;
- 15 (d) the Director has requested an officer of that State or Territory whose functions correspond to those of the Director under this Act to accept, and that officer has, by an instrument in writing forwarded to the Director, agreed to accept, guardianship of the child; and
- 20 (e) under the law of that other State or Territory, that officer will, upon the execution by the Director of an instrument in writing renouncing the Director's guardianship of the child, become the guardian of the child,
- 25 the Director may execute an instrument in writing renouncing guardianship of the child and, where he does so, shall forthwith forward the instrument to that officer.
- 30

(iv) by inserting in subsection five of the same section after the word "one" the symbols, figure and letter ", (2c)";

(v)

Adoption of Children (Amendment).

(v) by inserting next after paragraph (c) of the same subsection the following new paragraphs :—

5 (c1) the Director, pursuant to subsection six of this section, places the child—

(i) where the child is a legitimate child, in the care of the parents of the child or, if one of those parents is deceased, in the care of the surviving parent of the child; or

10 (ii) where the child is an illegitimate child, in the care of the mother of the child;

15 (c2) the Director executes an instrument referred to in subsection (2A) of this section;

20 (c3) the Director, pursuant to subsection (4A) of this section, executes an instrument in writing renouncing guardianship of the child;

(vi) by inserting in subsection six of the same section after the word “one” the symbols, figure, letter and words “, (2C) or four”.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1971
[10c]

No. , 1971.

A BILL

Relating to residence qualifications of adopting parents and guardianship of children in respect of whom general consent to adoption has been given; for these and other purposes to amend the Adoption of Children Act, 1965; and for purposes connected therewith.

[MR WADDY—20 April, 1971.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Adoption of Children Short title.
(Amendment) Act, 1971".

2.

Adoption of Children (Amendment).

2. The Adoption of Children Act, 1965, is amended— Amendment
of Act No.
23, 1965.

(a) (i) by omitting from subsection two of section Sec. 8.
eight the word "twenty-one" and by inserting (Cases in
in lieu thereof the word "thirty"; which juris-
diction may
be exer-
cised.)

5 (ii) by inserting at the end of the same section the
following new subsection :—

10 (3) A reference in subsections one and two
of this section to an applicant being resident
in New South Wales at a particular time or
on a particular date includes a reference to
an applicant who has had his usual place of
abode in New South Wales for a period of at
least three months immediately before that
time or date.

15 (b) by omitting subsection two of section eighteen and Sec. 18.
by inserting in lieu thereof the following sub- (Who
section :— may be
adopted.)

(2) Except where—

20 (a) the applicant is a person, or the applicants
are persons, in whose favour a consent
referred to in subsection two of section
twenty-seven of this Act has been given;
or

25 (b) the applicant, or either of the applicants,
is a relative of the child, and the appro-
priate person, or every appropriate person,
as the case may be, whose consent to the
adoption would, but for the fact that he is
deceased, be required under section twenty-
30 six of this Act, has died without giving his
consent referred to in that section,

the

Adoption of Children (Amendment).

the Court shall not make an adoption order unless the application is made on behalf of the applicant or applicants by the Director or by the principal officer of a private adoption agency.

- 5 (c) by omitting from subsection two of section nineteen the words "exceptional circumstances make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 19. (Persons in whose favour adoption orders may be made.)
- 10 (d) by omitting from section twenty the words "there are exceptional circumstances that make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 20. (Age of adopters.)
- 15 (e) (i) by omitting from paragraph (b) of subparagraph (ii) of paragraph (c) of subsection one of section twenty-one the words "exceptional circumstances make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 21. (Court to be satisfied as to certain matters.)
- 20 (ii) by inserting in subsection three of the same section after the word "given" the words "or in any case where the applicant, or either of the applicants, is a relative of the child and the appropriate person, or every appropriate person, as the case may be, whose consent to the adoption would, but for the fact that he is deceased, be required under section twenty-six of this Act, has died without giving his consent referred to in that section";
- 25
- 30 (f) by inserting next after subsection one of section twenty-two the following new subsection :— Sec. 22. (Notice of application for adoption orders.)
- (1A) Notwithstanding the provisions of subsection one of this section, the Court may make an order without a notice referred to in that subsection having been given or sent to a person with whom

Adoption of Children (Amendment).

5 whom the child resides or who has the care or custody of the child if the child resides with that person only as a patient or inmate of a hospital of which that person is in charge or that person has the care or custody of the child only as the person in charge of a hospital.

10 (g) (i) by inserting in subsection one of section twenty-eight after the words "may not" the words "except as provided by subsection three of this section,"; (Revocation of consents.)

(ii) by inserting next after subsection two of the same section the following new subsection :—

15 (3) Upon the Director's ceasing to be the guardian of a child by reason of paragraph (c1) of subsection five of section thirty-four of this Act, any consent to the adoption of the child given for the purposes of this Act shall be deemed to be lawfully revoked and the Director shall forthwith give notice of the revocation to the Master in Equity and, if the consent was given to the principal officer of a private adoption agency, to that principal officer.

25 (h) (i) by omitting from subsection one of section thirty-two the words "the request of the Director or of the principal officer of a private adoption agency" and by inserting in lieu thereof the words "a request made in accordance with subsection (1A) of this section,"; (Court may dispense with consents.)

30 (ii) by inserting next after the same subsection the following new subsection :—

(1A) The persons who may make a request for the purposes of subsection one of this section are—

35 (a) the Director;

(b)

Adoption of Children (Amendment).

- (b) the principal officer of a private adoption agency; or
- (c) where an application has been made to the Court for the adoption of the child and—
 - (i) the child is a legitimate child; and
 - (ii) that application is made jointly by a husband and wife and one of them is a parent of the child,
 those applicants.
- (iii) by inserting at the end of subsection two of the same section the words “but shall not be made on the request of a person referred to in paragraph (c) of subsection (1A) of this section except in conjunction with an adoption order in favour of that person or of that person and another person”;
- (iv) by omitting paragraph (a) of subsection five of the same section and by inserting in lieu thereof the following paragraph : —
 - (a) except—
 - (i) in relation to a person referred to in paragraph (a) of subsection one of this section;
 - (ii) in relation to a person referred to in paragraph (b) of that subsection whose physical or mental health would, in the opinion of the Court, be detrimentally affected if he were to receive a notice referred to in this paragraph; or
 - (iii)

Adoption of Children (Amendment).

- 5 (iii) where the Court considers that
in the particular circumstances
of the case it is desirable to
make an order under that sub-
section without a notice
referred to in this paragraph
having been given or sent as so
referred to,
- 10 make such an order unless notice of
the request for the order has been
given or sent by post to the person
whose consent is sought to be dis-
pensed with at least fourteen days
before the request for the order is
15 made to the Court; or;
- (i) (i) by inserting next after subsection two of Sec. 34.
section thirty-four the following new sub- (Guardian-
sections :— ship of
child
awaiting
adoption.)
- 20 (2A) Within twenty-one days after the
receipt by him of a notice referred to in
paragraph (b) of subsection two of this
section, the Director may, by instrument in
writing, decline to be the guardian of the child
to whom that notice relates.
- 25 (2B) Where the Director executes an
instrument referred to in subsection (2A) of
this section, he shall forthwith cause a copy
of the instrument to be given or sent by
registered post to the person or each of the
30 persons, as the case may be, by whom the
consent to the adoption of the child was given.
- (2C) Where—
- (a) an officer of another State or of a
Territory whose functions correspond
35 to those of the Director under this Act
- has

Adoption of Children (Amendment).

has become the guardian of a child under a law of that State or Territory corresponding to this section;

5 (b) the consent to the adoption of the child held by that officer cannot be lawfully revoked by the person or persons by whom it was given;

(c) the Director is satisfied that the child is present in New South Wales;

10 (d) that officer has requested the Director to accept, and the Director has, by an instrument in writing forwarded to that officer, agreed to accept, guardianship of the child; and

15 (e) under that law, that officer ceases, upon the execution by him of an instrument renouncing his guardianship of the child, to be the guardian of the child,

20 the Director is, upon the execution of that instrument, the guardian of the child (for purposes other than the purposes of section twenty-six of this Act) to the exclusion of all other persons.

25 (2D) The provisions of subsection (2C) of this section do not apply to a child who is a ward within the meaning of the Child Welfare Act, 1939, as amended by subsequent Acts.

30 (ii) by inserting in subsection three of the same section after the word "one" where firstly occurring the symbols, figure and letter ", (2c)";

(iii)

Adoption of Children (Amendment).

(iii) by inserting next after subsection four of the same section the following new subsection :—

(4A) Where—

- 5 (a) the Director has become the guardian of a child under subsection one, (2C) or four of this section;
- 10 (b) the consent to the adoption of the child cannot be lawfully revoked by the person or persons by whom it was given;
- (c) the Director is satisfied that the child is present in another State or in a Territory of the Commonwealth;
- 15 (d) the Director has requested an officer of that State or Territory whose functions correspond to those of the Director under this Act to accept, and that officer has, by an instrument in writing forwarded to the Director, agreed to accept, guardianship of the child; and
- 20 (e) under the law of that other State or Territory, that officer will, upon the execution by the Director of an instrument in writing renouncing the Director's guardianship of the child,
- 25 become the guardian of the child,
- 30 the Director may execute an instrument in writing renouncing guardianship of the child and, where he does so, shall forthwith forward the instrument to that officer.

(iv) by inserting in subsection five of the same section after the word "one" the symbols, figure and letter ", (2C)";

(v)

Adoption of Children (Amendment).

(v) by inserting next after paragraph (c) of the same subsection the following new paragraphs :—

5

(c1) the Director, pursuant to subsection six of this section, places the child—

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(i) where the child is a legitimate child, in the care of the parents of the child or, if one of those parents is deceased, in the care of the surviving parent of the child; or

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(ii) where the child is an illegitimate child, in the care of the mother of the child;

20

(c2) the Director executes an instrument referred to in subsection (2A) of this section;

(c3) the Director, pursuant to subsection (4A) of this section, executes an instrument in writing renouncing guardianship of the child;

(vi) by inserting in subsection six of the same section after the word “one” the symbols, figure, letter and words “, (2C) or four”.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1971
[10c]

Amendment of Chapter 15

(a) by inserting after paragraph (c) of the
the following new para-

graph:

(1) the person named in subsection six
of this section places the child--

the child in the care of the parent
of the child or, if one of those
persons is deceased, in the care
of the surviving parent of the
child; or

the child is an illegi-
timate child, in the care of the
mother of the child

(2) the child is placed in the care of a
person named in subsection (1) of this

section, and the child is placed in the
care of the person named in subsection (1)
of this section, and the child is placed in the
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person named in subsection (1) of this section.

PROOF

ADOPTION OF CHILDREN (AMENDMENT) BILL, 1971

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to clarify the requirements of the Adoption of Children Act, 1965, with respect to the qualification of residence of applicants for adoption orders;
- (b) to extend the circumstances in which an application for an adoption order in favour of a relative of the child may be made otherwise than by the Director of the Child Welfare Department or the principal officer of a private adoption agency;
- (c) to clarify the circumstances in which—
 - (i) the Court may make an adoption order in favour of one person;
 - (ii) the Court may make an adoption order in favour of a person who has not attained the age of twenty-one years or who is less than the prescribed number of years older than the child to be adopted;
 - (iii) a child who has attained the age of twenty-one years may be adopted;
- (d) to extend the circumstances in which an adoption order may be made in favour of a relative of the child in certain circumstances without that relative's name being included in the adoption register;
- (e) to remove the necessity for notice to be given to the person in charge of a hospital before an adoption order is made where the child is only a patient or inmate of the hospital or that person has the care or custody of the child only as the person in charge of the hospital;
- (f) to enable a request for consent to adoption to be dispensed with to be made to the Court otherwise than by the Director or the principal officer of a private adoption agency where in the case of a legitimate child one of the applicants is a parent of the child;
- (g) to enable the Court to make an order dispensing with the consent of a person to the adoption of a child without notice of the request for the order having been given to that person where—
 - (i) in the opinion of the Court the physical or mental health of that person would be detrimentally affected if he were to receive the notice; or
 - (ii) the Court considers that in the particular circumstances of the case, it is desirable to make an order;

- (h) to enable the Director to decline to be the guardian of a child in respect of whom a general consent to adoption has been given;
- (i) to enable the Director to accept guardianship of a child who is present in New South Wales and of whom an officer of another State or of a Territory, whose functions correspond to those of the Director, is the guardian pending adoption of the child;
- (j) to enable the Director to renounce guardianship of a child who is present in another State or in a Territory in favour of an officer referred to in paragraph (i) above;
- (k) to provide that the Director's guardianship of a child awaiting adoption under section 34 of the Act ceases where he places the child—
 - (i) being a legitimate child, in the care of the parents of the child or, if one of those parents is deceased, in the care of the surviving parent of the child; or
 - (ii) being an illegitimate child, in the care of the mother of the child,and to provide that in such cases the general consent to the adoption of the child shall be deemed to have been lawfully revoked;
- (1) to make other provisions consequential upon or ancillary to the foregoing.

No. , 1971.

A BILL

Relating to residence qualifications of adopting parents and guardianship of children in respect of whom general consent to adoption has been given; for these and other purposes to amend the Adoption of Children Act, 1965; and for purposes connected therewith.

[MR WADDY—20 April, 1971.]

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2. The Adoption of Children Act, 1965, is amended— Amendment
of Act No.
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(a) (i) by omitting from subsection two of section Sec. 8.
eight the word "twenty-one" and by inserting (Cases in
in lieu thereof the word "thirty"; which juris-
diction may
be exer-
cised.)

5 (ii) by inserting at the end of the same section the
following new subsection :—

10 (3) A reference in subsections one and two
of this section to an applicant being resident
in New South Wales at a particular time or
on a particular date includes a reference to
an applicant who has had his usual place of
abode in New South Wales for a period of at
least three months immediately before that
time or date.

15 (b) by omitting subsection two of section eighteen and Sec. 18.
by inserting in lieu thereof the following sub- (Who
section :— may be
adopted.)

(2) Except where—

20 (a) the applicant is a person, or the applicants
are persons, in whose favour a consent
referred to in subsection two of section
twenty-seven of this Act has been given;
or

25 (b) the applicant, or either of the applicants,
is a relative of the child, and the appro-
priate person, or every appropriate person,
as the case may be, whose consent to the
adoption would, but for the fact that he is
deceased, be required under section twenty-
30 six of this Act, has died without giving his
consent referred to in that section,

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Adoption of Children (Amendment).

the Court shall not make an adoption order unless the application is made on behalf of the applicant or applicants by the Director or by the principal officer of a private adoption agency.

- 5 (c) by omitting from subsection two of section nineteen the words "exceptional circumstances make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 19. (Persons in whose favour adoption orders may be made.)
- 10 (d) by omitting from section twenty the words "there are exceptional circumstances that make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 20. (Age of adopters.)
- 15 (e) (i) by omitting from paragraph (b) of subparagraph (ii) of paragraph (c) of subsection one of section twenty-one the words "exceptional circumstances make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 21. (Court to be satisfied as to certain matters.)
- 20 (ii) by inserting in subsection three of the same section after the word "given" the words "or in any case where the applicant, or either of the applicants, is a relative of the child and the appropriate person, or every appropriate person, as the case may be, whose consent to the adoption would, but for the fact that he
- 25 is deceased, be required under section twenty-six of this Act, has died without giving his consent referred to in that section";
- 30 (f) by inserting next after subsection one of section twenty-two the following new subsection :— Sec. 22. (Notice of application for adoption orders.)
- (1A) Notwithstanding the provisions of subsection one of this section, the Court may make an order without a notice referred to in that subsection having been given or sent to a person with
- (d) whom

Adoption of Children (Amendment).

whom the child resides or who has the care or custody of the child if the child resides with that person only as a patient or inmate of a hospital of which that person is in charge or that person has the care or custody of the child only as the person in charge of a hospital.

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(g) (i) by inserting in subsection one of section twenty-eight after the words "may not" the words ", except as provided by subsection three of this section,";

(ii) by inserting next after subsection two of the same section the following new subsection :—

(3) Upon the Director's ceasing to be the guardian of a child by reason of paragraph (c1) of subsection five of section thirty-four of this Act, any consent to the adoption of the child given for the purposes of this Act shall be deemed to be lawfully revoked and the Director shall forthwith give notice of the revocation to the Master in Equity and, if the consent was given to the principal officer of a private adoption agency, to that principal officer.

(h) (i) by omitting from subsection one of section thirty-two the words "the request of the Director or of the principal officer of a private adoption agency" and by inserting in lieu thereof the words "a request made in accordance with subsection (1A) of this section,";

(ii) by inserting next after the same subsection the following new subsection :—

(1A) The persons who may make a request for the purposes of subsection one of this section are—

(a) the Director;

(b)

Adoption of Children (Amendment).

- 5 (b) the principal officer of a private adoption agency; or
- (c) where an application has been made to the Court for the adoption of the child and—
- 10 (i) the child is a legitimate child; and
- (ii) that application is made jointly by a husband and wife and one of them is a parent of the child,
- those applicants.
- 15 (iii) by inserting at the end of subsection two of the same section the words “but shall not be made on the request of a person referred to in paragraph (c) of subsection (1A) of this section except in conjunction with an adoption order in favour of that person or of that person and another person”;
- 20 (iv) by omitting paragraph (a) of subsection five of the same section and by inserting in lieu thereof the following paragraph :—
- (a) except—
- 25 (i) in relation to a person referred to in paragraph (a) of subsection one of this section;
- (ii) in relation to a person referred to in paragraph (b) of that subsection whose physical or mental health would, in the opinion of the Court, be detrimentally affected if he were to receive a notice referred to in this paragraph; or
- 30 (iii)

Adoption of Children (Amendment).

- (iii) where the Court considers that in the particular circumstances of the case it is desirable to make an order under that subsection without a notice referred to in this paragraph having been given or sent as so referred to,
- make such an order unless notice of the request for the order has been given or sent by post to the person whose consent is sought to be dispensed with at least fourteen days before the request for the order is made to the Court; or;
- (i) (i) by inserting next after subsection two of Sec. 34. section thirty-four the following new sub- (Guardian-ship of child awaiting adoption.) sections :—
- (2A) Within twenty-one days after the receipt by him of a notice referred to in paragraph (b) of subsection two of this section, the Director may, by instrument in writing, decline to be the guardian of the child to whom that notice relates.
- (2B) Where the Director executes an instrument referred to in subsection (2A) of this section, he shall forthwith cause a copy of the instrument to be given or sent by registered post to the person or each of the persons, as the case may be, by whom the consent to the adoption of the child was given.
- (2C) Where—
- (a) an officer of another State or of a Territory whose functions correspond to those of the Director under this Act
- has

(iii)

Adoption of Children (Amendment).

has become the guardian of a child under a law of that State or Territory corresponding to this section;

5 (b) the consent to the adoption of the child held by that officer cannot be lawfully revoked by the person or persons by whom it was given;

(c) the Director is satisfied that the child is present in New South Wales;

10 (d) that officer has requested the Director to accept, and the Director has, by an instrument in writing forwarded to that officer, agreed to accept, guardianship of the child; and

15 (e) under that law, that officer ceases, upon the execution by him of an instrument renouncing his guardianship of the child, to be the guardian of the child,

20 the Director is, upon the execution of that instrument, the guardian of the child (for purposes other than the purposes of section twenty-six of this Act) to the exclusion of all other persons.

25 (2D) The provisions of subsection (2C) of this section do not apply to a child who is a ward within the meaning of the Child Welfare Act, 1939, as amended by subsequent Acts.

30 (ii) by inserting in subsection three of the same section after the word "one" where firstly occurring the symbols, figure and letter ", (2C)";

(iii)

Adoption of Children (Amendment).

(iii) by inserting next after subsection four of the same section the following new subsection :—

(4A) Where—

5

(a) the Director has become the guardian of a child under subsection one, (2c) or four of this section;

10

(b) the consent to the adoption of the child cannot be lawfully revoked by the person or persons by whom it was given;

15

(c) the Director is satisfied that the child is present in another State or in a Territory of the Commonwealth;

20

(d) the Director has requested an officer of that State or Territory whose functions correspond to those of the Director under this Act to accept, and that officer has, by an instrument in writing forwarded to the Director, agreed to accept, guardianship of the child; and

25

(e) under the law of that other State or Territory, that officer will, upon the execution by the Director of an instrument in writing renouncing the Director's guardianship of the child, become the guardian of the child,

30

the Director may execute an instrument in writing renouncing guardianship of the child and, where he does so, shall forthwith forward the instrument to that officer.

(iv) by inserting in subsection five of the same section after the word "one" the symbols, figure and letter ", (2c)";

(v)

Adoption of Children (Amendment).

(v) by inserting next after paragraph (c) of the same subsection the following new paragraphs :—

5 (c1) the Director, pursuant to subsection six of this section, places the child—

(i) where the child is a legitimate child, in the care of the parents of the child or, if one of those parents is deceased, in the care of the surviving parent of the child; or

10 (ii) where the child is an illegitimate child, in the care of the mother of the child;

15 (c2) the Director executes an instrument referred to in subsection (2A) of this section;

20 (c3) the Director, pursuant to subsection (4A) of this section, executes an instrument in writing renouncing guardianship of the child;

(vi) by inserting in subsection six of the same section after the word “one” the symbols, figure, letter and words “, (2C) or four”.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1971

New South Wales



ANNO VICESIMO

ELIZABETHÆ II REGINÆ

Act No. 13, 1971.

An Act relating to residence qualifications of adopting parents and guardianship of children in respect of whom general consent to adoption has been given; for these and other purposes to amend the Adoption of Children Act, 1965; and for purposes connected therewith. [Assented to, 18th May, 1971.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows : —

1. This Act may be cited as the "Adoption of Children (Amendment) Act, 1971". Short title.

2.

Adoption of Children (Amendment).

Amendment
of Act No.
23, 1965.

2. The Adoption of Children Act, 1965, is amended—

Sec. 8.

(Cases in
which juris-
diction may
be exer-
cised.)

- (a) (i) by omitting from subsection two of section eight the word “twenty-one” and by inserting in lieu thereof the word “thirty”;
- (ii) by inserting at the end of the same section the following new subsection :—

(3) A reference in subsections one and two of this section to an applicant being resident in New South Wales at a particular time or on a particular date includes a reference to an applicant who has had his usual place of abode in New South Wales for a period of at least three months immediately before that time or date.

Sec. 18.

(Who
may be
adopted.)

- (b) by omitting subsection two of section eighteen and by inserting in lieu thereof the following subsection :—

(2) Except where—

- (a) the applicant is a person, or the applicants are persons, in whose favour a consent referred to in subsection two of section twenty-seven of this Act has been given; or
- (b) the applicant, or either of the applicants, is a relative of the child, and the appropriate person, or every appropriate person, as the case may be, whose consent to the adoption would, but for the fact that he is deceased, be required under section twenty-six of this Act, has died without giving his consent referred to in that section,

the

Adoption of Children (Amendment).

the Court shall not make an adoption order unless the application is made on behalf of the applicant or applicants by the Director or by the principal officer of a private adoption agency.

- (c) by omitting from subsection two of section nineteen the words "exceptional circumstances make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 19.
(Persons in whose favour adoption orders may be made.)
- (d) by omitting from section twenty the words "there are exceptional circumstances that make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 20.
(Age of adopters.)
- (e) (i) by omitting from paragraph (b) of subparagraph (ii) of paragraph (c) of subsection one of section twenty-one the words "exceptional circumstances make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 21.
(Court to be satisfied as to certain matters.)
- (ii) by inserting in subsection three of the same section after the word "given" the words "or in any case where the applicant, or either of the applicants, is a relative of the child and the appropriate person, or every appropriate person, as the case may be, whose consent to the adoption would, but for the fact that he is deceased, be required under section twenty-six of this Act, has died without giving his consent referred to in that section";
- (f) by inserting next after subsection one of section twenty-two the following new subsection :— Sec. 22.
(Notice of application for adoption orders.)
- (1A) Notwithstanding the provisions of subsection one of this section, the Court may make an order without a notice referred to in that subsection having been given or sent to a person with

whom

Adoption of Children (Amendment).

whom the child resides or who has the care or custody of the child if the child resides with that person only as a patient or inmate of a hospital of which that person is in charge or that person has the care or custody of the child only as the person in charge of a hospital.

Sec. 28.
(Revocation
of consents.)

- (g) (i) by inserting in subsection one of section twenty-eight after the words "may not" the words ", except as provided by subsection three of this section,";
- (ii) by inserting next after subsection two of the same section the following new subsection :—

(3) Upon the Director's ceasing to be the guardian of a child by reason of paragraph (c1) of subsection five of section thirty-four of this Act, any consent to the adoption of the child given for the purposes of this Act shall be deemed to be lawfully revoked and the Director shall forthwith give notice of the revocation to the Master in Equity and, if the consent was given to the principal officer of a private adoption agency, to that principal officer.

Sec. 32.
(Court may
dispense
with
consents.)

- (h) (i) by omitting from subsection one of section thirty-two the words "the request of the Director or of the principal officer of a private adoption agency" and by inserting in lieu thereof the words "a request made in accordance with subsection (1A) of this section,";
- (ii) by inserting next after the same subsection the following new subsection :—

(1A) The persons who may make a request for the purposes of subsection one of this section are—

(a) the Director;

(b)

Adoption of Children (Amendment).

- (b) the principal officer of a private adoption agency; or
- (c) where an application has been made to the Court for the adoption of the child and—

- (i) the child is a legitimate child; and
- (ii) that application is made jointly by a husband and wife and one of them is a parent of the child,

those applicants.

- (iii) by inserting at the end of subsection two of the same section the words “but shall not be made on the request of a person referred to in paragraph (c) of subsection (1A) of this section except in conjunction with an adoption order in favour of that person or of that person and another person”;

- (iv) by omitting paragraph (a) of subsection five of the same section and by inserting in lieu thereof the following paragraph : —

(a) except—

- (i) in relation to a person referred to in paragraph (a) of subsection one of this section;
- (ii) in relation to a person referred to in paragraph (b) of that subsection whose physical or mental health would, in the opinion of the Court, be detrimentally affected if he were to receive a notice referred to in this paragraph; or

Adoption of Children (Amendment).

- (iii) where the Court considers that in the particular circumstances of the case it is desirable to make an order under that subsection without a notice referred to in this paragraph having been given or sent as so referred to,

make such an order unless notice of the request for the order has been given or sent by post to the person whose consent is sought to be dispensed with at least fourteen days before the request for the order is made to the Court; or;

Sec. 34.
(Guardian-
ship of
child
awaiting
adoption.)

- (i) (i) by inserting next after subsection two of section thirty-four the following new subsections :—

(2A) Within twenty-one days after the receipt by him of a notice referred to in paragraph (b) of subsection two of this section, the Director may, by instrument in writing, decline to be the guardian of the child to whom that notice relates.

(2B) Where the Director executes an instrument referred to in subsection (2A) of this section, he shall forthwith cause a copy of the instrument to be given or sent by registered post to the person or each of the persons, as the case may be, by whom the consent to the adoption of the child was given.

(2C) Where—

- (a) an officer of another State or of a Territory whose functions correspond to those of the Director under this Act

has

Adoption of Children (Amendment).

has become the guardian of a child under a law of that State or Territory corresponding to this section;

- (b) the consent to the adoption of the child held by that officer cannot be lawfully revoked by the person or persons by whom it was given;
- (c) the Director is satisfied that the child is present in New South Wales;
- (d) that officer has requested the Director to accept, and the Director has, by an instrument in writing forwarded to that officer, agreed to accept, guardianship of the child; and
- (e) under that law, that officer ceases, upon the execution by him of an instrument renouncing his guardianship of the child, to be the guardian of the child,

the Director is, upon the execution of that instrument, the guardian of the child (for purposes other than the purposes of section twenty-six of this Act) to the exclusion of all other persons.

(2D) The provisions of subsection (2C) of this section do not apply to a child who is a ward within the meaning of the Child Welfare Act, 1939, as amended by subsequent Acts.

- (ii) by inserting in subsection three of the same section after the word "one" where firstly occurring the symbols, figure and letter " , (2c)";

(iii)

Adoption of Children (Amendment).

(iii) by inserting next after subsection four of the same section the following new subsection :—

(4A) Where—

- (a) the Director has become the guardian of a child under subsection one, (2c) or four of this section;
- (b) the consent to the adoption of the child cannot be lawfully revoked by the person or persons by whom it was given;
- (c) the Director is satisfied that the child is present in another State or in a Territory of the Commonwealth;
- (d) the Director has requested an officer of that State or Territory whose functions correspond to those of the Director under this Act to accept, and that officer has, by an instrument in writing forwarded to the Director, agreed to accept, guardianship of the child; and
- (e) under the law of that other State or Territory, that officer will, upon the execution by the Director of an instrument in writing renouncing the Director's guardianship of the child, become the guardian of the child,

the Director may execute an instrument in writing renouncing guardianship of the child and, where he does so, shall forthwith forward the instrument to that officer.

(iv) by inserting in subsection five of the same section after the word "one" the symbols, figure and letter " , (2c)";

(v)

Adoption of Children (Amendment).

- (v) by inserting next after paragraph (c) of the same subsection the following new paragraphs :—
 - (c1) the Director, pursuant to subsection six of this section, places the child—
 - (i) where the child is a legitimate child, in the care of the parents of the child or, if one of those parents is deceased, in the care of the surviving parent of the child; or
 - (ii) where the child is an illegitimate child, in the care of the mother of the child;
 - (c2) the Director executes an instrument referred to in subsection (2A) of this section;
 - (c3) the Director, pursuant to subsection (4A) of this section, executes an instrument in writing renouncing guardianship of the child;
- (vi) by inserting in subsection six of the same section after the word “one” the symbols, figure, letter and words “, (2C) or four”.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1971

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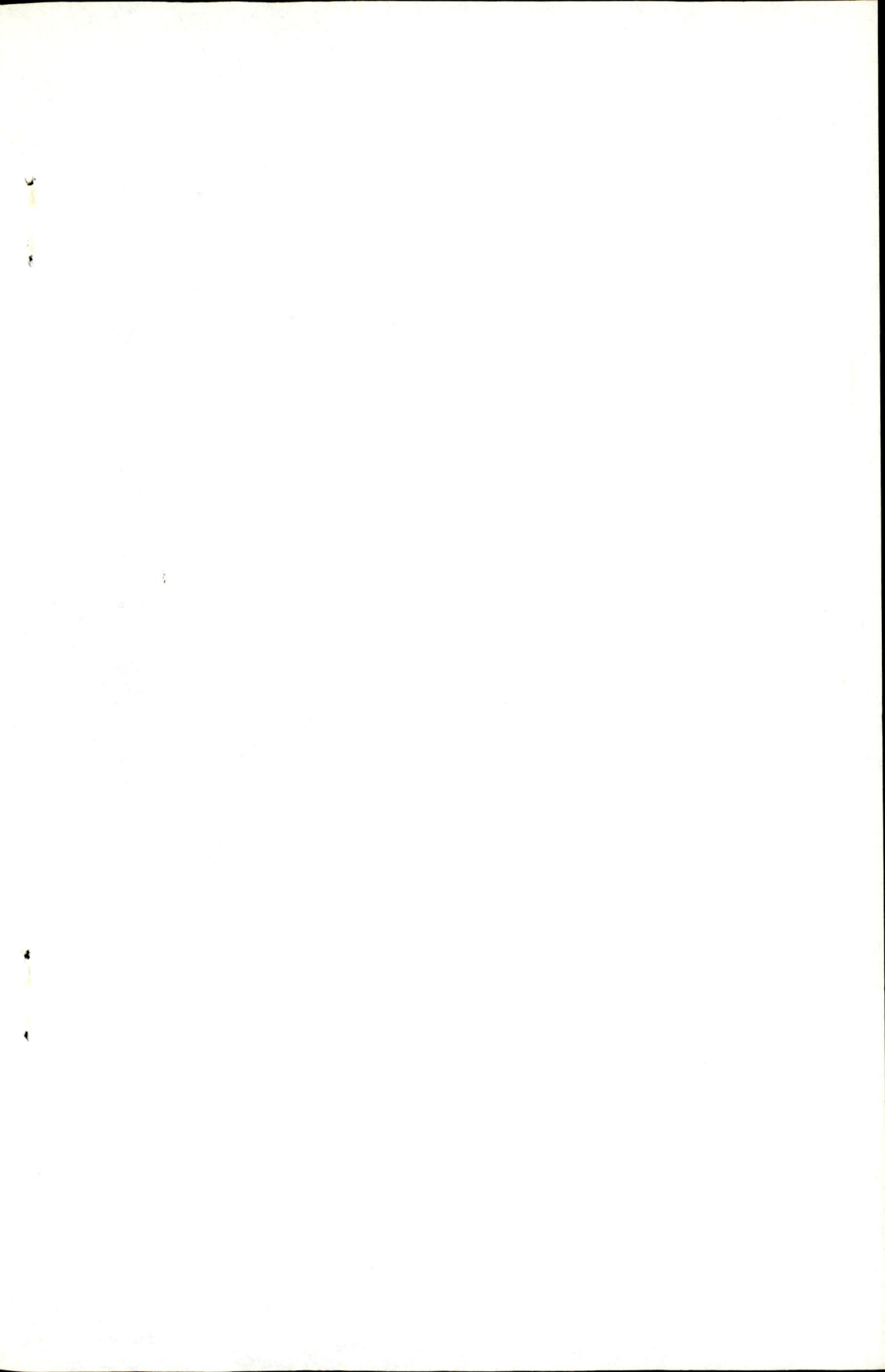
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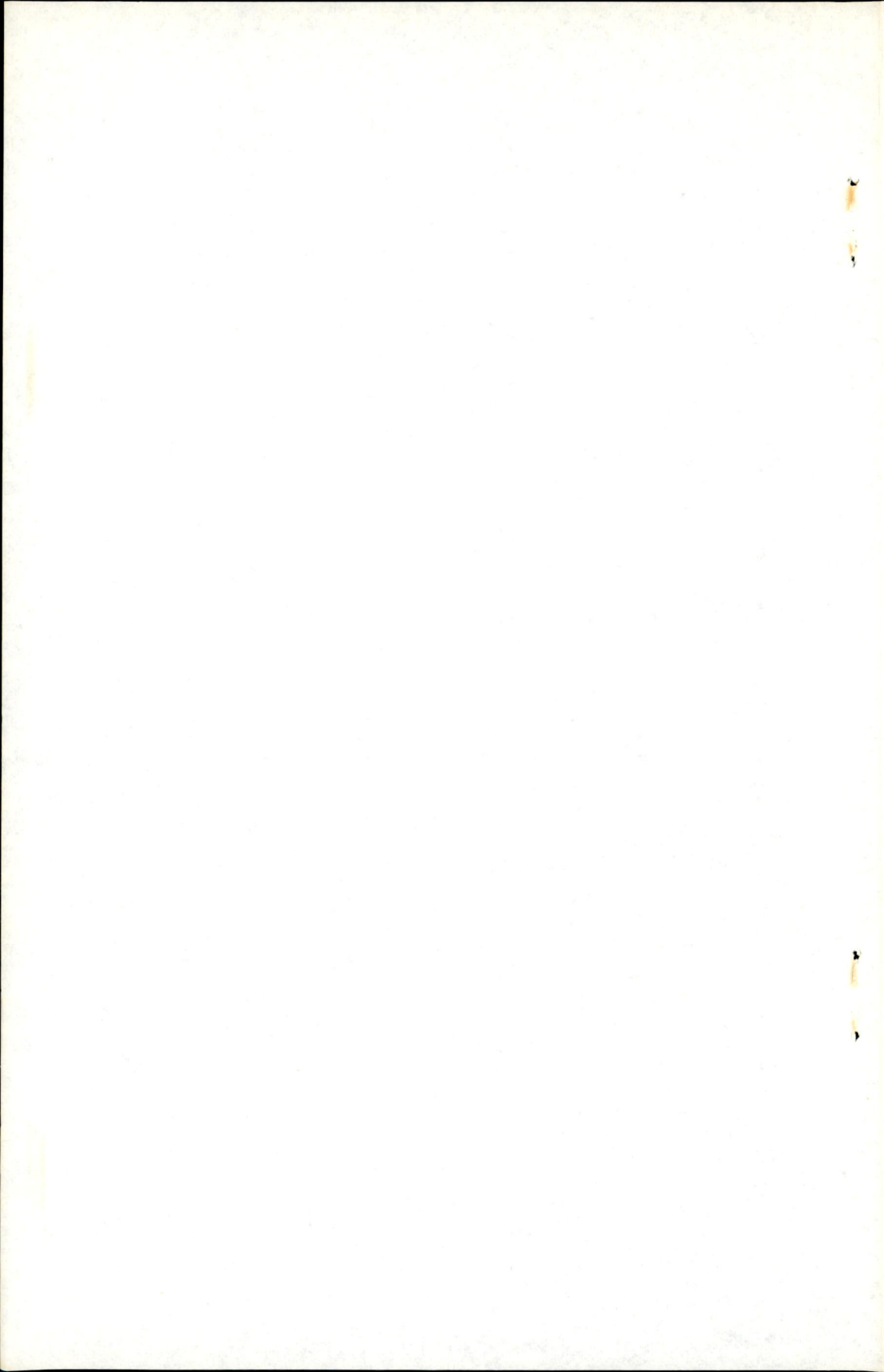
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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 5 May, 1971.*

New South Wales



ANNO VICESIMO

ELIZABETHÆ II REGINÆ

Act No. 13, 1971.

An Act relating to residence qualifications of adopting parents and guardianship of children in respect of whom general consent to adoption has been given; for these and other purposes to amend the Adoption of Children Act, 1965; and for purposes connected therewith. [Assented to, 18th May, 1971.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Adoption of Children Short title.
(Amendment) Act, 1971".

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

L. A. PUNCH,
Chairman of Committees of the Legislative Assembly

Adoption of Children (Amendment).

Amendment
of Act No.
23, 1965.

2. The Adoption of Children Act, 1965, is amended—

Sec. 8.
(Cases in
which juris-
diction may
be exer-
cised.)

- (a) (i) by omitting from subsection two of section eight the word "twenty-one" and by inserting in lieu thereof the word "thirty";
- (ii) by inserting at the end of the same section the following new subsection :—

(3) A reference in subsections one and two of this section to an applicant being resident in New South Wales at a particular time or on a particular date includes a reference to an applicant who has had his usual place of abode in New South Wales for a period of at least three months immediately before that time or date.

Sec. 18.
(Who
may be
adopted.)

- (b) by omitting subsection two of section eighteen and by inserting in lieu thereof the following subsection :—

(2) Except where—

- (a) the applicant is a person, or the applicants are persons, in whose favour a consent referred to in subsection two of section twenty-seven of this Act has been given; or
- (b) the applicant, or either of the applicants, is a relative of the child, and the appropriate person, or every appropriate person, as the case may be, whose consent to the adoption would, but for the fact that he is deceased, be required under section twenty-six of this Act, has died without giving his consent referred to in that section,

the

Adoption of Children (Amendment).

the Court shall not make an adoption order unless the application is made on behalf of the applicant or applicants by the Director or by the principal officer of a private adoption agency.

- (c) by omitting from subsection two of section nineteen the words "exceptional circumstances make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 19.
(Persons in whose favour adoption orders may be made.)
- (d) by omitting from section twenty the words "there are exceptional circumstances that make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 20.
(Age of adopters.)
- (e) (i) by omitting from paragraph (b) of subparagraph (ii) of paragraph (c) of subsection one of section twenty-one the words "exceptional circumstances make it" and by inserting in lieu thereof the words "in the particular circumstances of the case it is"; Sec. 21.
(Court to be satisfied as to certain matters.)
- (ii) by inserting in subsection three of the same section after the word "given" the words "or in any case where the applicant, or either of the applicants, is a relative of the child and the appropriate person, or every appropriate person, as the case may be, whose consent to the adoption would, but for the fact that he is deceased, be required under section twenty-six of this Act, has died without giving his consent referred to in that section";
- (f) by inserting next after subsection one of section twenty-two the following new subsection :— Sec. 22.
(Notice of application for adoption orders.)
 - (1A) Notwithstanding the provisions of subsection one of this section, the Court may make an order without a notice referred to in that subsection having been given or sent to a person with whom

Adoption of Children (Amendment).

whom the child resides or who has the care or custody of the child if the child resides with that person only as a patient or inmate of a hospital of which that person is in charge or that person has the care or custody of the child only as the person in charge of a hospital.

Sec. 28.
(Revocation
of consents.)

- (g) (i) by inserting in subsection one of section twenty-eight after the words "may not" the words "except as provided by subsection three of this section,";
- (ii) by inserting next after subsection two of the same section the following new subsection :—

(3) Upon the Director's ceasing to be the guardian of a child by reason of paragraph (c1) of subsection five of section thirty-four of this Act, any consent to the adoption of the child given for the purposes of this Act shall be deemed to be lawfully revoked and the Director shall forthwith give notice of the revocation to the Master in Equity and, if the consent was given to the principal officer of a private adoption agency, to that principal officer.

Sec. 32.
(Court may
dispense
with
consents.)

- (h) (i) by omitting from subsection one of section thirty-two the words "the request of the Director or of the principal officer of a private adoption agency" and by inserting in lieu thereof the words "a request made in accordance with subsection (1A) of this section,";
- (ii) by inserting next after the same subsection the following new subsection :—

(1A) The persons who may make a request for the purposes of subsection one of this section are—

(a) the Director;

(b)

Adoption of Children (Amendment).

- (b) the principal officer of a private adoption agency; or
- (c) where an application has been made to the Court for the adoption of the child and—
 - (i) the child is a legitimate child; and
 - (ii) that application is made jointly by a husband and wife and one of them is a parent of the child,those applicants.
- (iii) by inserting at the end of subsection two of the same section the words “but shall not be made on the request of a person referred to in paragraph (c) of subsection (1A) of this section except in conjunction with an adoption order in favour of that person or of that person and another person”;
- (iv) by omitting paragraph (a) of subsection five of the same section and by inserting in lieu thereof the following paragraph :—
 - (a) except—
 - (i) in relation to a person referred to in paragraph (a) of subsection one of this section;
 - (ii) in relation to a person referred to in paragraph (b) of that subsection whose physical or mental health would, in the opinion of the Court, be detrimentally affected if he were to receive a notice referred to in this paragraph; or
 - (iii)

Adoption of Children (Amendment).

- (iii) where the Court considers that in the particular circumstances of the case it is desirable to make an order under that subsection without a notice referred to in this paragraph having been given or sent as so referred to,

make such an order unless notice of the request for the order has been given or sent by post to the person whose consent is sought to be dispensed with at least fourteen days before the request for the order is made to the Court; or;

Sec. 34.
(Guardian-
ship of
child
awaiting
adoption.)

- (i) (i) by inserting next after subsection two of section thirty-four the following new subsections :—

(2A) Within twenty-one days after the receipt by him of a notice referred to in paragraph (b) of subsection two of this section, the Director may, by instrument in writing, decline to be the guardian of the child to whom that notice relates.

(2B) Where the Director executes an instrument referred to in subsection (2A) of this section, he shall forthwith cause a copy of the instrument to be given or sent by registered post to the person or each of the persons, as the case may be, by whom the consent to the adoption of the child was given.

(2C) Where—

- (a) an officer of another State or of a Territory whose functions correspond to those of the Director under this Act

has

Adoption of Children (Amendment).

has become the guardian of a child under a law of that State or Territory corresponding to this section;

- (b) the consent to the adoption of the child held by that officer cannot be lawfully revoked by the person or persons by whom it was given;
- (c) the Director is satisfied that the child is present in New South Wales;
- (d) that officer has requested the Director to accept, and the Director has, by an instrument in writing forwarded to that officer, agreed to accept, guardianship of the child; and
- (e) under that law, that officer ceases, upon the execution by him of an instrument renouncing his guardianship of the child, to be the guardian of the child,

the Director is, upon the execution of that instrument, the guardian of the child (for purposes other than the purposes of section twenty-six of this Act) to the exclusion of all other persons.

(2D) The provisions of subsection (2C) of this section do not apply to a child who is a ward within the meaning of the Child Welfare Act, 1939, as amended by subsequent Acts.

- (ii) by inserting in subsection three of the same section after the word "one" where firstly occurring the symbols, figure and letter ", (2c)";

(iii)

Adoption of Children (Amendment).

(iii) by inserting next after subsection four of the same section the following new subsection :—

(4A) Where—

- (a) the Director has become the guardian of a child under subsection one, (2C) or four of this section;
- (b) the consent to the adoption of the child cannot be lawfully revoked by the person or persons by whom it was given;
- (c) the Director is satisfied that the child is present in another State or in a Territory of the Commonwealth;
- (d) the Director has requested an officer of that State or Territory whose functions correspond to those of the Director under this Act to accept, and that officer has, by an instrument in writing forwarded to the Director, agreed to accept, guardianship of the child; and
- (e) under the law of that other State or Territory, that officer will, upon the execution by the Director of an instrument in writing renouncing the Director's guardianship of the child, become the guardian of the child,

the Director may execute an instrument in writing renouncing guardianship of the child and, where he does so, shall forthwith forward the instrument to that officer.

(iv) by inserting in subsection five of the same section after the word "one" the symbols, figure and letter ", (2C)";

(v)

Adoption of Children (Amendment).

- (v) by inserting next after paragraph (c) of the same subsection the following new paragraphs :—
- (c1) the Director, pursuant to subsection six of this section, places the child—
 - (i) where the child is a legitimate child, in the care of the parents of the child or, if one of those parents is deceased, in the care of the surviving parent of the child; or
 - (ii) where the child is an illegitimate child, in the care of the mother of the child;
 - (c2) the Director executes an instrument referred to in subsection (2A) of this section;
 - (c3) the Director, pursuant to subsection (4A) of this section, executes an instrument in writing renouncing guardianship of the child;
- (vi) by inserting in subsection six of the same section after the word "one" the symbols, figure, letter and words ", (2C) or four".

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 18th May, 1971.*

Article 1 (Amendment)

(1) In inserting hereafter paragraph (c) of the said section, the following new paragraph shall be added:—

(c) The Director, pursuant to subsection (b) of this section, places the child—

(i) where the child is a legitimate child, in the care of the parents of the child or, if one of those parents is deceased, in the care of the surviving parent of the child; or

(ii) where the child is an illegitimate child, in the care of the mother of the child.

(2) The Director exercises an instrument referred to in subsection (1) of this section:

(a) the Director, pursuant to subsection (1) of this section, exercises an instrument in writing, announcing the placement of the child;

(b) in exercising the subsection (1) of the said section, the Director shall, in writing, announce the placement of the child.

Article 2 (Amendment)

Article 3 (Amendment)

Chapter