

FORM 39
APPROVAL TO PROVIDE TEMPORARY SAFE CARE
(Regulation 57)
[SECTION 167 OF THE CHILDREN'S ACT 38 OF 2005]

It is hereby certified that:

the following facility has been approved for temporary safe care:

the following place has been approved for temporary safe care:

the following premises has been approved for temporary safe care:

the following person has been approved for temporary safe care:

Name of facility/ place / premises/ person:

Physical address of facility/ place/ premises/ person:

Provincial Head of Social Development

Date:

FORM 40
REPORTING OF SERIOUS INJURY, ABUSE OR DEATH
OF CHILD IN ALTERNATIVE CARE
(Regulation 64)
[SECTION 178 OF THE CHILDREN'S ACT 38 OF 2005]

A. Serious injury or abuse of child in alternative care.

To: The Provincial Head of Social Development

.....

Pursuant to section 178 of the Children's Act, 38 of 2005, you are hereby informed that a child in alternative care has been seriously injured or abused.

Details of child :
 Name :
 Surname :
 ID number :
 Date of birth :
 Gender :
 Age :

Date and place of serious injury or abuse :
 Type of serious injury or abuse :
 Brief explanation of incident of serious injury or abuse:

.....

Brief explanation of medical intervention:

.....

Details of alleged abuser:

.....

B. Death of child in alternative care

To: The Provincial Head of Social Development/ Police official/ Social worker/ Parent or guardian of child

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

Pursuant to section 178 of the Children’s Act, 38 of 2005, you are hereby informed that a child in alternative care has died.

- Details of child :
- Name :
- Surname :
- ID number :
- Date of birth :
- Gender :
- Age :

Date and place of death :

Brief explanation of incident leading to death of child:
.....
.....
.....

Brief explanation of medical intervention:

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

I declare that the information set out above is true and correct to the best of my knowledge.

Name of person in whose care or temporary safe care the child had been placed

Name of organization in whose care or temporary safe care the child had been placed
Date:

FORM 41

STATEMENT BY A FOSTER PARENT REGARDING THE ADOPTION OF A CHILD IN HIS OR HER FOSTER CARE

(Regulation 66)

[SECTION 188 OF THE CHILDREN'S ACT 38 OF 2005]

Note: Separate form must be used for each child.

TO: THE CLERK OF THE CHILDREN'S COURT FOR THE DISTRICT
OF.....
.....HELD AT

IN THE MATTER OF AN APPLICATION FOR THE ADOPTION OF A CHILD

I/We (1) (full names)

(2) (full names).....

Id number (1).....(2).....

And residing at:.....

.....

Being the foster parent(s) of the child.....

since.....

(full names of child)

Date of birth/ID number of child.....

Relationship to child if applicable (grandmother, aunt, cousin etc).....

hereby state that I/We have been informed of a pending application to adopt the aforementioned child and do not wish to submit an application to adopt the child concerned

Foster parent 1

Foster parent 2

Place:.....

Date:.....

FORM 42

APPLICATION FOR THE REGISTRATION OF A CLUSTER FOSTER CARE SCHEME

(Regulation 68)

[SECTION 183 OF THE CHILDREN'S ACT 38 OF 2005]

(A) PARTICULARS OF APPLICANT

Name of applicant: _____

NPO number: _____

Physical address: _____

Postal address: _____

Postal code: _____

Physical address; _____

Telephone : _____ Cell phone: _____

Fax number: _____ E-mail: _____

Names of Office

Bearers _____

_____(B) PARTICULARS OF THE CLUSTER
FOSTER CARE SCHEME

Name of cluster foster care scheme _____

Physical address: _____

Postal address _____

Geographical area/locality in which cluster foster care scheme will operate _____

Names and identity numbers of office bearers of cluster foster care scheme (if applicable) _____

(B) SUPPORTING DOCUMENTS

The following supporting documents must accompany the application:

- A description of the manner in which the cluster foster care scheme will provide services, programmes and support to children and to the active members of the organisation who are to be assigned responsibility for the foster care of such children
- Details of the number of children the scheme proposes to receive, the numbers of active members that it is proposed will provide foster care, and the proposed allocation of children to active members who will be assigned responsibility for their foster care
- Any additional details concerning the children the cluster foster care scheme will receive (e g special needs, language or culture)
- Details of the proposed management of the scheme, including financial management and the manner in which foster parents will be recruited.
- Details concerning the employment of a social worker(s) or particulars of the formal agreement with a designated child protection organisation to provide child protection services

- a clearance certificate that the name of the applicant and any office bearers referred to in this application do not appear in the National Register for Sex Offenders established by Chapter 6 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 and in Part B of the National Child Protection Register established by Part 2 of Chapter 7 of the Act.
- Evidence of skills, qualifications and prior experience of the applicant in the field of child care and development

(C) **GENERAL REMARKS**

Any additional remarks by the applicant in support of the application: _____

I certify that the above-mentioned particulars are, to the best of my knowledge, true and correct.

SIGNATURE OF APPLICANT CAPACITY DATE

FORM 43
CERTIFICATE OF REGISTRATION OF A CLUSTER FOSTER CARE SCHEME
(Regulation 68)
[SECTION 183 OF THE CHILDREN'S ACT 38 OF 2005]

It is hereby certified that the following cluster foster care scheme _____
managed or operated by _____ (insert name of nonprofit organisation
managing or operating the cluster foster care scheme

on _____ (insert date).

Physical address of nonprofit organization :

Physical address of cluster foster care scheme :

The registration or renewal of registration is subject to the following additional conditions:

Provincial Head: Social Development
Province: _____
Date of issue: _____

FORM 44
REJECTION OF APPLICATION FOR THE REGISTRATION OF A CLUSTER FOSTER CARE SCHEME
(Regulation 68)
[SECTION 183 OF THE CHILDREN'S ACT 38 OF 2005]

Name of applicant: _____

Name of cluster foster care scheme: _____

Physical address of applicant: _____

Date of application: _____

I have refused the application for the following reasons:

PROVINCIAL HEAD OF SOCIAL DEVELOPMENT

PROVINCE: _____

DATE: _____

FORM 45
NOTICE OF INTENTION TO DEREGISTER CLUSTER FOSTER CARE SCHEME
(Regulation 68)

[SECTION 183 OF THE CHILDREN'S ACT 38 OF 2005]

TO:

Name of nonprofit organisation

Physical Address

Name of cluster foster care scheme:

Physical address

I, by the authority vested in me by the Children Act, 2005, hereby give 90 days notice, which expires on _____ that the registration of the above-named cluster foster care scheme will be withdrawn, and must thereafter cease operating as a foster placement for children.

Provincial Head: Social Development
Province: _____
Date of issue: _____

FORM 46
REPRESENTATIONS TO HEAD OF PROVINCIAL DEPARTMENT OF SOCIAL DEVELOPMENT BY CLUSTER
FOSTER CARE SCHEME REGARDING NOTICE OF DEREGISTRATION
(Regulation 68)
[SECTION 183 OF THE CHILDREN'S ACT 38 OF 2005]

Name of cluster foster care scheme.

Address of cluster foster care scheme.

Physical address of cluster foster care scheme.

This is a representation against a notice of deregistration of a cluster foster care scheme to the Head of Social Development of

_____ (Insert name of province)

- The reasons provided by the Head of Social Development of the decision are attached.
- My reasons for representation against the decision are attached.

Representative of cluster foster care scheme.

Date

FORM 47
NOTICE OF DEREGISTRATION AFTER CONSIDERATION OF REPRESENTATION OF CLUSTER FOSTER CARE SCHEME

(Regulation 68)

[SECTION 183 OF THE CHILDREN'S ACT 38 OF 2005]

TO: _____

Name of organization

Physical address

I, by the authority vested in me by the Children's Act, 2005, hereby give notice that the registration of the above-named cluster foster care scheme will be withdrawn and must thereafter cease operating as a cluster foster care scheme for children.

Provincial Head: Social Development

Province: _____

Date of issue: _____

FORM 48
APPLICATION FOR THE REGISTRATION /CONDITIONAL REGISTRATION/ RENEWAL OF REGISTRATION
OF A CHILD AND YOUTH CARE CENTRE
 (* Delete which is not applicable)
 (Regulation 78)
[SECTION 199 OF THE CHILDREN'S ACT 38 OF 2005]

This is an application for:

- Registration in terms of section 199
- Conditional registration in terms of section 201
- Renewal of registration in terms of section 199

(A) PARTICULARS OF APPLICANT

Name of child and youth care centre: _____

Physical address: _____

Postal address: _____

_____ Postal code: _____

Name of person or body who manages the child and youth care centre or who wishes to establish it:

Physical address of person or body: _____

Telephone : _____ Cell phone: _____

Fax number: _____ E-mail: _____

Accreditation reference number: _____

(B) MANAGEMENT BOARD

Constitution of the management board:

Chairperson : _____

Vice-chairperson : _____

Secretary : _____

Treasurer : _____

Member : _____

Member : _____

Member : _____

Member : _____

Committees (state nature and number of members:

(a) Nature : _____ Number: _____

(b) Nature : _____ Number: _____

(c) Nature : _____ Number: _____

(d) Nature : _____ Number: _____

Auditors

Name : _____

Address : _____

Telephone number : _____

Registration number : _____

(C) **STAFF**

Staff provision (names of incumbents not required)

Designation	Sex	Salary or remuneration	Skills, qualifications and experience

(Further particulars must be furnished in an annexure)

If disabled children or children with specials needs are to be catered for state the proposed staff provision:

(D) **BUILDINGS, SITE AND EQUIPMENT**

Extent of premises: _____

Extent of buildings: _____

Extent of playgrounds: _____

Rooms and amenities for use by children:

Type	Number	Floor space
Bedrooms: Boys Girls		
Dining room		
Kitchen		
Bathrooms		

Boys Girls		
Washbasins Boys Girls		
Showers Boys Girls		
Toilets Boys Girls		
Recreation rooms		
Isolation room		
Others		

Are all the rooms properly furnished according to community practices and standards:

State what provisions has been made for recreation:

Indoors: _____

Outdoors: _____

(E) **CHILDREN**

Provide details regarding the programme or programmes to be offered: _____

Total number of children that will be accommodated: _____

Boys: _____

Girls: _____

Particulars of children (reply yes or no):

Destitute and neglected children:

Abused children:

Children with substance abuse challenges:

Children with behaviour challenges:

Children with developmental or psychological disabilities:

Children with physical disabilities (also state nature);

Abandoned children:

Children previously living on the street:

Arrangements for medical and dental care:

Arrangements for education:

Arrangements for religious instruction:

(F) **GENERAL**

State whether the premises is the property of the applicant:

If rented premises, state monthly rent:

State whether the child and youth care centre possesses any other fixed assets:

(G) **SUPPORTING DOCUMENTS**

The following supporting documents must accompany the application:

- A certified copy of the constitution or founding document of the child and youth care centre as prescribed by section 200(1)(c)(i) of the Act;
- a business plan containing the information as prescribed by regulation 78(2);
- the staff composition employed at a child and youth care centre as prescribed by regulation 78(2);
- the financial statements of the child and youth care centre including an exposition of the funds available to operate the child and youth care centre as prescribed by regulation 78(2);
- the emergency plan as prescribed by regulation 78(2); and
- clearance certificates that the names of any Board member appointed in terms of regulation 15 and the names of any employee do not appear in the National Register for Sex Offenders established by Chapter 6 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 and in Part B of the National Child Protection Register established by Part 2 of Chapter 7 of the Act as prescribed by regulation 78(2).

(H) **REMARKS**

Any additional remarks by the applicant in support of the application: _____

I certify that the above-mentioned particulars are, to the best of my knowledge, true and correct.

SIGNATURE OF APPLICANT

CAPACITY

DATE

FORM 49
CERTIFICATE OF REGISTRATION / CONDITIONAL REGISTRATION / RENEWAL OF REGISTRATION
OF A CHILD AND YOUTH CARE CENTRE
 (* Delete which is not applicable)
 (Regulation 80)
[SECTION 200 OF THE CHILDREN'S ACT 38 OF 2005]

It is hereby certified that:

- the following child and youth care centre has been registered in terms of section 200 of the Act;
- the following child or youth care centre has been conditionally registered in terms of section 201 of the Act;
- the registration of the following child and youth care centre has been renewed in terms of section 200 of the Act; or

on _____ (insert date) until _____ (insert date) to accommodate _____ children (insert number).

Name of child and youth care centre: _____

Physical address of child and youth care centre:

The validity of this registration expires on: _____ (insert date)

The registration or renewal of registration is subject to the following conditions:

The child and youth care centre is registered to run the following programmes:

The Department of Social Development will provide the following assistance to the child and youth care centre to comply with the conditions of registration and the national norms and standards.

Provincial Head: Social Development
 Province: _____
 Date of issue: _____

FORM 50

REFUSAL OF AN APPLICATION FOR THE REGISTRATION / RENEWAL OF REGISTRATION OF A CHILD AND YOUTH CARE CENTRE

(* Delete which is not applicable)
(Regulation 80)

[SECTION 200 OF THE CHILDREN'S ACT 38 OF 2005]

Name of applicant: _____

Name of child and youth care centre: _____

Physical address of child and youth care centre: _____

Date of application: _____

I have refused the application for the following reasons:

PROVINCIAL HEAD OF SOCIAL DEVELOPMENT

PROVINCE: _____

DATE: _____

FORM 51

**AN APPEAL AGAINST A DECISION OF A PROVINCIAL HEAD IN TERMS OF SECTION 207 OF THE ACT IN
RESPECT OF A CHILD AND YOUTH CARE CENTRE
(Regulation 90)
[SECTION 207 OF THE CHILDREN'S ACT 38 OF 2005]**

Name of appellant: _____

Name of child and youth care centre: _____

Physical address of child and youth care centre: _____

This is an appeal against a decision of the provincial head of social development of _____ (Insert name of province) against the exercise of his or discretion in respect of a decision relating to:

Indicate decision against which this appeal is lodged (Indicate yes or no)	Grounds on which the appeal is lodged
	Section 200: Consideration of new application for registration
	Section 200: Consideration of application for renewal of registration
	Section 201: Conditions on which registration was granted
	Section 203: Cancellation of registration
	Other grounds of appeal

The reasons provided by the provincial head of social development for his or her decision are attached.
My reasons for appealing against the decision are also attached.

APPLICANT OR REGISTRATION HOLDER

DATE

NOTE: The appeal must be lodged with the MEC for social development in the province where the decision was taken by the provincial head of social development.

FORM 52
APPLICATION FOR THE REGISTRATION / CONDITIONAL REGISTRATION / RENEWAL OF REGISTRATION
OF A DROP-IN CENTRE

(* Delete which is not applicable)
 (Regulation 92)

[SECTION 218 OF THE CHILDREN'S ACT 38 OF 2005]

(A) **PARTICULARS OF APPLICATION**

Name of drop-in centre: _____

Physical address: _____

Postal address: _____

_____ Postal code: _____

Name of person or body who manages the drop-in centre or who wishes to establish it:

Physical address of person or body: _____

Telephone : _____ Cell phone: _____

Fax number: _____ E-mail: _____

The number of children that will be accommodated in the drop-in centre in respect of which application is made:

(B) **SUPPORTING DOCUMENTS**

The following supporting documents must accompany the application:

- a business plan containing the information prescribed by regulation 92(3); and
- clearance certificates that the name of the applicant and the names of all staff members do not appear in the National Register for Sex Offenders established by Chapter 6 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 and in Part B of the National Child Protection Register established by Part 2 of Chapter 7 of the Act;

(C) **GENERAL REMARKS**

Any additional remarks by the applicant in support of the application: _____

I certify that the above-mentioned particulars are, to the best of my knowledge, true and correct.

SIGNATURE OF APPLICANT

CAPACITY

DATE

FORM 53
CERTIFICATE OF REGISTRATION / CONDITIONAL REGISTRATION / RENEWAL OF REGISTRATION
OF A DROP-IN CENTRE
(* Delete which is not applicable)
(Regulation 93)
[SECTION 219 OF THE CHILDREN'S ACT 38 OF 2005]

It is hereby certified that:

- the following drop-in centre has been registered in terms of section 219 of the Act;
- the following drop-in centre has been conditionally registered in terms of section 220 of the Act; or
- the registration of the following drop-in centre has been renewed in terms of section 219 of the Act.

on _____ (insert date).

Name of drop-in centre facility: _____

Physical address of drop-in centre:

The validity of this registration expires on: _____ (insert date)

The drop-in centre is registered subject to the condition that the maximum number of children that may be accommodated is: _____

PLEASE SEE REVERSE SIDE

REVERSE SIDE OF FORM 53

The registration or renewal of registration is subject to the following additional conditions:

Provincial Head: Social Development/
Municipal Official
Province/Municipality: _____
Date of issue: _____

FORM 54

**REJECTION OF AN APPLICATION FOR THE REGISTRATION / CONDITIONAL REGISTRATION /
RENEWAL OF REGISTRATION OF A DROP-IN CENTRE**

(* Delete which is not applicable)

(Regulation 93)

[SECTION 219 OF THE CHILDREN'S ACT 38 OF 2005]

Name of applicant: _____

Name of drop-in centre: _____

Physical address of drop-in centre: _____

Date of application: _____

The application has been refused for the following reasons:

PROVINCIAL HEAD OF SOCIAL DEVELOPMENT/
MUNICIPAL OFFICIAL

PROVINCE/ MUNICIPALITY: _____

DATE: _____

FORM 55
AGREEMENT BETWEEN PROVINCIAL HEAD OF SOCIAL DEVELOPMENT AND MUNICIPALITY IN TERMS OF
(Regulation 96)
[SECTION 225(2) OF THE CHILDREN'S ACT 38 OF 2005]

I _____(full names)
in my capacity as the Head of the Provincial Department of Social Development in the _____
Province (name of the province) and duly authorized thereto

AND

I _____(full names) in
my capacity as the Mayor of the _____
(name of municipality) and duly authorized thereto

hereby agree that the functions contemplated in sections 217,218,219,220,221,222 and 224 (delete which is not applicable) of the Children's Amendment Act,2007 (Act No. 41 of 2007) be assigned to the Municipal Manager of the _____(name of municipality) with effect from _____(date)

SIGNED at _____ on this _____ day of _____

As Witnesses:

- 1.
- 2.

HEAD OF PROVINCIAL DEPARTMENT

SIGNED aton thisday of

As Witnesses:

- 1.
- 2.

MAYOR

FORM 56
AN APPEAL AGAINST
A DECISION OF A PROVINCIAL HEAD OF SOCIAL DEVELOPMENT IN TERMS OF SECTION 223 OF THE ACT
IN RESPECT OF A DROP-IN CENTRE
(Regulation 97)
[SECTION 223 OF THE CHILDREN'S ACT 38 OF 2005]

Name of appellant: _____

Name of drop-in centre: _____

Physical address of drop-in centre: _____

This is appeal against a decision of the provincial head of social development of _____
 (Insert name of province) against the exercise of his or discretion in respect of a decision relating to:

Indicate decision against which this appeal is lodged (Indicate yes or no)	Grounds on which appeal is lodged
	Section 219: Consideration of application for registration
	Section 219: Consideration of application for conditional registration
	Section 219: Consideration of application for renewal of registration
	Section 220: Conditions on which registration was granted
	Section 221: Cancellation of registration
	Other grounds of appeal

The reasons provided by the provincial head of social development for his or her decision are attached.
 My reasons for appealing against the decision are attached.

 APPLICANT / REGISTRATION HOLDER

 DATE

NOTE: The appeal must be lodged with the MEC for social development in the province where the decision was taken by the provincial head of social development.

FORM 57

AN APPEAL AGAINST A DECISION OF A MUNICIPAL OFFICIAL IN TERMS OF SECTION 225(6) OF THE ACT IN
RESPECT OF A DROP-IN CENTRE

(Regulation 97)

[SECTION 225(6) OF THE CHILDREN'S ACT 38 OF 2005]

Name of appellant: _____

Name of drop-in centre: _____

Physical address of drop-in centre: _____

This is appeal against a decision of municipal official of _____ (Insert name of municipality) against the exercise of his or discretion in respect of a decision relating to:

Indicate decision against which this appeal is lodged (Indicate yes or no)	Grounds on which appeal is lodged The sections stated below refers to the sections in respect of which functions have been assigned to a municipality in terms of section 225 of the Act
	Section 219: Consideration of application for registration
	Section 219: Consideration of application for conditional registration
	Section 219: Consideration of application for renewal of registration
	Section 220: Conditions on which registration was granted
	Section 221: Cancellation of registration
	Other grounds of appeal

The reasons provided by the municipal official for his or her decision are attached.

My reasons for appealing against the decision are attached.

APPLICANT / REGISTRATION HOLDER

DATE

NOTE: The appeal must be lodged with the municipal council of the municipality where the decision was taken.

FORM 58
APPLICATION FOR THE REGISTRATION OF AN ADOPTIVE PARENT
(Regulation 98)
[SECTION 232(4) OF THE CHILDREN'S ACT 38 of 2005]

(A) **APPLICATION**

1. I _____ (full name)
 an adoption social worker hereby apply for the registration of a prospective adoptive parent(s).
 Place of employment: _____
 Registration number _____
 Address: _____

 Telephone: _____
 Fax: _____
 E-mail:

2. I declare that I am in the process of matching prospective adoptive parents with an adoptable child.

3. I declare that the names of the prospective adoptive parent(s) *does/do not appear in the National Register for Sex Offenders established by Chapter 6 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 or in Part B of the National Child Protection Register established by Part 2 of Chapter 7 of the Act.

(B) **PARTICULARS OF PROSPECTIVE ADOPTIVE PARENT(S)**

1. Date of birth: (1) _____ (2) _____

2. Identity number: (1) _____ (2) _____

3. Marital status: Joint applicants: Date of Marriage _____

Single applicant: *unmarried/divorced/widow(er)/married to parent of child on: _____

4. Cultural group: (1) _____ (2) _____

5. Religious affiliation: (1) _____ (2) _____

6. Home language: _____

7. Province: _____

8. District: _____

PLEASE SEE REVERSE SIDE

REVERSE OF FORM 58

9. Are both applicants South African citizens?

Yes	No
-----	----

If no, state –

(i) the nationality of: (1) _____
(2) _____

(ii) *whether the prospective adoptive parent(s) has/have applied for a certificate(s) of naturalization as a South African citizen(s):

(1)

Yes		No	
-----	--	----	--

 (2)

Yes		No	
-----	--	----	--

(iii) whether or not proof of such application has been provided:

(1)

Yes		No	
-----	--	----	--

 (2)

Yes		No	
-----	--	----	--

I DECLARE THAT the particulars set out in the statement above are true and correct to the best of *my/our knowledge and belief.

(DATED)SIGNED at _____ this _____ day of _____ 20_____

Adoption social worker

Insert an X in the appropriate and *Delete whichever is not applicable

(C)

FOR OFFICIAL USE ONLY

The Director-General
Department of Social Development
Pretoria

Submission of an application for the registration as adoptive parent/parents together with the report of an adoption social worker for your consideration, please.

Adoption social worker

Initials and surname

Registration number: _____

Postal address: _____

Postal code: _____

Telephone number: Code: _____ Number: _____

Fax number : Code: _____ Number: _____

FORM 59

APPLICATION FOR THE REGISTRATION OF AN ADOPTABLE CHILD

(Regulation 98)

[SECTION 232(5)(b) OF THE CHILDREN'S ACT 38 of 2005]

(A) APPLICATION

- 1. I _____ (full name)
 an adoption social worker hereby apply for the registration of a child as an adoptable child.
 Place of employment: _____
 Registration number _____
 Address: _____

 Telephone: _____
 Fax: _____
 E-mail:

(B) PARTICULARS OF ADOPTABLE CHILD

- 1. Full names and surname: _____
- 2. Date of birth: (1) _____
- 3. Identity number: (1) _____
- 4. Cultural group: (1) _____
- 5. Religious affiliation: (1) _____
- 6. Home language: _____
- 7. Province: _____
- 8. District: _____

PLEASE SEE REVERSE SIDE

REVERSE OF FORM 59

I **DECLARE THAT** the particulars set out in the statement above are true and correct to the best of *my knowledge and belief.

SIGNED at _____ this _____ day of _____ 20 _____

Adoption social worker

(C)

FOR OFFICIAL USE ONLY

The Director-General
 Department of Social Development
 Pretoria

Submission of an application for the registration as an adoptable child for your consideration, please.

 Adoption social worker

 Initials and surname

Registration number: _____

Postal address: _____

Postal code: _____

Telephone number: Code: _____ Number: _____

Fax number : Code: _____ Number: _____

FORM 60
APPLICATION FOR THE ADOPTION OF A CHILD
(Regulation 99)
[SECTION 231(1) OF THE CHILDREN'S ACT 38 OF 2005]

NOTE
<input type="checkbox"/> Joint applicants complete (1) and (2) <input type="checkbox"/> Single applicant completes (1)

TO THE CLERK OF THE CHILDREN'S COURT: _____

(A) **APPLICATION**

1. ***I/We (1)** _____ (full name)
(2) _____ (full name)
 residing at _____
 hereby apply for the adoption of _____
(full names of the child)
 _____ (*male/female), born at _____
 identity number _____, residing at _____

2. ***I/We request that -**

- *my/our identity not be disclosed to a parent or guardian of the child;
- *if the order is granted, the surname _____
 *be conferred on the child/be retained by the child;
- *the parent's/guardian's consent be dispensed with for the following reasons: _____

3. **Notice has been taken that -**

- (a) *I/We may not give, undertake to give, receive or contract to receive any consideration, in cash or kind, in respect of the proposed adoption of the child, save as prescribed under the Social Work Act, 1978:
- (b) a parent may withdraw his/her consent to the adoption up to 60 days after having given such consent and that the application cannot be finalised before the expiry of this period;
- (c) a child who is 10 years or older, or under the age of 10 years, but of an age, maturity and stage of development to understand the implications of the withdrawal of such consent up to 60 days after having given such consent;
- (d) *I/We may be required to restore custody of the child immediately in favour of the *parent(s), *guardian(s), supervising social worker or *person(s) designated by the children's court upon withdrawal of such consent by a parent or by the child.

REVERSE OF FORM 60

(B) FURTHER PARTICULARS OF APPLICANT(S)

1. Date of birth: (1) _____ (2) _____
2. Identity number: (1) _____ (2) _____
3. Marital status: Joint applicants: Date of Marriage _____
 Single applicant: *unmarried/divorced/widow(er)/married to parent of child on: _____
4. Cultural group: (1) _____ (2) _____
5. Religious affiliation: (1) _____ (2) _____
6. Home language: _____
7. Is the applicant or are both applicants South African citizens? Yes No
 If no, state –
 (i) the nationality of: (1) _____
 (2) _____
 (ii) *whether the applicant/either of the applicant(s) has/have applied for a certificate(s) of naturalization as a South African citizen(s):
 (1) Yes No (2) Yes No
 (iii) whether or not proof of such application has been provided:
 (1) Yes No (2) Yes No
8. *Is the applicant/either of the applicants related to the child *he/she/they wish(es) to adopt:
 (1) Yes No (2) Yes No
 If so, what is the relationship?
 (1) _____ (2) _____
9. *Is the applicant/ether of the applicants in receipt of any allowance from the State in respect of the child?
 (1) Yes No (2) Yes No
 If so, state type of allowance: _____ Reference number: _____
 Name of beneficiary: _____

***I/WE DECLARE THAT** the particulars set out in the statement above are true and correct to the best of *my/our knowledge and belief.

SIGNED at _____ this _____ day of _____

Applicant (1)

Applicant (2)

NOTE

Please attach:

- (i) The original birth certificate or identity document of the child.
- (ii) A certified copy of the identity document of each applicant.
- (iii) Where (i) and (ii) are not available, a sworn statement by an adoption social worker.
- (iv) In the case of a foster child, the written statement of the foster parent(s) (**Form 41**).
- (v) Where applicable, the written consent of the parent(s) attested to before a commissioner.
- (vi) Where applicable, the written consent of the child attested to before a commissioner.
- (vii) Where the applicant(s) wish to receive the child into his/her/their custody, a report from an adoption social worker, that the applicant(s) is/are a potentially suitable prospective adoptive parent(s).

Insert an X in the appropriate block and *Delete whichever is not applicable

FORM 61
CONSENT BY PARENT TO THE ADOPTION OF CHILD
(Regulation 99)
[SECTION 233 OF THE CHILDREN'S ACT 38 OF 2005]

NOTE

A separate form must be used for each child

Where the consent of both parents is required, a separate form should be completed by each parent

IN THE CHILDREN'S COURT FOR THE DISTRICT OF _____
 HELD AT _____

IN THE MATTER OF AN APPLICATION FOR THE ADOPTION OF A CHILD

I, _____ (full name),
 identity number _____, residing at _____

Being the *father/mother of _____
 (full name of child)

hereby voluntarily consent to the adoption of the said child by -

- (a) _____; or
 (*full name(s) or persons wishing to adopt the child)
- (b) a person or persons unknown to me

FURTHER PARTICULARS OF PARENT

My religious affiliation is _____ *I am/I am not a South African citizen.

- | | |
|---|---|
| <input type="checkbox"/> I am unmarried and have never been married before | <input type="checkbox"/> I am married to the *mother/father of the child |
| <input type="checkbox"/> I have never been married to the father of the child | <input type="checkbox"/> I am divorced from the *mother/father of the child |
| <input type="checkbox"/> My present husband is not the father of the child who was born *prior to/during our marriage | |
| <input type="checkbox"/> I am the *widow/er of the father/mother of the child | |

*Signature of *father/mother*

SIGNED BEFORE ME after I have explained to the said *father/mother the effect of an adoption order as set out in section 242 of the Act, and have informed *him/her that –

- (i) *he/she may withdraw this consent in writing before a presiding officer of the children's court at any time during a period of up to 60 days after having given this consent;
- (ii) *he/she is not entitled to be present when the application for adoption is considered unless permission to be present has been obtained from the presiding officer of the children's court; and

*he/she has intimated that *he/she understands the legal consequences and requirements.

PLACE _____

DATE _____

Presiding officer: Children's court

Insert an X in appropriate block and *Delete whichever is not applicable

REVERSE SIDE OF FORM 61

NOTICE

A. PROHIBITED CONSIDERATION (IN TERMS OF SECTION 249 OF THE CHILDREN'S ACT, 2005)

(1) No person may-

- (a) give or receive, or agree to give or receive, any consideration, in cash or in kind, for the adoption of a child in terms of Chapter 15 or Chapter 16; or
- (b) induce a person to give up a child for adoption in terms of Chapter 15 or Chapter 16.

(2) Subsection (1) does not apply to-

- (a) the biological mother of a child receiving compensation for-
 - (i) reasonable medical expenses incurred in connection with her pregnancy, birth of the child and follow-up treatment;
 - (ii) reasonable expenses incurred for counseling; or
 - (iii) any other prescribed expenses;
- (b) a lawyer, psychologist or other professional person receiving fees and expenses for services provided in connection with an adoption;
- (c) the Central Authority of the Republic contemplated in section 257 receiving prescribed fees;
- (d) a child protection organisation accredited in terms of section 251 to provide adoption services, receiving the prescribed fees;
- (e) a child protection organisation accredited to provide inter-country adoption services receiving the prescribed fees;
- (f) an organ of state; or
- (g) any other prescribed persons.

B. EFFECT OF AN ADOPTION ORDER (IN TERMS OF SECTION 242 OF THE CHILDREN'S ACT, 2005)

(1) Except when provided otherwise in the order or in a post-adoption agreement confirmed by the court an adoption order terminates-

- (a) all parental responsibilities and rights any person, including a parent, step-parent or partner in a domestic life partnership, had in respect of the child immediately before the adoption;
- (b) all claims to contact with the child by any family member of a person referred to in paragraph (a);
- (c) all rights and responsibilities the child had in respect of a person referred to in paragraph (a) or (b) immediately before the adoption; and
- (d) any previous order made in respect of the placement of the child.

(2) An adoption order-

- (a) confers full parental responsibilities and rights in respect of the adopted child upon the adoptive parent;
- (b) confers the surname of the adoptive parent on the adopted child, except when otherwise provided in the order;
- (c) does not permit any marriage or sexual intercourse between the child and any other person which would have been prohibited had the child not been adopted; and
- (d) does not affect any rights to property the child acquired before the adoption.

(3) An adopted child must for all purposes be regarded as the child of the adoptive parent and an adoptive parent must for all purposes be regarded as the parent of the adopted child.

FORM 62
CONSENT BY CHILD TO ADOPTION
(Regulation 99)
[SECTION 233 OF THE CHILDREN'S ACT 38 OF 2005]

IN THE CHILDREN'S COURT FOR THE DISTRICT OF _____
HELD AT _____

IN THE MATTER OF AN APPLICATION FOR THE ADOPTION OF A CHILD

I, _____
(full name and surname of child)

identity number _____ residing at _____

HEREBY VOLUNTARILY CONSENT TO MY ADOPTION BY (1) _____

and (2) _____
(full name(s) and surname of applicant(s))

Date

Signature of child

SIGNED BEFORE ME after I have explained to the said child the legal consequences of the consent and of an adoption and after I have informed *him/her that:

- (i) *he/she may at any time withdraw the consent before the order of adoption is made by the children's court; and
- (ii) *he/she is entitled to be present when the application for adoption is considered.
*he/she has intimated that *he/she understands the above.

Place

Presiding officer: Children's court

Date

*Delete whichever is not applicable

FORM 63
CONSENT BY OTHER PERSON HOLDING GUARDIANSHIP TO THE ADOPTION OF A CHILD
(Regulation 99)
[SECTION 233 OF THE CHILDREN'S ACT 38 OF 2005]

NOTE

A separate form must be used for each child

Where the consent of both parents is required, a separate form should be completed by each parent

IN THE CHILDREN'S COURT FOR THE DISTRICT OF _____
 HELD AT _____

IN THE MATTER OF AN APPLICATION FOR THE ADOPTION OF A CHILD

I, _____ (full name),
 identity number _____, residing at _____

Being the *guardian of _____
 (full name of child)

hereby voluntarily consent to the adoption of the said child by -

- (a) _____; or
 (*full name(s) or persons wishing to adopt the child)
- (b) a person or persons unknown to me

FURTHER PARTICULARS OF GUARDIAN

My religious affiliation is _____ *I am/I am not a South African citizen.

- | | |
|--|--|
| <p><input type="checkbox"/> I am unmarried and have never been married before</p> <p><input type="checkbox"/> I have never been married to the mother/father of the child</p> <p><input type="checkbox"/> I am the *widow/er of the father/mother of the child</p> | <p><input type="checkbox"/> I am married to the *mother/father of the child</p> <p><input type="checkbox"/> I am divorced from the *mother/father of the child</p> |
|--|--|

*Signature of *guardian*

SIGNED BEFORE ME after I have explained to the said *guardian the effect of an adoption order as set out in section 242 of the Act, and have informed *him/her that –

- (iii) *he/she may withdraw this consent in writing before a presiding officer of the children's court at any time during a period of up to 60 days after having given this consent;
 - (iv) *he/she is not entitled to be present when the application for adoption is considered unless permission to be present has been obtained from the presiding officer of the children's court; and
- *he/she has intimated that *he/she understands the legal consequences and requirements.

PLACE _____
 DATE _____

Presiding officer: Children's court

Insert an X in appropriate block and *Delete whichever is not applicable

PLEASE SEE REVERSE HEREOF

NOTICE

A. PROHIBITED CONSIDERATION (IN TERMS OF SECTION 249 OF THE CHILDREN'S ACT, 2005)

(1) No person may-

- (a) give or receive, or agree to give or receive, any consideration, in cash or in kind, for the adoption of a child in terms of Chapter 15 or Chapter 16; or
- (b) induce a person to give up a child for adoption in terms of Chapter 15 or Chapter 16.

(2) Subsection (1) does not apply to-

- (a) the biological mother of a child receiving compensation for-
 - (i) reasonable medical expenses incurred in connection with her pregnancy, birth of the child and follow-up treatment;
 - (ii) reasonable expenses incurred for counseling; or
 - (iii) any other prescribed expenses;
- (b) a lawyer, psychologist or other professional person receiving fees and expenses for services provided in connection with an adoption;
- (c) the Central Authority of the Republic contemplated in section 257 receiving prescribed fees;
- (d) a child protection organisation accredited in terms of section 251 to provide adoption services, receiving the prescribed fees;
- (e) a child protection organisation accredited to provide inter-country adoption services receiving the prescribed fees;
- (f) an organ of state; or
- (g) any other prescribed persons.

B. EFFECT OF AN ADOPTION ORDER (IN TERMS OF SECTION 242 OF THE CHILDREN'S ACT, 2005)

(1) Except when provided otherwise in the order or in a post-adoption agreement confirmed by the court an adoption order terminates-

- (a) all parental responsibilities and rights any person, including a parent, step-parent or partner in a domestic life partnership, had in respect of the child immediately before the adoption;
- (b) all claims to contact with the child by any family member of a person referred to in paragraph (a);
- (c) all rights and responsibilities the child had in respect of a person referred to in paragraph (a) or (b) immediately before the adoption; and
- (d) any previous order made in respect of the placement of the child.

(2) An adoption order-

- (a) confers full parental responsibilities and rights in respect of the adopted child upon the adoptive parent;
- (b) confers the surname of the adoptive parent on the adopted child, except when otherwise provided in the order;
- (c) does not permit any marriage or sexual intercourse between the child and any other person which would have been prohibited had the child not been adopted; and
- (d) does not affect any rights to property the child acquired before the adoption.

(3) An adopted child must for all purposes be regarded as the child of the adoptive parent and an adoptive parent must for all purposes be regarded as the parent of the adopted child.

FORM 64
WITHDRAWAL OF CONSENT TO ADOPTION BY PARENT OR GUARDIAN OF CHILD
(Regulation 102)
[SECTION 233(8) OF THE CHILDREN'S ACT 38 OF 2005]

TO: THE PRESIDING OFFICER
CHILDREN'S COURT

ADOPTION OF: _____

(full name of child)

BY: _____

*(names of proposed adoptive parent(s)/person(s) unknown to me)

OF: _____

(district where application was made)

PLEASE TAKE NOTE THAT I, _____

OF _____

HEREBY WITHDRAW MY CONSENT TO THE ADOPTION OF THE AFOREMENTIONED CHILD WHICH CONSENT WAS SIGNED BEFORE THE PRESIDING OFFICER, CHILDREN'S COURT AT _____ ON

SIGNED AT _____ this _____ day of _____ at

Signature of parent

RECEIPT ACKNOWLEDGED: _____

Presiding officer: Children's court

PLACE: _____

DATE: _____

NOTE

Should consent be withdrawn in a district other than the district in which consent was given or in which the application for adoption is to be heard, the presiding officer: children's court who attached the consent must be expeditiously notified of such withdrawal for his or her further attention.

*Delete whichever is not applicable

FORM 65
WITHDRAWAL OF CONSENT BY CHILD TO ADOPTION
(Regulation 102)
[SECTION 233(8) OF THE CHILDREN'S ACT 38 OF 2005]

THE CLERK OF THE CHILDREN'S COURT: _____

IN THE MATTER OF AN APPLICATION FOR THE ADOPTION OF A CHILD
--

I, _____
(full name and surname of child)

identity number _____ residing at _____

Hereby voluntarily withdraws my consent for my adoption by (1) _____

and (2) _____
(full name(s) and surname of applicant(s))

Date

Signature of child

SIGNED BEFORE ME after I have explained to the said child the legal consequences of the withdrawal of consent for adoption and *he/she has intimated that *he/she understands the above.

Place

Presiding officer: Children's court

Date

*Delete whichever is not applicable

FORM 66
POST ADOPTION AGREEMENT
(Regulation 103)
[SECTION 234 OF THE CHILDREN'S ACT 38 of 2005]

TO THE CLERK OF THE CHILDREN'S COURT: _____

(A) **AGREEMENT**

*I/We (1) _____ (full name)
(2) _____ (full name)
residing at _____

in the capacity as the prospective adoptive *parent/parents

AND

*I/We (1) _____ (full name)
(2) _____ (full name)
residing at _____

in the capacity as *parent/guardian

HEREBY

AGREE, with the assistance of an adoption social worker who provided counseling, to the following arrangements as contemplated by section 234 of the Children's Act 38 of 2005

Particulars of adoption social worker:

Registration number:

Organisation:

Name: _____

E-mail:

Telephone: _____

Fax: _____

1. _____

1. _____

2. _____

2. _____

*Prospective adoptive *parent/parents

*Parent/parents/guardian

SIGNED at _____ this _____ day of _____ 20_____

*Delete whichever is not applicable

PLEASE SEE REVERSE HEREOF

(B) **FURTHER PARTICULARS OF PARTIES**

1. Prospective adoptive *parent/parents

Postal address: _____

_____ Postal code: _____
Telephone numbers: Code: _____ Number: _____ (Office hours)
Code: _____ Number: _____ (Residence)
Mobile phone: _____

2. Parent/parents/guardian

Postal address: _____

_____ Postal code: _____
Telephone numbers: Code: _____ Number: _____ (ffice hours)
Code: _____ Number: _____ (esidence)
Mobile phone: _____

(B) **CONSENT OF CHILD**

*I, _____ (ull names) who stands to be adopted by the prospective adoptive *parent/parents understands the terms of abovementioned agreement and hereby consent to the agreement.

Child Date

*I, _____ (full names), presiding officer: Children's court _____ declares that the consent was signed and attested before me and that I have satisfied myself that the child is 10 years or older, or under the age of 10 years, but of an age, maturity and stage of development to understand the implications of the agreement.

Presiding officer: Children's court Date

*Delete whichever is not applicable

FORM 67
ORDER OF INTER-COUNTRY ADOPTION
(Regulation 113)
[SECTIONS 261(5) AND 262(5) OF THE CHILDREN'S ACT 38 OF 2005]

IN THE CHILDREN'S COURT FOR THE DISTRICT OF _____
 HELD AT _____

**IN THE MATTER OF AN APPLICATION FOR THE INTER-COUNTRY
 ADOPTION OF**

_____ (full name of child)
 identity number _____ on the _____ day of _____ 20____
 before _____, Presiding Officer of the
 Children's Court.

In the case of an inter-country adoption by a person living in a Hague Convention Country

THE COURT IS SATISFIED THAT: -

- The adoption is in the best interests of the child;
- The child is in the Republic; and is not prevented from leaving the Republic;
- The arrangements for the adoption are in accordance with the Hague Convention;
- The Central Authority of the convention country, _____, has agreed to the adoption;
- The Central Authority of the Republic has agreed to the adoption;
- The name of the child has been in the RACAP for at least 60 days; and
- No fit and proper adoptive parent for the child is available in the republic.

In the case of an inter-country adoption of a person living in a non-Hague Convention country

THE COURT IS SATISFIED THAT: -

- The adoption is in the best interests of the child;
- The child is in the Republic; and is not prevented from leaving the Republic;
- The arrangements for the adoption are in accordance with the Hague Convention;
- The competent authority of the non-convention country, _____, has agreed to the adoption;
- The Central Authority has agreed to the adoption;

The name of the child has been in the RACAP for at least 60 days; and

No fit and proper adoptive parent for the child is available in the republic.

IT IS ORDERED THAT

_____ (full name of child)
 a _____ child, born on the _____ day of _____ 20____
 (gender)
 be and is hereby adopted by _____
 (full name)
 born on _____, identity number _____ *and his/her spouse

 (full name)
 born on _____, identity number _____, in terms of and subject
 to the provisions of the Children's Act, 2005 (Act No. 38 of 2005).

IT IS FURTHER ORDERED THAT

the family name _____ *be given to the child/be retained by the child.
 GIVEN at _____ this _____ day of _____
 at _____ : _____ (time).

Presiding Officer: Children's Court

1. Date of registration of adoption _____
2. Adoption register number _____
3. Amendment of the birth register in terms of section 245 of the Children's Act, 2005 (ct No. 38 of 2005), may proceed.

Date

Registrar of Adoptions

*Delete whichever is not applicable

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