



Queensland

Adoption Amendment Regulation (No. 1) 2012

Explanatory Notes for SL 2012 No. 122

made under the

Adoption Act 2009

General outline

Short title

Adoption Amendment Regulation (No. 1) 2012.

Authorising law

Section 328 of the *Adoption Act 2009*.

Policy objectives and the reasons for them

Adoption is a legal process that establishes a permanent parent-child relationship between a child and his or her adoptive parents. The Department of Communities, Child Safety and Disability Services is the only agency authorised under the *Adoption Act 2009* to arrange for the adoption of children in Queensland, including the adoption of children from overseas by Queensland adults.

Delivering quality adoption services attracts considerable costs. The indexation factor recommended by Queensland Treasury and Trade for annual increases in government fees and charges is 3.5 per cent. This increase will commence on the date of notification for this regulation.

Achievement of policy objectives

The amendment makes the following changes to fees listed in Schedule 2 of the *Adoption Regulation 2009*:

Part 1 Application fee

- item 1 application fee under section 93(c) of the Act for a person to apply to adopt a stated child under section 92 of the Act: increase from \$66.00 to \$68.30

Part 2 Assessment fee

- item 2(a), assessment fee for a person who is assessed under section 105 of the Act where the chief executive's selection is based on anticipated local adoption placement needs under section 88 of the Act: increase from \$536.10 to \$554.85
- item 2(b), assessment fee for a person who is assessed under section 105 of the Act where the chief executive's selection is based on anticipated intercountry adoption placement needs under section 88 of the Act: increase from \$3850.55 to \$3985.30
- item 2(d), assessment fee for a person who is assessed under section 107 of the Act, have made application under Part 5 for the adoption of the person's step-child: increase from \$495.05 to \$512.40

Part 3 Supervision fee

- item 3, supervision fee for intercountry adoption under either section 198(3) or 298(3) of the Act: increase from \$1650.25 to \$1708.00

With the projected revenue from the increases in adoption fees, the Queensland Government will continue to meet the majority of the cost of delivering adoption services.

Consistency with policy objectives of authorising law

The amendment is consistent with section 328 of the *Adoption Act 2009* which states that a regulation may be made by the Governor in Council under this Act and that such regulations may be made about fees for this Act.

Inconsistency with policy objectives of other legislation

This regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The annual adjustment in adoption fees allows the Department of Communities, Child Safety and Disability Services to continue to meet the costs of providing quality adoption services and to maintain an appropriate and sustainable fee structure. Under this fee structure, the Queensland Government continues to meet the majority of the cost of delivering adoption services.

There will be no additional implementation costs to government in adjusting the adoption fee schedule.

To assist Queensland couples, the department will continue to implement the adoption fees schedule for intercountry adoptions in two instalments so as to stagger payment of fees and align the timing of such fees with actual events associated with the costs being incurred. In addition, there are no fees associated with making an expression of interest, participating in a re-assessment if required or attending information or education sessions.

Consistency with fundamental legislative principles

This regulation does not breach fundamental legislative principles.

Consultation

Adoption fees have increased annually since 2009. Advice about fees and that they are subject to change is communicated through the operations of the department to couples interested in expressing interest to adopt, including information posted online. Advice on adoption fees is also provided through information sessions conducted by the department for couples interested in expressing interest in the Queensland and Intercountry Children's Adoption Programs. Information sessions are provided on a regular basis for people wanting more information about adoption in Queensland.

Due to the annual nature of adoption fee increases and the targeted consultation identified above that occurs with individuals who may pay the fee, no further consultation was undertaken.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Communities, Child Safety and Disability Services.

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