



Queensland

# Adoption Amendment Regulation (No. 1) 2013

## Explanatory Notes for SL 2013 No. 91

made under the  
*Adoption Act 2009*

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## General outline

### Short title

*Adoption Amendment Regulation (No. 1) 2013.*

### 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 these adoption services attracts considerable costs.

The fees for adoption services are set out in the *Adoption Regulation 2009*. The amendment regulations amend the fees in line with the Queensland

Government Principles for Fees and Charges. The amendments commence on 1 July 2013.

The indexation factor recommended by Queensland Treasury for increases in government fees and charges from 1 July 2013 is 3.5 per cent.

### **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 \$68.30 to \$70.70

#### 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 \$554.85 to \$574.25
- 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 \$3,985.30 to \$4,124.80
- item 2(d), assessment fee for a person who is assessed under section 107 of the Act, and has made application under Part 5 for the adoption of the person's step-child increase from \$512.40 to \$530.35

#### Part 3 Supervision fee

- item 3, supervision fee for intercountry adoption under either section 198(3) or 298(3) of the Act increase from \$1,708.00 to \$1,767.80

Even 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**

The *Adoption Amendment Regulation (No. 1) 2013* is not inconsistent with the policy objectives of other legislation.

### **Benefits and costs of implementation**

The annual adjustment in adoption fees assist the Department of Communities, Child Safety and Disability Services to continue to meet the costs of providing quality adoption services while maintaining 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 of Communities, Child Safety and Disability Services 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**

The Regulation is consistent with fundamental legislative principles.

### **Consultation**

The proposed amendments were developed in consultation with the Office of Best Practice Regulation (OBPR) under the Queensland Competition Authority.

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 of Communities, Child Safety and Disability Services to couples interested in expressing interest to adopt and includes information posted online. Advice about 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.

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#### 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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