



*Adoption Act and Financial Administration Act*

## ADOPTION REGULATION

**B.C. Reg. 291/96**

Deposited and effective November 4, 1996

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### **Consolidated Regulations of British Columbia**

*This is an unofficial consolidation.*

B.C. Reg. 291/96 (O.C. 1226/96), deposited and effective November 4, 1996, is made under the *Adoption Act*, R.S.B.C. 1996, c. 5, ss. 91 and 93 and the *Financial Administration Act*, R.S.B.C. 1996, c. 138, s. 19.

This is an unofficial consolidation provided for convenience only. This is not a copy prepared for the purposes of the *Evidence Act*.

This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at [www.bclaws.ca](http://www.bclaws.ca).

See the User Guide for more information about the *Consolidated Regulations of British Columbia*. The User Guide and the *Consolidated Regulations of British Columbia* are available online at [www.bclaws.ca](http://www.bclaws.ca).

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# *Adoption Act and Financial Administration Act*

## **ADOPTION REGULATION**

**B.C. Reg. 291/96**

### **PART 1 – INTERPRETATION**

#### **Definitions**

**1** In this regulation:

**“aboriginal agency”** means a society, as defined in section 1 of the *Societies Act*, that has

- (a) at least one employee who is a delegate of a director under section 77 of the Act, and
- (b) at least one employee who is a delegate of a director of child protection;

**“Act”** means the *Adoption Act*;

**“criminal record check”** means a record obtained from a police agency by each prospective adoptive parent and, if applicable, by any other adult person living in the household of the prospective adoptive parent, stating whether or not that person has any conviction or has been charged under any federal or provincial enactment;

**“former Act”** means the *Adoption Act*, R.S.B.C. 1979, c. 4;

**“health care provider”** has the same meaning as in section 27 (4) of the Act;

**“homestudy”** means

- (a) an assessment of the prospective adoptive parents, and
- (b) an educational component of the assessment referred to in paragraph (a) to prepare the prospective adoptive parents in meeting the needs of the child to be adopted;

**“pre-placement assessment”** means a summary assessment of the prospective adoptive parents in a direct placement;

**“prior contact check”** means a record obtained from the ministry with respect to each person living in the household of the prospective adoptive parent stating whether or not the ministry’s records show a prior contact with that person;

**“social worker”** means, other than in Schedule 1,

- (a) in the case of an adoption agency, a person who
  - (i) is employed by or under contract to the adoption agency, and
  - (ii) is registered by the British Columbia College of Social Workers, or
- (b) in the case of the ministry or an aboriginal agency,
  - (i) a person employed by the ministry or aboriginal agency who
    - (A) is a delegate of a director under section 77 of the Act, and

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- (B) has a Bachelor of Social Work degree or a Master of Social Work degree or, in the opinion of the director, qualifications and experience in social work acceptable to the director, or
- (ii) a person who
  - (A) is under contract to the ministry or the aboriginal agency, and
  - (B) is registered by the British Columbia College of Social Workers.

[am. B.C. Regs. 362/2003, s. 1; 350/2005, Sch. 3, s. 1; 350/2012, s. 1; 102/2014, s. 1; 211/2015, s. 2; 43/2020.]

**Residency**

- 2** (1) In this section, “**reside**” means to have a place that is a permanent place of abode to which, whenever absent, the person intends to return.
- (2) Repealed. [B.C. Reg. 175/2017, s. (a).]
- (3) For the purpose of section 29 (3) of the Act, a person is a resident of British Columbia if
- (a) the person has continuously resided in British Columbia for at least 6 months immediately preceding the application to the court to adopt a child, or
  - (b) the person has continuously resided in British Columbia for less than 6 months immediately preceding the application to the court to adopt a child but has come to British Columbia
    - (i) to co-habit with an adult person who has continuously resided in British Columbia for the 6 month period immediately preceding the application, and
    - (ii) to adopt the child of that adult person.
- (4) A person does not cease residing in British Columbia by leaving British Columbia for temporary purposes or for purposes of employment.

[am. B.C. Reg. 175/2017, s. (a).]

**PART 2 – PLACEMENT FOR ADOPTION****Requirements of a homestudy**

- 3** (1) For the purposes of sections 6 (1) (b) and (2) (a) and 48 (2) (c) of the Act, a homestudy of the prospective adoptive parents respecting their ability to provide for the physical and emotional needs of a child must be prepared by a social worker and must consider and provide for all of the following:
- (a) how the prospective adoptive parents’ reasons for adopting a child might affect their ability to meet the needs of the child;
  - (b) whether there is or was drug or alcohol use on the part of the prospective adoptive parents, or any member of the household of the prospective

- adoptive parents, that might limit their ability to protect, nurture and care for the child;
- (c) whether the prospective adoptive parents, or any member of the household of the prospective adoptive parents, have had a child in their care that was found to be in need of protection;
  - (d) how the physical and mental health of the prospective adoptive parents impacts on their ability to meet the needs of the child;
  - (e) whether the prospective adoptive parents' life experiences might limit or strengthen their ability to parent a child who is added to the family through adoption;
  - (f) the developmental, social and behavioural progress of any other child or children of the prospective adoptive parents that relates to the prospective adoptive parents' ability to understand, accept and meet the needs of a child and the compatibility between the child or children in the home and the child to be adopted;
  - (g) the prospective adoptive parents' understanding of the child's cultural, racial, linguistic and religious heritage and their willingness to help the child appreciate and integrate that heritage;
  - (h) the prospective adoptive parents' attitude about facilitating communication or maintaining relationships with the child's pre-adoption family or with any other person who has established a relationship with the child;
  - (i) the prospective adoptive parents' ability to provide stable and continuous care of the child;
  - (j) a description of the prospective adoptive parents' personalities, interests and values in order to identify the personal factors that may be helpful or limiting in meeting the needs of the child to be adopted;
  - (k) the results of a criminal record check that are relevant to the ability of the prospective adoptive parents to protect, nurture and care for the child;
  - (l) the results of a prior contact check that are relevant to the ability of the prospective adoptive parents to protect, nurture and care for the child;
  - (m) the results of a medical report from a health care provider attesting to the prospective adoptive parents' mental and physical health;
  - (n) any other factors that are relevant to the best interests of the child;
  - (o) a recommendation as to the prospective adoptive parents' ability to parent a child by adoption.
- (2) In addition to the requirements of subsection (1), a homestudy of the prospective adoptive parents must include an educational component that prepares the prospective adoptive parents for all of the following:
- (a) separation and loss issues respecting the pre-adoption parents, the prospective adoptive parents and the child to be adopted;
  - (b) the difference between adoptive and non-adoptive parenting;

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- (c) adoption as a life-long process and how it affects child and adult development;
  - (d) the impact of the child's life experiences;
  - (e) if applicable, inter-racial and cross-cultural adoption.
- (3) If the prospective adoptive parents have applied to adopt a child with special needs, the educational component under subsection (2) must address the specific issues related to the special needs of the child.
- (4) The homestudy required by subsection (1) must be in the form of a written report.
- (5) An update of the homestudy must be provided to a director or the administrator by the prospective adoptive parents, once in each year after completion of the homestudy until a child has been placed for adoption with the prospective adoptive parents, setting out any change in information or additional information required by subsection (1).
- (6) An update of the criminal record check and prior contact check must be provided to a director or the administrator by the prospective adoptive parents immediately prior to the placement of a child with those parents for the purposes of adoption.
- (7) The information provided under subsections (5) and (6) must be attached to or incorporated into the homestudy and forms a part of the homestudy.

[am. B.C. Regs. 260/2001, s. (a); 350/2005, Sch. 3, s. 1; 350/2012, s. 2; 175/2017, s. (b); 189/2021, App. 2, s. 1.]

**Biological family medical and social history report**

- 4** (1) For the purposes of sections 6 (1) (c) and 8 (2) (b) of the Act, a director or the administrator must, with respect to a child to be placed for adoption, obtain information about the medical and social history of the child and the child's biological family that includes, as practicable, all of the following:
- (a) a physical description of the biological mother and biological father, and information about
    - (i) the personality and personal interests of each of them,
    - (ii) their cultural, racial and linguistic heritage, and
    - (iii) their religious and spiritual values and beliefs;
  - (b) a detailed health history of the biological mother and biological father, including
    - (i) the lifestyle of the biological parents respecting usage of tobacco, alcohol and prescription and non-prescription drugs,
    - (ii) prenatal information respecting the birth mother, and
    - (iii) any medical condition and other health information about the biological relatives of the biological parents that may be relevant to the child;



- (c) a detailed social history of the biological mother and biological father, including
    - (i) the relationship between the biological parents,
    - (ii) details about any other child born to either of them,
    - (iii) educational background and, if applicable, future educational plans,
    - (iv) particulars respecting past, present and future employment, and
    - (v) family background information about the parents and the siblings of each biological parent;
  - (d) the reason why the biological parents have decided to make an adoption plan for the child;
  - (e) a physical description of the child, and information about
    - (i) the personality, behaviour and personal interests of the child, and
    - (ii) the cultural, racial, linguistic and religious heritage of the child;
  - (f) a detailed health history of the child, including
    - (i) the birth medical,
    - (ii) a history of the physical growth and development of the child,
    - (iii) the results of any past medical reports from a health care provider about the child's physical and mental health, and
    - (iv) the results of a current medical report about the child's physical and mental health;
  - (g) a detailed social history of the child's life experiences, including
    - (i) where the child has lived, who parented the child and the period of time the child lived with each of those persons,
    - (ii) the child's relationship with biological family, caregivers and peers, and
    - (iii) the child's educational background and current level of education;
  - (h) the child's understanding and views about an adoption plan for the child.
- (1.1) For the purpose of placing a child for adoption under section 4 (2) of the Act, a director is not required to obtain the information described in subsection (1) (d) of this section.
- (2) For the purpose of section 48 (2) (b) and (3) of the Act, the information about the medical and social history of the child and the child's biological family must include those matters in subsection (1) as are reasonably practicable.
- (3) The information required by this section must be in the form of a written report.  
[am. B.C. Regs. 350/2005, Sch. 3, s. 1; 350/2012, s. 3; 102/2014, s. 2; 64/2021, s. 8.]

**Designated representatives**

- 5** (1) For the purpose of section 7 (1) (a) of the Act, the designated representative of an Indian band is as follows:

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- (a) if the band is named in Column 1 of Schedule 1, a person who holds a position listed opposite in Column 2;
- (b) if the band is not named in Column 1 of Schedule 1, a person who
  - (i) holds the position of band manager,
  - (ii) holds the position of social development officer, or
  - (iii) if there is neither a band manager nor a social development officer, holds an equivalent position.
- (2) For the purpose of section 7 (1) (a.1) of the Act, the designated representative of the Nisga'a Lisims Government is a person who holds the position listed in Schedule 1A.
- (2.1) For the purpose of section 7 (1) (a.2) of the Act, the designated representative of a treaty first nation named in Column 1 of Schedule 1B is a person who holds the position listed opposite in Column 2.
- (3) For the purpose of section 7 (1) (b) of the Act, the designated representative of an aboriginal community named in Column 1 of Schedule 2 is a person who holds a position listed opposite in Column 2.

[en. B.C. Reg. 331/2002, App. 1, s. 1; am. B.C. Reg. 52/2011, s. 1.]

**Notice of direct placement**

- 6** (1) For the purpose of section 8 (1) of the Act, the Notice of Intent to Receive a Child by Direct Placement must be made in Form 1 of Schedule 3.
- (2) A notice under subsection (1) is deemed to be given when the notice is received by, and completed to the satisfaction of, a director or the administrator.

[am. B.C. Reg. 350/2005, Sch. 3, s. 1.]

**Requirements of a pre-placement assessment**

- 7** (1) For the purpose of section 8 (2) (d) of the Act, a pre-placement assessment of the prospective adoptive parents respecting their ability to provide for the physical and emotional needs of a child must be prepared by a social worker and must consider and provide for all of the following:
  - (a) how the prospective adoptive parents' reasons for adopting a child might affect their ability to meet the needs of the child;
  - (b) whether there is or was drug or alcohol use on the part of the prospective adoptive parents, or any member of the household of the prospective adoptive parents, that might limit their ability to protect, nurture and care for the child;
  - (c) whether the prospective adoptive parents, or any member of the household of the prospective adoptive parents, have had a child in their care found to be in need of protection;
  - (d) any physical and mental health problems that might limit the prospective adoptive parents' ability to protect, nurture and care for the child;

- (e) the developmental, social and behavioural progress of any other child or children of the prospective adoptive parents that relates to the prospective adoptive parents' ability to protect, nurture and care for the child to be adopted and to the compatibility between the child or children in the home and the child to be adopted;
  - (f) the prospective adoptive parents' understanding of the child's cultural, racial, linguistic and religious heritage and their willingness to help the child appreciate and integrate that heritage;
  - (g) the results of a criminal record check that are relevant to the ability of the prospective adoptive parents to protect, nurture and care for the child;
  - (h) the results of a prior contact check that are relevant to the ability of the prospective adoptive parents to protect, nurture and care for the child;
  - (i) the results of a medical report from a health care provider attesting to the prospective adoptive parents' mental and physical health;
  - (j) any other factors that are relevant to the best interests of the child.
- (2) The pre-placement assessment required by subsection (1) must be in the form of a written report.

[am. B.C. Reg. 189/2021, App. 2, s. 1.]

#### Notice of placement

- 8** For the purpose of section 12 (1) of the Act, the notice of placement must state
- (a) the date that the child was taken into the home of the prospective adoptive parents for the purposes of adoption, and
  - (b) that the prospective adoptive parents intend, at the end of the 6 month period following the date referred to in paragraph (a), to apply to the Supreme Court of British Columbia to adopt the child.

#### Consent to adoption

- 9** (1) For the purpose of section 16 (1) of the Act, the affidavit of consent to adoption of a child in British Columbia by a person resident in British Columbia must be made using the following forms:
- (a) the Consent to Adoption by Parent or Guardian, in Form 2 of Schedule 3;
  - (b) the Consent to Adoption by Child Twelve or Over, in Form 3 of Schedule 3;
  - (c) the Consent to Adoption by Director of Child Protection, in Form 3.1 of Schedule 3.
- (2) The affidavit of consent referred to in subsection (1) must be fully explained to the person giving the consent by
- (a) a social worker, or
  - (b) a lawyer who is registered to practise law in the jurisdiction where the consent is taken.
- (3) Subsection (2) does not apply if

- (a) the consent is given by a director of child protection, and
  - (b) the child is in the continuing custody of the director of child protection or the director of child protection is the child's personal guardian under section 51 of the *Infants Act*.
- (4) The person who takes the affidavit must ensure that the person who gives the consent
- (a) appears to have signed the consent to adoption freely and voluntarily, and
  - (b) was informed about and appears to understand the effect and meaning of the consent.

[am. B.C. Reg. 102/2014, s. 3.]

**Expenses of the birth mother**

- 10** (1) For the purposes of section 84 (2) (a) of the Act, a birth mother may receive payment from a prospective adoptive parent for the following expenses:
- (a) the cost of reasonable accommodation for the birth mother and child if the accommodation is directly related to the physical transfer of a child being placed for adoption;
  - (b) the cost of medical services related to the birth of a child who is being placed for adoption if the coverage is not available to the birth mother from any other source;
  - (c) reasonable transportation costs associated with medical services, appointments and the physical transfer of a child who is being placed for adoption.
- (2) Section 84 (1) of the Act does not apply to a pre-adoption parent or guardian who receives from a prospective adoptive parent payment of expenses for the cost of counselling services for one or all of the pre-adoption parents or the guardian respecting the decision to enter into an adoption plan for a child.

[am. B.C. Reg. 350/2012, s. 4.]

**Promotion of a child**

- 10.1** (1) For the purpose of section 85 (2) (e) of the Act and subject to subsection (2), the restrictions on advertising dealing with the placement or adoption of a child do not apply to publication in the print or electronic media with respect to the availability of a child who
- (a) is in the continuing custody of a director of child protection,
  - (b) is under the guardianship of a director under the Act, or
  - (c) is, pursuant to section 51 of the *Infants Act*, under the guardianship of a director of child protection.
- (2) The advertising referred to in subsection (1) may
- (a) provide a photograph of the child, and

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- (b) provide a non-identifying social profile of the child.

[en. B.C. Reg. 41/2001, s. 1; am. B.C. Regs. 350/2005, Sch. 3, s. 1; 350/2012, s. 5; 102/2014, s. 4; 189/2021, App. 2, s. 2.]

**Notice to pre-adoption parents or guardian  
respecting placement of a child**

- 11** (1) The director or the administrator must, with respect to a child to be placed or who is placed for adoption by either of them, make reasonable efforts to promptly notify the pre-adoption parents or the guardian who consented to the adoption of the child about the status of the placement in any of the following circumstances:
- (a) after a notice of placement under section 12 of the Act has been received;
  - (b) after the termination of a placement because of a placement disruption;
  - (c) after it is determined that placement will not proceed in a home chosen by the pre-adoption parents or guardian;
  - (d) after it is determined that placement will not proceed because an adoption home for the child is not available.
- (2) The notice required by subsection (1) must be given
- (a) by personal service, or
  - (b) by certified or registered mail addressed to the pre-adoption parents or guardian at the last known address of any of them as determined from the records of a director or the administrator.
- (3) This section does not apply if the pre-adoption parents or guardian have, in writing, advised the director or the administrator that notice is not required.

[am. B.C. Regs. 362/2003, s. 2; 350/2005, Sch. 3, s. 1; 350/2012, s. 6.]

**PART 3 – PARENTS’ REGISTRY**

**Parents’ registry**

- 12** (1) A registry is established to be known as the parents’ registry.
- (2) The registry must provide for the recording and maintenance of
- (a) the information required in an application for registration of a parent under section 13,
  - (b) the date or dates on which the application to register was received by the Provincial director and recorded in the parents’ registry,
  - (c) the name of any person referred to in section 14 who makes a request to search the parents’ registry if there is a proposed adoption of a child, and the date of the search request, and
  - (d) any other information the Provincial director determines is necessary for the orderly administration of the parents’ registry.

[am. B.C. Regs. 350/2005, Sch. 3, s 2; 350/2012, ss. 8 and 9.]

**Application for registration on the parents' registry**

- 13** (1) For the purpose of section 10 (1) of the Act, a parent may, no later than 150 days after the date of the notice provided by a prospective adoptive parent under section 12 of the Act, register on the parents' registry to receive notice of a proposed adoption by submitting to the Provincial director a completed Application for Registration of Parent in Form 4 of Schedule 3.
- (2) The application for registration under subsection (1) must
- (a) be signed and dated by the applicant, and
  - (b) be accompanied by proof of identity of the applicant in the form of a copy of the applicant's birth certificate, driver's licence or passport.
- (3) An applicant under subsection (1) is responsible for ensuring that
- (a) the information provided in the application for registration is accurate, and
  - (b) the Provincial director is promptly notified respecting any change to the information provided for registration, including a change of address of the applicant.
- (4) The Provincial director may examine the application that is submitted to ensure that
- (a) the requirements of subsection (2) are met, and
  - (b) the information provided in the application is, in the opinion of the Provincial director, complete.
- (5) The Provincial director must, within 5 days after receipt of the application for registration, send to the applicant a written acknowledgment that the application has been received.
- (6) On acceptance of the application for registration, the Provincial director must record the information provided by the applicant on the parents' registry, and the registration is effective on the date of recording.
- (7) On being satisfied
- (a) that a transcription error or an omission exists with respect to information submitted to the parents' registry, and
  - (b) about the true facts to be recorded,
- the Provincial director may correct the error or add the omitted information.

[am. B.C. Regs. 350/2005, Sch. 3, ss. 2 and 3; 350/2012, ss. 8 and 10.]

**Request for a search of the parents' registry**

- 14** The following persons may, on application to the Provincial director in the form and manner specified by the Provincial director, request a search of the parents' registry in respect of a proposed adoption:
- (a) a social worker;
  - (b) an extra-provincial agency;

- (c) a person entitled to practise law under the *Legal Profession Act* who represents a party to the adoption;
- (d) a prospective adoptive parent in a direct placement who has given a notice of intent to receive a child into the person's home under section 8 (1) of the Act.

[am. B.C. Regs. 350/2005, Sch. 3, s. 2; 350/2012, s. 8; 64/2021, s. 3.]

**Notice to persons registered on the parents' registry**

- 15** (1) For the purpose of section 10 of the Act, the notice of a proposed adoption to a person who is registered as a parent on the parents' registry must
- (a) identify the registered parent by name, address and date of birth,
  - (b) identify by name and address the person who is giving the notice,
  - (c) advise that a parent or guardian intends to place the child for adoption, and
  - (d) state, as applicable, the expected date of birth of the child or the actual date of birth of the child.

- (2) The notice required by subsection (1) must be given by certified or registered mail to any person identified as a parent on the parents' registry, sent to the last known address of that person as recorded on the parents' registry.

[am. B.C. Regs. 362/2003, s. 2; 350/2012, ss. 8 and 11.]

## **PART 4 – COURT PROCEEDINGS**

**Report on a younger child's views**

- 16** (1) For the purpose of section 30 (1) of the Act, the following persons are authorized to meet with a child to make the written report required by section 30 (2) of the Act:
- (a) a social worker;
  - (b) a person approved for adoption work by the British Columbia College of Social Workers;
  - (c) a person registered as a medical practitioner under the *Health Professions Act* who is authorized to practise psychiatry;
  - (d) a person registered as a psychologist under the *Health Professions Act*.
- (2) The report on a younger child's views must consider and provide for all of the following:
- (a) the name and occupation of the person authorized by subsection (1) to meet with the child and write the report;
  - (b) confirmation that the person referred to in paragraph (a) met with the child at a place and in a manner that allowed the child to freely express the child's views;
  - (c) identifying information about the child and the prospective adoptive parents, and particulars respecting the interview;

- (d) the child's understanding of the effect and meaning of adoption;
- (e) the child's views on the proposed adoption and on any proposed change of the child's name;
- (f) the child's views on maintaining relationships with other persons who are significant in the child's life.

[am. B.C. Regs. 270/2008, s. (d); 423/2008, App. s. 1; 350/2012, s. 12; 175/2017, s. (c); 64/2021, s. 3.]

**Birth mother, pre-adoption parent or guardian expenses affidavit**

- 17** (1) For the purpose of section 32 (e) of the Act, a prospective adoptive parent must complete and file with the court the Birth Mother, Pre-Adoption Parent or Guardian Expenses Affidavit in Form 5 of Schedule 3.
- (2) Subsection (1) does not apply to a prospective adoptive parent if the child is placed with that prospective adoptive parent by a director of child protection.

[am. B.C. Regs. 260/2001, s. (b); 350/2012, s. 13; 102/2014, s. 4.]

**Post-placement report**

- 18** (1) For the purpose of section 33 (1) (b) of the Act, a post-placement report must be prepared by a social worker and must consider and provide for all of the following:
- (a) the child's full name and birth date as recorded on the child's birth certificate, or evidence of facts relating to the child's birth;
  - (b) the date that the child was placed with the prospective adoptive parents;
  - (c) if there is an existing order for contact with a child or access to a child, any information or views pertaining to contact with the child or access to the child that may be helpful to the court in determining whether the order should continue or be terminated in accordance with the best interests of the child;
  - (d) if applicable, an explanation as to why the biological father's consent was not obtained.
- (2) The post-placement report must confirm whether the requirements of sections 6, 8, 9, 13 and 48 (1) of the Act have been met for the type of adoption for which the prospective adoptive parents have made application.
- (3) The information required by this section must be in the form of a written report.

[am. B.C. Regs. 350/2012, s. 14; 64/2021, s. 3.]

**PART 5 – OPENNESS AND DISCLOSURE****Post-adoption openness registry**

- 19** (1) A registry is established to be known as the post-adoption openness registry.



- (2) A person referred to in section 60 (1) of the Act may, on application to the Provincial director in the form and manner specified by the Provincial director, register on the post-adoption openness registry an interest in making an openness agreement to facilitate communication or establish a relationship.
- (3) The application for registration under subsection (2) must be accompanied by
  - (a) a copy of the birth certificate, or other identifying documentation acceptable to the Provincial director, of the person making the application, and
  - (b) any other information required by the Provincial director for the purpose of ascertaining the applicant's identity and relationship to the party with whom the applicant wishes to exchange information.
- (4) The Provincial director may examine the application that is submitted
  - (a) to ensure that the requirements of subsection (3) are met and the information provided in the application is, in the opinion of the Provincial director, complete, and
  - (b) to determine whether
    - (i) there is a record on file relating to the adopted person,
    - (ii) the applicant was involved in a British Columbia adoption for which a director has a record, and
    - (iii) the applicant is eligible to register on the post-adoption openness registry.
- (5) On acceptance of the application for registration, the Provincial director must
  - (a) record the information provided on the post-adoption openness registry, and
  - (b) notify the applicant that the registration has been recorded.
- (6) The registration under subsection (5) is effective on the date of recording.
- (7) A person who is registered on the post-adoption openness registry must notify the Provincial director of any change of name or address recorded on the registry.
- (8) On being satisfied
  - (a) that a transcription error or an omission exists with respect to information submitted to the post-adoption openness registry, and
  - (b) about the true facts to be recorded,the Provincial director may correct the error or add the omitted information.
- (9) A registration under this section is valid until one of the following occurs:
  - (a) the receipt by the Provincial director of a written notice of cancellation of registration sent to the Provincial director by the applicant;
  - (b) all requested matches have been met;

- (c) the adopted person, whose adoptive parent has registered under this section, reaches the age of 18 years and files a disclosure veto or a no-contact declaration;
  - (d) the adopted person, whose adoptive parent has registered under this section, reaches the age of 19 years.
- (10) If a registration is cancelled or is no longer valid under subsection (9), the Provincial director must promptly remove from the post-adoption openness registry all information received under this section.

[am. B.C. Reg. 350/2005, ss. 1 to 3.]

**Incapacity of adopted person or pre-adoption parent  
to file veto or no-contact declaration**

**20** If an adopted person or pre-adoption parent is incapable of filing a veto under section 65 of the Act or a no-contact declaration under section 66 of the Act, the veto or no-contact declaration may be filed by the following persons:

- (a) on behalf of an adopted person who does not have a committee, by the adopted person's parent or guardian if the parent or guardian has provided the registrar general with a signed statement of 2 medical practitioners setting forth their opinion that the adopted person is incapable of managing the adopted person's affairs by reason of
  - (i) mental infirmity arising from disease, age or otherwise,
  - (ii) a genetic condition or hereditary condition, or
  - (iii) disorder or disability of mind arising from the use of drugs;
- (b) on behalf of an adopted person who has a committee, by the adopted person's committee;
- (c) on behalf of a pre-adoption parent who has a committee, by the pre-adoption parent's committee.

[am. B.C. Regs. 362/2003, s. 3; 350/2012, s. 15; 102/2014, s. 5; 50/2016, s. 1; 64/2021, s. 3.]

**Form of undertaking**

**21** For the purpose of section 66 (4) of the Act, a person who requests information from the registrar general about a person to whom a no-contact declaration relates must, on a form provided by the registrar general, undertake not to do any of the following:

- (a) knowingly contact or attempt to contact the person who filed the no-contact declaration;
- (b) procure another person to contact the person who filed the no-contact declaration;
- (c) use information obtained under the Act to intimidate or harass the person who filed the no-contact declaration;
- (d) procure another person to intimidate or harass, by the use of information obtained under the Act, the person who filed the no-contact declaration.

[am. B.C. Regs. 362/2003, s. 3; 102/2014, s. 5.]

**Passive reunion registry**

- 22** (1) A registry is established to be known as the passive reunion registry.
- (2) A person referred to in section 69 of the Act may, on application to the Provincial director in the form and manner specified by the Provincial director, register on the passive reunion registry an interest in exchanging identifying information with a specified party.
- (3) The application for registration under subsection (2) must be accompanied by
- (a) a copy of the birth certificate, or other identifying information acceptable to the Provincial director, of the person making the application,
  - (b) an application fee of \$25 payable to the minister responsible for the *Financial Administration Act*, and
  - (c) any other information required by the Provincial director for the purpose of ascertaining the applicant's identity and relationship to the party with whom the applicant wishes to exchange identifying information.
- (4) The Provincial director may examine the application that is submitted
- (a) to ensure that the requirements of subsection (3) are met and the information provided in the application is, in the opinion of the Provincial director, complete, and
  - (b) to determine whether
    - (i) there is a record on file relating to the adopted person,
    - (ii) the applicant was involved in a British Columbia adoption for which a director has a record, and
    - (iii) the applicant is eligible to register on the passive reunion registry.
- (5) On acceptance of the application for registration, the Provincial director must
- (a) record the information provided on the passive reunion registry, and
  - (b) notify the applicant that the registration has been recorded.
- (6) The registration under subsection (5) is effective on the date of recording.
- (7) A person who is registered on the passive reunion registry must notify the Provincial director of any change of name or address recorded on the registry.
- (8) On being satisfied
- (a) that a transcription error or an omission exists with respect to information submitted to the passive reunion registry, and
  - (b) about the true facts to be recorded,
- the Provincial director may correct the error or add the omitted information.
- (9) A registration under this section is valid until one of the following occurs:
- (a) the receipt by the Provincial director of a written notice of cancellation of registration sent to the Provincial director by the applicant;

(b) all requested matches have been met.

- (10) If a registration is cancelled or is no longer valid under subsection (9), the Provincial director must promptly remove from the passive reunion registry all information received under this section.

[am. B.C. Reg. 350/2005, ss. 1 to 4.]

**Eligibility to register for the exchange  
of identifying information**

- 23** For the purpose of section 69 (1) (b) of the Act, an adult relative of an adopted person includes the following persons:

- (a) a person who has signed an acknowledgment of parentage;
- (b) a person who has signed an unmarried parents agreement;
- (c) a person who was interviewed by a social worker and verbally acknowledged parentage;
- (d) a person who is, in the opinion of the Provincial director, clearly identified on the record as a parent.

[am. B.C. Regs. 350/2005, Sch. 3, s. 2; 350/2012, s. 16.]

**Assistance in locating an adopted person,  
pre-adoption parent or sibling**

- 24** (1) An adult person referred to in section 71 of the Act may, on application to the Provincial director in the form and manner specified by the Provincial director, apply for assistance in locating a pre-adoption parent, an adult adopted sibling, an adult pre-adoption sibling or an adult adopted child.
- (2) The application under subsection (1) must be accompanied by
- (a) a copy of the record obtained under section 63 or 64 of the Act or the consent referred to in section 71 (2) of the Act,
  - (b) a copy of the birth certificate, or other identifying information acceptable to the Provincial director, of the person making the application,
  - (c) an application fee of \$25 payable to the minister responsible for the *Financial Administration Act*, and
  - (d) any other information required by the Provincial director for the purpose of ascertaining the applicant's identity and relationship to the party whom the applicant wishes to locate.
- (3) The Provincial director may examine the application that is submitted to ensure that the requirements of subsection (2) are met and that the information provided in the application is, in the opinion of the Provincial director, complete.
- (4) A person who has applied for a search under this section must notify the Provincial director of any change of name or address on record.
- (5) Before the Provincial director begins action to locate a person, a person who has applied for a search under this section must pay a fee of

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- (a) \$250 for assistance in locating the first person, and
  - (b) \$180 for assistance in locating a second or subsequent person.
- (6) An application for a search under this section remains in effect until one of the following occurs:
  - (a) the receipt by the Provincial director of a written notice of cancellation of the application sent to the Provincial director by the applicant;
  - (b) all requested searches have been undertaken.
- (7) An applicant need not provide the fee referred to in subsection (2) (c) if the applicant has applied for registration on the passive reunion registry under section 22 and has paid the fee referred to in subsection (3) (b) of that section.

[am. B.C. Regs. 350/2005, Sch. 3, ss. 2 to 4; 350/2012, s. 17.]

**Remission of fees**

- 25** (1) Approval of the Lieutenant Governor in Council is given for the remission of the obligation to pay any fee under this Part if, in respect of the person who must pay the fee, the family unit of which that person is a part has, in the current calendar year, a before-tax annual income equal to or less than the low-income measures established by Statistics Canada for the most recent calendar year for family units of that size plus 10%.
- (2) If a person must pay more than one fee under this Part, “**fee**” for the purpose of subsection (1) means the sum of all fees payable by that person under this Part.

[en. B.C. Reg. 47/2010, Sch., s. 1.]

**PART 6 – FINANCIAL ASSISTANCE AND OTHER ASSISTANCE**

**Definitions**

- 26** (1) In this Part:
- “**designated child**” means a child
- (a) who
    - (i) is
      - (A) in the continuing custody of a director of child protection,
      - (B) transferred to the care and custody of a director under the Act,
      - (C) under the personal guardianship of a director of child protection under section 51 of the *Infants Act*, or
      - (D) under the guardianship of a director under the Act, or
    - (ii) was adopted and is under the guardianship of the adoptive parent or of a person who is a guardian under the *Family Law Act*, and previously came within subparagraph (i) (A), (B), (C), or (D),
  - (b) who has
    - (i) subject to subsection (2), a special service need because of

- (A) a diagnosed physical disability or mental disability or both,
  - (B) a diagnosed emotional disturbance or behavioural disturbance or both,
  - (C) a high risk of developing a physical disability or mental disability or both, or
  - (D) a high risk of developing an emotional disturbance or behavioural disturbance, or both, due to pre-natal or post-natal history, or
  - (ii) a special placement need because
    - (A) of the age of the child,
    - (B) the child is a member of family group that should be placed together, either jointly or successively,
    - (C) the child has established significant emotional ties with a person who proposed to adopt the child, or
    - (D) the child has cultural ties that require a culturally compatible placement or support, and
  - (c) who is designated by a director as a designated child on meeting the criteria set out in paragraphs (a) and (b);
- “support service”**, with respect to a designated child, means
- (a) a service related to the special service needs of the designated child, as described in paragraph (b) (i) of the definition of “designated child”, or
  - (b) a service provided to the family of the designated child, including one or more of the following:
    - (i) homemaking;
    - (ii) respite;
    - (iii) parenting programs or other training that pertains to the care of the designated child;
    - (iv) counselling.
  - (2) A child has a special service need for the purposes of paragraph (b) (i) of the definition of “designated child” if the child
    - (a) is demonstrated as having the special service need before the child is adopted, and
    - (b) is diagnosed with, or recognized by a director as having, the special service need either before or after the child is adopted.

[en. B.C. Reg. 189/2021, App. 2, s. 4.]

**Eligibility for financial assistance or other assistance**

- 27** (1) Subject to sections 27.2 to 29, a person is eligible for financial assistance or other assistance under section 80 of the Act as follows:
- (a) respecting maintenance payments, if the person

- (i) proposes to adopt a child who
  - (A) is placed for adoption with the person by a director, and
  - (B) comes within
    - (I) paragraph (a) (i),
    - (II) paragraph (b) (ii) (B), (C) or (D), and
    - (III) paragraph (c)of the definition of “designated child”,
- (ii) has adopted a child who
  - (A) was placed for adoption with the person by a director, and
  - (B) comes within
    - (I) paragraph (a) (ii),
    - (II) paragraph (b) (ii) (B), (C) or (D), and
    - (III) paragraph (c)of the definition of “designated child”, or
- (iii) is a guardian under the *Family Law Act* of a child who
  - (A) was placed for adoption by a director under the Act, and
  - (B) comes within
    - (I) paragraph (a) (ii),
    - (II) paragraph (b) (ii) (B), (C) or (D), and
    - (III) paragraph (c)of the definition of “designated child”;
- (b) respecting the provision of or payment for support services, if
  - (i) the person
    - (A) proposes to adopt a designated child who is placed for adoption with the person by a director,
    - (B) has adopted a designated child who was placed for adoption with the person by a director, or
    - (C) is a guardian under the *Family Law Act* of a designated child who was placed for adoption by a director under the Act, and
  - (ii) the person has a demonstrated need for the support services.
- (2) A person seeking financial assistance or other assistance under section 80 of the Act must
  - (a) apply to a director in the form specified by the director,
  - (b) include as part of the application the documents required by the director, and
  - (c) if requested by a director, provide any other documents or information related to the application in a form and manner satisfactory to the director.

[en. B.C. Reg. 189/2021, Sch. 2, s. 5.]

**27.1** Repealed. [B.C. Reg. 47/2010, Sch., s. 4.]

**Asset and income limits**

**27.2** (1) In this section, section 28 and Schedule 4:

“**BC Assessment**” means the British Columbia Assessment Authority continued under the *Assessment Authority Act*;

“**dependent person**” with respect to a designated child’s family unit, means

- (a) the designated child,
- (b) a child placed for adoption under section 4 of the Act with a member of the family unit, or
- (c) a person
  - (i) whose parent is a member of the family unit, and
  - (ii) who is
    - (A) under 19 years of age and financially dependent on a member of the family unit, or
    - (B) 19 years of age or older and
      - (I) unable, because of illness, disability or another reason acceptable to a director, to obtain the necessities of life or withdraw from the charge of the person’s parent, or
      - (II) financially dependent on a member of the family unit and attending an educational or vocational program or institution,

but does not include a child

- (C) in relation to whom a member of the family unit has entered into an agreement as a caregiver under section 77.2 of the Act,
- (D) in relation to whom a member of the family unit has entered into an agreement with a director under section 8 of the *Child, Family and Community Service Act*,
- (E) in relation to whom a member of the family unit, by agreement under section 94 of the *Child, Family and Community Service Act*, exercises a director’s rights or carries out a director’s responsibilities,
- (F) of whom a member of the family unit has interim or temporary custody under an order of the court under section 35 (2) (d), 41 (1) (b), 42.2 (4) (c), 49 (7) (b) or 54.01 (9) (b) of the *Child, Family and Community Service Act*,
- (G) of whom a member of the family unit has custody under an order of the court under section 42.2 (4) (a) of the *Child, Family and Community Service Act*, if the member is the other person referred to in section 42.2 (4) (a) (i) of that Act,



- (H) who is receiving assistance under the authority of the Child in the Home of a Relative Program Transition Regulation, B.C. Reg. 48/2010, and a member of the family unit is the relative with whom that child resides, or
- (I) who is receiving assistance under a program, similar in nature to the program referred to in subparagraph (viii), provided
  - (I) on a reserve, within the meaning of the *Indian Act* (Canada), by the government of Canada, or
  - (II) by the Nisga'a Nation or a treaty first nationand a member of the family unit is the relative with whom that child resides;

**“family unit”** means

- (a) a person applying for financial assistance or other assistance under section 27 (2) in respect of a designated child, and
- (b) the person's spouse, if the person has a spouse;

**“financial institution”** has the same meaning as in

- (a) section 1 (1) of the *Financial Institutions Act*, or
- (b) section 3 of the *Office of the Superintendent of Financial Institutions Act* (Canada);

**“notice of assessment”** means the notice of assessment issued to an individual by the Canada Revenue Agency under the *Income Tax Act* (Canada);

**“notice of reassessment”** means the notice of reassessment issued to an individual by the Canada Revenue Agency under the *Income Tax Act* (Canada);

**“parent”** includes

- (a) a guardian, other than the following:
  - (i) a director;
  - (ii) an administrator;
  - (iii) a director of child protection;
  - (iv) the Public Guardian and Trustee, and
- (b) another person who stands in the place of a parent but, with respect to a designated child, does not include a person who is a prospective adoptive parent of the designated child;

**“parenting time”** has the same meaning as in section 42 of the *Family Law Act*;

**“reside”** has the same meaning as in section 2 (1).

- (2) Two persons are spouses of each other for the purposes of this section and section 28 if
  - (a) they reside together and are married to each other,

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- (b) they reside together and declare to a director that they are in a marriage-like relationship, or
  - (c) they have resided together for at least the previous 12 consecutive months and the director is satisfied that the relationship demonstrates
    - (i) financial dependence or interdependence, and
    - (ii) social and familial interdependence consistent with a marriage-like relationship.
- (3) For the purposes of the definition of “family unit” in subsection (1), if a designated child has 2 parents who are not spouses of each other and each parent has parenting time with the designated child, each parent may be a person applying for financial assistance or other assistance under section 27 (2) in respect of the designated child.
- (4) Maintenance payments in respect of a designated child are not available if either or both of the following apply respecting the designated child’s family unit:
- (a) the total net income of the family unit, as determined under subsection (6) or (7), as applicable, exceeds the maximum amount of net income set out in the table titled “Net Income Threshold and Maintenance Payment Table” in Schedule 4 that corresponds with the age of the designated child and the number of dependent persons whose parent or prospective adoptive parent is a member of the family unit;
  - (b) the family unit has gross assets with a total value of more than \$300 000.
- (5) The provision of or payment for support services is not available if the designated child’s family unit has gross assets with a total value of more than \$300 000.
- (6) For the purposes of subsection (4) (a), the family unit’s total net income is determined as follows:
- (a) if the person applying for financial assistance or other assistance under section 27 (2) in respect of the designated child does not have a spouse, the family unit’s total net income is
    - (i) the amount reported on line 23600 of the person’s most recent notice of assessment, if there has been no notice of reassessment for that year, which notice of assessment must not be for a taxation year more than 2 years previous to the year the application is made, or
    - (ii) the amount reported on line 23600 of the notice of reassessment, if there was a notice of reassessment;
  - (b) if the person referred to in paragraph (a) has a spouse, the sum of
    - (i) the amount referred to in paragraph (a) (i) or (ii), as applicable, and
    - (ii) the amount reported on line 23600 of
      - (A) the spouse’s most recent notice of assessment, if there has been no notice of reassessment for that year, which notice of

- assessment must not be for a taxation year more than 2 years previous to the year the application is made, or
- (B) the spouse's notice of reassessment if there was a notice of reassessment.
- (7) Despite subsection (6), if the income of a member of the family unit has increased or decreased significantly since the most recent notice of assessment or notice of reassessment, as applicable, or if a notice of assessment as set out in subsection (6) (a) (i) or (b) (ii) (A) is not available,
- (a) the member of the family unit must provide to a director
- (i) a statement, in the form required by the director, attesting to,
- (A) in the case of the income increasing or decreasing, the estimated increase or decrease as projected for the rest of the calendar year, or
- (B) in the case of the notice of assessment not being available, the total income from all sources, except sources that would not be required to be reported on line 23600 of a notice of assessment, for the year previous to the year the application is made, and
- (ii) any documents or information related to the matters referred to in subparagraph (i) requested by the director, and
- (b) the director may determine the total net income of the family unit based on the statement, documents and information.
- (8) For the purposes of subsections (4) (b) and (5), the total value of the gross assets of the family unit is the sum of all of the following that apply:
- (a) the sum of the value, according to the most recent annual property assessment by BC Assessment, of all real estate in British Columbia owned by the members of the family unit, either separately or jointly with each other or with another person, except
- (i) the family unit's primary residence, and
- (ii) any real estate used to generate the family unit's primary source of income;
- (b) the sum of the value of all real estate in jurisdictions other than British Columbia owned by the members of the family unit, either separately or jointly with each other or with another person, according to the most recent annual property assessment by the equivalent of BC Assessment in those jurisdictions or, if there is no equivalent of BC Assessment, according to another method of valuation the director considers satisfactory, except
- (i) the family unit's primary residence, and
- (ii) any real estate used to generate the family unit's primary source of income;

- (c) the sum of the fair market value of all motor vehicles, boats and aircraft, owned by the members of the family unit, either separately or jointly with each other or with another person, except
  - (i) one motor vehicle generally used for day-to-day transportation needs, and
  - (ii) any motor vehicles, boats or aircraft used for the primary purpose of generating income;
- (d) subject to subsection (9), any amount over \$5 000 in the sum of all cash on hand owned by the members of the family unit;
- (e) subject to subsection (9), the sum of all money held in deposit accounts, other than accounts that are used for the day-to-day expenses of the family unit, by the members of the family unit, either separately or jointly with each other or with another person;
- (f) subject to subsection (9), the sum of all money held in tax-free savings accounts within the meaning of the *Income Tax Act* (Canada) by the members of the family unit, either separately or jointly with each other or with someone else;
- (g) subject to subsection (9), the sum of all money held in accounts in a foreign jurisdiction, that are substantially similar to the tax-free savings accounts referred to in paragraph (f), by the members of the family unit, either separately or jointly with each other or with someone else;
- (h) the market value of all investment assets at financial institutions held by members of the family unit, either separately or jointly with each other or someone else, not including the funds held within an investment that is
  - (i) a registered retirement savings plan,
  - (ii) a registered education savings plan,
  - (iii) a registered disability savings plan,
  - (iv) a locked-in retirement account,
  - (v) a registered retirement income fund, or
  - (vi) with respect to a foreign jurisdiction, substantially similar to a savings plan referred to in subparagraph (i), (ii) or (iii).
- (9) For the purposes of subsections (4) (b) and (5), the total value of the gross assets of the family unit does not include the following:
  - (a) money that is
    - (i) paid to a member of the family unit by
      - (A) a local government,
      - (B) the government of British Columbia,
      - (C) the government of Canada, or
      - (D) the Public Guardian and Trustee, and
    - (ii) paid

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- (A) to provide financial assistance to the family unit, a member of the family unit, or a child,
  - (B) in respect of a child, from property that comes into the control of, or is held by, the Public Guardian and Trustee,
  - (C) as compensation for injury, harm or damage, as part of a settlement agreement with a local government, the government of British Columbia or the government of Canada, or
  - (D) in recognition of a sacrifice or contribution to society by the family unit or a member of the family unit;
- (b) a tax credit.

[en. B.C. Reg. 189/2021, App. 2, s. 6.]

**Kinds of financial assistance and other assistance available**

- 28** (1) Repealed. [B.C. Reg. 189/2021, App. 2, s. 7 (a).]
- (2) Financial assistance is not available under this Part if the required service or assistance is available at no cost to the parent or prospective adoptive parent from another source.
- (3) If the required service is available at a reduced cost to the parent or prospective adoptive parent from another source, the financial assistance available under this Part must not exceed the amount of the reduced cost.
- (4) Subject to subsections (5.1), (5.2) and (6.1), financial assistance may be paid out in the form of one or more of the following:
- (a) a lump-sum payment;
  - (b) payments made monthly or from time to time to meet special circumstances.
- (5) Maintenance payments must not exceed the basic rate for foster care.
- (5.1) If maintenance payments are made in respect of a designated child, the maintenance payments must be made
- (a) to the person in the designated child's family unit who applied for the financial assistance or other assistance under section 27 (2), and
  - (b) monthly in the amount set out in the table titled "Net Income Threshold and Maintenance Payment Table" in Schedule 4 under the heading "Maintenance Payment Amount" that corresponds with
    - (i) the age of the designated child and the number of dependent persons whose parent or prospective adoptive parent is a member of the family unit, and
    - (ii) the family unit's total net income, as determined under section 27.2 (6) or (7), as applicable, and set out in that table.

- (5.2) If maintenance payments are made in respect of a designated child who has 2 parents who are not spouses of each other and each parent has parenting time with the designated child, the maintenance payments must be made
- (a) to the person in each family unit who applied for the financial assistance or other assistance under section 27 (2), and
  - (b) monthly in the amount determined for each family unit under subsection (5.1) (b), multiplied by the percentage of parenting time the parent within each family unit has with the designated child.
- (6) Payment for support services related to the special service needs of the designated child must not exceed the cost of services provided under the *Child, Family and Community Service Act* to a child in the care, custody or guardianship of a director of child protection.
- (6.1) If the provision of or payment for support services is made in respect of a designated child who has 2 parents who are not spouses of each other and each parent has parenting time with the child, the provision of or payment for support services must
- (a) be made to the person in each family unit who applied for the financial assistance or other assistance under section 27 (2), and
  - (b) account for the percentage of parenting time each parent has with the child.
- (6.2) For the purposes of this section, if a designated child has 2 parents who are not spouses of each other and each parent has parenting time with the child, the percentage of parenting time each parent has with the child is presumed to be 50 percent, unless a person applying for financial assistance or other assistance under section 27 (2) in respect of the designated child provides satisfactory evidence to the contrary.
- (7) Financial assistance or other assistance may begin at the time of placement for adoption or at any time after that.
- (8) Financial assistance or other assistance provided under this Part must be accounted for in a manner acceptable to the director.

[am. B.C. Regs. 362/2003, s. 5; 47/2010, Sch., s. 5; 102/2014, s. 7; 189/2021, App. 2, s. 7.]

### **Assistance agreement**

- 29** (1) In this section, “**eligibility period**” means the period
- (a) that begins on the day that a director determines that the applicant is eligible to receive financial assistance or other assistance under this Part, and
  - (b) that ends on the day the applicant enters into a written agreement referred to in this section.
- (2) Financial assistance or other assistance will not be provided under this Part until the applicant enters into a written agreement with a director that sets out

- (a) the financial assistance or other assistance to be provided in relation to the eligibility period, if applicable,
- (b) the financial assistance or other assistance to be provided after the applicant enters into a written agreement, if applicable, and
- (c) the conditions on which the financial assistance or other assistance set out under paragraphs (a) and (b) is to be provided.

[en. B.C. Reg. 160/2023, s. 1.]

**Supplementary payment for April 1 – August 31, 2023 period**

- 29.1** (1) In this section, “**designated period**” means the period beginning on April 1, 2023 and ending on August 31, 2023.
- (2) At any time before April 1, 2025, the director may make a payment in accordance with subsection (3) to a person
- (a) who was a party to an agreement with the director under section 29 (2) for all or part of the designated period, and
  - (b) who received at least one maintenance payment during the designated period.
- (3) The director may determine the amount of the payment up to a maximum amount that is equal to the difference between
- (a) the amount in maintenance payments the parent or prospective adoptive parent would have received if B.C. Reg. 160/2023 had come into force on April 1, 2023, and
  - (b) the amount in maintenance payments the parent or prospective adoptive parent received during the designated period.
- (4) For certainty, a payment made under this section is not required to be included in an agreement with the director under section 29 (2).

[en. B.C. Reg. 271/2023, s. 1.]

**30** Repealed. [B.C. Reg. 365/98.]

**30.1** Repealed. [B.C. Reg. 189/2021, App. 2, s. 8.]

## **PART 7 – HAGUE CONVENTION ON INTERCOUNTRY ADOPTIONS**

**Requirement to give notice of placement**

- 31** If an adoption that is being completed in British Columbia is subject to the provisions of the Convention, then, despite section 12 (2) of the Act, subsection (1) of that section applies to a prospective adoptive parent who is a relative of the child.

**Requirement to give notice of application**

- 32** If an adoption that is being completed in British Columbia is subject to the provisions of the Convention, then, despite section 31 (1) (a) of the Act, subsection (1) (a) of that section applies to a relative of the child.

**Application to convert an adoption**

- 33** (1) An application to the court under section 55 (1) of the Act for an order converting an adoption referred to in Article 27 of the Convention must include all of the following:
- (a) proof that the required consents have been obtained;
  - (b) a certified copy of the adoption order granted in the State of origin;
  - (c) a certificate of conformity issued by the State of origin;
  - (d) a Convention letter of approval issued by the Provincial director;
  - (e) the child's birth registration or, if it cannot be obtained, evidence satisfactory to the court of the facts relating to the child's birth;
  - (f) if applicable, details of any orders for contact with a child or access to a child or orders dispensing with consents.
- (2) If an application is made under subsection (1), then, despite section 32 of the Act, there is no requirement to file with the court the documents referred to in that section.
- (3) On the court making an order converting an adoption under section 55 (1) of the Act, the applicant must forward to the Provincial director a copy of the order.
- [am. B.C. Regs. 350/2005, Sch. 3, s. 2; 350/2012, s. 20.]

**PART 8 – ADMINISTRATIVE****Forms**

- 34** The forms in Schedule 3 are prescribed for the purposes of the Act and this regulation.

**Transitional**

- 35** (1) For the purpose of sections 95, 97, 98 and 100 of the Act, a reference to the superintendent in respect of a matter referred to in any of those sections is deemed to be a reference to
- (a) the person designated as Superintendent of Family and Child Service under the *Family and Child Service Act*, S.B.C. 1980, c. 11, if the matter occurred before January 29, 1996, or
  - (b) the person designated as director of adoption under the former Act, if the matter occurred after January 29, 1996 but before November 4, 1996.
- (2) For the purpose of section 95 (2) of the Act, a reference to the superintendent is deemed to be a reference to



Schedule 1

- (a) the director, if the placement occurred on November 4, 1996 or between November 4, 1996 and January 15, 2006, and
  - (b) a director, if the placement occurred on or after January 16, 2006.
- (3) A reference in the Assisted Adoption Regulation, B.C. Reg. 372/89, to the Director of Assisted Adoption is deemed to be a reference to
- (a) the director, for the period November 4, 1996 to January 15, 2006, and
  - (b) a director, for any date on or after January 16, 2006.
- (4) The requirements of section 3 (4) to (7) of this regulation apply to a homestudy completed before November 4, 1996.
- (5) A homestudy commenced before November 4, 1996 and completed on or before February 4, 1997 is a valid homestudy for the purposes of the Act.
- [am. B.C. Reg. 350/2005, Sch. 3, s. 8.]

**SCHEDULE 1**

[en. B.C. Reg. 331/2002, App. 1, s. 2; am. B.C. Regs. 350/2005, Sch. 3, s. 9; 52/2011, s. 2; 53/2011, Sch. 1, s. 1; 15/2016, Sch. 1, s. 1; 189/2021, App. 2, s. 2; 123/2024, Sch., s. 1.]

**DESIGNATED REPRESENTATIVE OF FIRST NATION**

*(section 5 (1) )*

Column 1 <b>Indian Band</b>	Column 2 <b>Designated Representative</b> <i>(section 7 (1) (a) of the Act)</i>
Adams Lake First Nation	First Nation Social Worker
Ahousaht First Nation	First Nation Manager or Family Care Worker
Aitchelitz First Nation	First Nation Manager, Social Development Officer or Equivalent
Alexandria First Nation	First Nation Manager, Social Development Officer or Equivalent
Alexis Creek First Nation	First Nation Social Worker
Ashcroft First Nation	First Nation Manager, Social Development Officer or Equivalent
Beecher Bay First Nation	First Nation Chief or First Nation Social Worker
Blueberry River First Nation	First Nation Manager, Social Development Officer or Equivalent
Bonaparte First Nation	First Nation Social Worker
Boothroyd First Nation	First Nation Manager, Social Development Officer or Equivalent
Boston Bar First Nation	First Nation Manager, Social Development Officer or Equivalent
Bridge River First Nation	First Nation Manager, Social Development Officer or Equivalent
Burns Lake First Nation	First Nation Manager, Social Development Officer or Equivalent
Burrard First Nation	Social Development Director
Campbell River First Nation	First Nation Manager, Social Development Officer or Equivalent
Canim Lake First Nation	First Nation Social Worker
Canoe Creek First Nation	First Nation Manager, Social Development Officer or Equivalent
Cape Mudge First Nation	First Nation Manager, Social Development Officer or Equivalent

## Schedule 1

Column 1 <b>Indian Band</b>	Column 2 <b>Designated Representative</b> <i>(section 7 (1) (a) of the Act)</i>
Cayoos Creek First Nation	First Nation Social Worker
Chawathil First Nation	First Nation Social Development Worker
Cheam First Nation	First Nation Manager, Social Development Officer or Equivalent
Chehalis First Nation	First Nation Family Support Worker
Chemainus First Nation	First Nation Social Worker
Cheslatta Carrier First Nation	First Nation Social Worker
Coldwater First Nation	Coldwater First Nation Social Services Coordinator
Columbia Lake First Nation	First Nation Manager, Social Development Officer or Equivalent
Comox First Nation	First Nation Manager, Social Development Officer or Equivalent
Cook's Ferry First Nation	First Nation Social Development Coordinator or First Nation Manager
Cowichan First Nation	Cowichan First Nation Administrator
Da'naxda'xw First Nation (aka Tanakteuk First Nation)	First Nation Manager, Social Development Officer or Equivalent
Dease River First Nation	First Nation Manager, Social Development Officer or Equivalent
Ditidaht First Nation	First Nation Social Development Worker or Family Care Worker
Doig River First Nation	First Nation Social Worker
Douglas First Nation	First Nation Manager, Social Development Officer or Equivalent
Ehattesah First Nation	First Nation Manager
Esketeme First Nation (aka Alkali Lake First Nation)	First Nation Manager, Social Development Officer or Equivalent
Esquimalt First Nation	First Nation Manager, Social Development Officer or Equivalent
Fort Nelson First Nation	First Nation Manager, Social Development Officer or Equivalent
Fountain First Nation (aka Xaxli'p Nation)	Social Development Administrator
Gitanmaax First Nation	First Nation Manager, Social Development Officer or Equivalent
Gitanyow First Nation	First Nation Manager, Social Development Officer or Equivalent
Gitsegukla First Nation	First Nation Manager, Social Development Officer or Equivalent
Gitwangak First Nation	First Nation Manager, Social Development Officer or Equivalent
Glen Vowell First Nation	First Nation Social Development Officer
Gwa'sala-Nakwaxda'xw First Nation	First Nation Social Worker
Gwawaenuk First Nation (aka Kwa-Wa-Aineuk First Nation)	First Nation Manager, Social Development Officer or Equivalent
Hagwilget Village	First Nation Social Worker
Halalt First Nation	First Nation Manager, Social Development Officer or Equivalent
Halfway River First Nation	First Nation Manager, Social Development Officer or Equivalent
Hartley Bay First Nation	First Nation Manager, Social Development Officer or Equivalent
Heiltsuk Nation	First Nation Social Worker or Executive Director

Schedule 1

Column 1 <b>Indian Band</b>	Column 2 <b>Designated Representative</b> <i>(section 7 (1) (a) of the Act)</i>
Hesquiaht First Nation	First Nation Manager, Social Development Officer or Equivalent
High Bar First Nation	First Nation Manager, Social Development Officer or Equivalent
Homalco First Nation	First Nation Social Worker
Hupačasath First Nation (aka Opetchesaht First Nation)	First Nation Office Manager
Iskut First Nation	First Nation Manager, Social Development Officer or Equivalent
Kamloops First Nation	First Nation Social Worker
Kanaka Bar First Nation	First Nation Manager, Social Development Officer or Equivalent
Katzie First Nation	First Nation Social Development Worker
Kispiox First Nation	First Nation Social Worker
Kitamaat Village First Nation	First Nation Social Development Administrator
Kitasoo First Nation	First Nation Social Development Worker
Kitkatla First Nation	First Nation Manager, Social Development Officer or Equivalent
Kitselas First Nation	First Nation Social Development Officer
Kitsumkalum First Nation	First Nation Social Worker
Klahoose First Nation	First Nation Social Development Worker
Kluskus First Nation	First Nation Manager, Social Development Officer or Equivalent
Kwadacha First Nation (aka Fort Ware First Nation)	First Nation Manager, Social Development Officer or Equivalent
Kwakiutl First Nation	First Nation Manager, Social Development Officer or Equivalent
Kwantlen First Nation	First Nation Manager, Social Development Officer or Equivalent
Kwaw-Kwaw-Apilt First Nation	First Nation Manager, Social Development Officer or Equivalent
Kwiakah First Nation	First Nation Manager, Social Development Officer or Equivalent
Kwicksutaineuk-Ah-Kwaw-Ah-Mish First Nation	First Nation Manager, Social Development Officer or Equivalent
Kwikwtlem First Nation (aka Coquitlam First Nation)	First Nation Manager, Social Development Officer or Equivalent
Lake Babine Nation	Lake Babine First Nation Chief
Lake Cowichan First Nation	First Nation Manager, Social Development Officer or Equivalent
Lax-Kw'alaams First Nation	First Nation Administrator
Leq'a:mel First Nation	First Nation Manager, Social Development Officer or Equivalent
Lheidli T'enneh First Nation (aka Lheit-Lit'en Nation)	First Nation Social Development Administrator
Little Shuswap Lake First Nation	First Nation Social Worker
Lower Kootenay First Nation	First Nation Manager, Social Development Officer or Equivalent
Lower Nicola First Nation	First Nation Administrator
Lower Similkameen First Nation	First Nation Social Worker
Lyackson First Nation	First Nation Manager, Social Development Officer or Equivalent
Lytton First Nation	First Nation Manager, Social Development Officer or Equivalent

## Schedule 1

Column 1 <b>Indian Band</b>	Column 2 <b>Designated Representative</b> <i>(section 7 (1) (a) of the Act)</i>
Malahat First Nation	First Nation Manager, Social Development Officer or Equivalent
Mamalilikulla First Nation (aka Mamalelegala Qwe'Qwa'Sot'Enox First Nation)	First Nation Manager, Social Development Officer or Equivalent
Matsqui First Nation	Xyolhemeylh Portfolio Holder
McLeod Lake First Nation	First Nation Manager, Social Development Officer or Equivalent
Metlakatla First Nation	First Nation Social Worker
Moricetown First Nation	First Nation Manager, Social Development Officer or Equivalent
Mount Currie First Nation	First Nation Social Development Manager
Mowachaht/Muchalaht First Nation	First Nation Manager, Social Development Officer or Equivalent
Musqueam First Nation	First Nation Manager, Social Development Officer or Equivalent
N'Quatqua First Nation (aka Anderson Lake First Nation)	First Nation Social Worker
Nadleh Whut'en First Nation	First Nation Manager, Social Development Officer or Equivalent
Nak'azdli First Nation	First Nation Social Development Director, Family Care Worker or Senior Manager
'Namgis First Nation	First Nation Manager, Social Development Officer or Equivalent
Nanoose First Nation	First Nation Manager, Social Development Officer or Equivalent
Nazko First Nation	First Nation Counsellor
Nee-Tahi-Buhn First Nation	First Nation Manager, Social Development Officer or Equivalent
Neskonlith First Nation	First Nation Manager, Social Development Officer or Equivalent
New Westminster First Nation	First Nation Manager, Social Development Officer or Equivalent
Nicomen First Nation	First Nation Manager, Social Development Officer or Equivalent
Nooaitch First Nation	First Nation Social Development Coordinator
North Thompson First Nation	First Nation Social Worker or First Nation Manager
Nuchatlaht First Nation	First Nation Manager, Social Development Officer or Equivalent
Nuxalk Nation	First Nation Manager, Social Development Officer or Equivalent
Okanagan First Nation	First Nation Social Services Supervisor
Old Massett Village First Nation	First Nation Manager, Social Development Officer or Equivalent
Oregon Jack Creek First Nation	First Nation Manager, Social Development Officer or Equivalent
Osoyoos First Nation	First Nation Social Services Manager
Oweekeno Nation	First Nation Manager, Social Development Officer or Equivalent
Pacheedaht First Nation	First Nation Manager, Social Development Officer or Equivalent
Pauquachin First Nation	First Nation Manager, Social Development Officer or Equivalent
Pavilion First Nation	First Nation Social Development Worker
Penelakut First Nation	First Nation Manager, Social Development Officer or Equivalent
Penticton First Nation	First Nation Manager or First Nation Social Worker
Peters First Nation	First Nation Manager, Social Development Officer or Equivalent
Popkum First Nation	First Nation Manager, Social Development Officer or Equivalent

Schedule 1

Column 1 <b>Indian Band</b>	Column 2 <b>Designated Representative</b> <i>(section 7 (1) (a) of the Act)</i>
Prophet River First Nation (aka Dene Tsaa Tse K'nai First Nation)	First Nation Manager, Social Development Officer or Equivalent
Qualicum First Nation	First Nation Manager, Social Development Officer or Equivalent
Quatsino First Nation	First Nation Social Worker
Red Bluff First Nation	First Nation Manager, Social Development Officer or Equivalent
Saik'uz First Nation (aka Stoney Creek First Nation)	First Nation Family Care Worker
Samahquam First Nation	First Nation Manager, Social Development Officer or Equivalent
Saulteau First Nations	First Nation Manager, Social Development Officer or Equivalent
Scowlitz First Nation	First Nation Manager, Social Development Officer or Equivalent
Seabird Island First Nation	First Nation Manager or Community Health Representative
Semiahmoo First Nation	First Nation Manager, Social Development Officer or Equivalent
Seton Lake First Nation	First Nation Social Development Worker
Shackan First Nation	First Nation Social Development Coordinator
shíshálh Nation	First Nation Chief or Councillor
Shuswap First Nation	First Nation Manager, Social Development Officer or Equivalent
Shxw'ow'hamel First Nation (aka Ohamil First Nation)	First Nation Manager, Social Development Officer or Equivalent
Siska First Nation	First Nation Manager or First Nation Social Worker
Skatin First Nation	First Nation Manager, Social Development Officer or Equivalent
Skawahlook First Nation	First Nation Manager, Social Development Officer or Equivalent
Skeetchestn First Nation	First Nation Social Worker
Skidegate First Nation	First Nation Social Worker
Skin Tyee First Nation	First Nation Social Worker
Skowkale First Nation	First Nation Chief
Skuppah First Nation	First Nation Manager, Social Development Officer or Equivalent
Skwah First Nation	Child and Family Services Portfolio First Nation Councillor
Skway First Nation	First Nation Family Support Worker
Snuneymuxw First Nation (aka Nanaimo First Nation)	First Nation Manager, Social Development Officer or Equivalent
Soda Creek First Nation	First Nation Manager, Social Development Officer or Equivalent
Songhees First Nation	First Nation Social Worker
Soowahlie First Nation	First Nation Councillor
Spallumcheen First Nation	First Nation Manager, Social Development Officer or Equivalent
Spuzzum First Nation	First Nation Manager
Squamish Nation	First Nation Manager, Social Development Officer or Equivalent
Squiala First Nation	First Nation Chief
St. Mary's First Nation	First Nation Manager, Social Development Officer or Equivalent

## Schedule 1

Column 1 <b>Indian Band</b>	Column 2 <b>Designated Representative</b> <i>(section 7 (1) (a) of the Act)</i>
Stella'ten First Nation	First Nation Manager, Social Development Officer or Equivalent
Stone First Nation	First Nation Manager, Social Development Officer or Equivalent
Sumas First Nation	First Nation Community Development Coordinator or Education Coordinator
T'Sou-ke First Nation	First Nation Manager, Social Development Officer or Equivalent
T'it'q'et First Nation (aka Lillooet First Nation)	First Nation Social Worker
Tahltan First Nation	First Nation Manager, Social Development Officer or Equivalent
Takla Lake First Nation	First Nation Family Care Worker
Taku River Tlingit First Nation	Social Program Manager
TI'azt'en First Nation	First Nation Family Care Worker
TI'etinqox-T'in First Nation (aka Anaham First Nation)	First Nation Child Care Worker
Tla-o-qui-aht First Nations	First Nation Family Care Worker or Social Development Worker
Tlatlasikwala First Nation	First Nation Manager, Social Development Officer or Equivalent
Tlowitsis First Nation (Tlowitsis – Mumtagila)	First Nation Manager, Social Development Officer or Equivalent
Tobacco Plains First Nation	First Nation Manager, Social Development Officer or Equivalent
Toosey First Nation	First Nation Social Worker
Tsartlip First Nation	First Nation Manager, Social Development Officer or Equivalent
Tsawataineuk First Nation	First Nation Social Development Worker or Drug and Alcohol Counsellor
Tsawout First Nation	First Nation Manager, Social Development Officer or Equivalent
Tsay Keh Dene First Nation	First Nation Social Worker
Tseshah First Nation	First Nation Chief Executive Officer, Family Support Worker, or Social Development Worker
Tseycum First Nation	First Nation Manager, Social Development Officer or Equivalent
Ts'kw'aylaxw First Nation	First Nation Manager, Social Development Officer or Equivalent
Tzeachten First Nation	First Nation Manager
Ulkatcho First Nation	First Nation Manager, Social Development Officer or Equivalent
Union Bar First Nation	First Nation Manager, Social Development Officer or Equivalent
Upper Nicola First Nation	First Nation Social Worker
Upper Similkameen First Nation	First Nation Manager, Social Development Officer or Equivalent
West Moberly First Nation	First Nation Social Development Director
Westbank First Nation	First Nation Manager, Social Development Officer or Equivalent
Wet'suwet'en First Nation (aka Broman Lake First Nation)	First Nation Social Development Administrator
Whispering Pines/Clinton First Nation	First Nation Social Service Worker

Schedule 1A

Column 1 <b>Indian Band</b>	Column 2 <b>Designated Representative</b> <i>(section 7 (1) (a) of the Act)</i>
Williams Lake First Nation	First Nation Social Worker
Xeni Gwet'in First Nation (aka Nemaiah Valley First Nation)	First Nation Social Worker
Yakweakwoose First Nation	First Nation Manager, Social Development Officer or Equivalent
Yale First Nation	First Nation Manager, Social Development Officer or Equivalent
Yekooche First Nation	First Nation Manager, Social Development Officer or Equivalent
First Nations not listed	First Nation Manager, Social Development Officer or Equivalent Position

**SCHEDULE 1A**

[en. B.C. Reg. 331/2002, App. 1, s. 2; 189/2021, App. 2, s. 2.]

**DESIGNATED REPRESENTATIVE OF NISGA'A LISIMS GOVERNMENT**

*(section 5 (2) )*

Column 1 <i>(section 7 (1) (a.1) of the Act)</i>
Director of Programs and Services

**SCHEDULE 1B**

[en. B.C. Reg. 52/2011, s. 3; am. B.C. Regs. 53/2011, Sch. 1, s. 2; 15/2016, Sch. 1, s. 2; 189/2021, App. 2, s. 2.]

**DESIGNATED REPRESENTATIVE OF A TREATY FIRST NATION**

*(section 5 (2.1) )*

Column 1 <b>Treaty First Nation</b>	Column 2 <b>Designated Representative</b> <i>(section 7 (1) (a.2) of the Act)</i>
Huu-ay-aht First Nations	Director of Human Services
Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations	Director of Community Services
Tla'amin Nation	Chief Administrative Officer
Toquaht Nation	Director of Community Services
Tsawwassen First Nation	Health and Social Services Manager
Uchuklesah Tribe	Director of Human Services
Ucluelet First Nation	Director of Community Services

**SCHEDULE 2**

[en. B.C. Reg. 331/2002, App. 1, s. 2; am. B.C. Regs. 350/2005, Sch. 3, s. 10; 189/2021, App. 2, s. 2.]

**DESIGNATED REPRESENTATIVE OF ABORIGINAL COMMUNITY***(section 5 (3) )*

Column 1 <b>Aboriginal Community</b>	Column 2 <b>Designated Representative</b> <i>(section 7 (1) (b) of the Act)</i>
The Chetwynd and Region Aboriginal Community	Executive Director of Tansi Friendship Centre
The Courtenay and Region Aboriginal Community	Director, Wachiay Friendship Centre Society
The Dawson Creek and Region Aboriginal Community	Program Manager of Dawson Creek Aboriginal Resources Society  OR Executive Director of Nawican Friendship Centre
The Duncan and Region Aboriginal Community	Executive Director of Hi'ye'yu Lelum House of Friendship
The Fort Nelson and Region Aboriginal Community	Executive Director of Fort Nelson/Liard Friendship Society
The Fort St. John and Region Aboriginal Community	Legal Information Worker of Keeginaw Friendship Centre
The Houston and Region Aboriginal Community	Executive Director of Houston Friendship Centre
The Kamloops and Region Aboriginal Community	Executive Director of Interior Indian Friendship Centre
The Kelowna and Region Aboriginal Community	Executive Director of Central Okanagan Friendship Centre Society
The Lillooet and Region Aboriginal Community	Executive Director of Lillooet Friendship Centre Society
The Merritt and Region Aboriginal Community	Executive Director of Conayt Friendship Society
The Mission and Region Aboriginal Community	Family Support Worker of Mission Indian Friendship Centre
The Nanaimo and Region Aboriginal Community	Executive Director of Tillicum Haus Society
The Port Alberni and Region Aboriginal Community	Executive Director of Port Alberni Friendship Centre
The Prince George and Region Aboriginal Community	Executive Director of Prince George Friendship Centre
The Prince Rupert and Region Aboriginal Community	Executive Director of Friendship House Association of Prince Rupert



Schedule 2

Column 1 <b>Aboriginal Community</b>	Column 2 <b>Designated Representative</b> <i>(section 7 (1) (b) of the Act)</i>
The Quesnel and Region Aboriginal Community	Assistant Executive Director and Referral Worker or First Nations Family Support Worker of Quesnel Tillicum Society
The Smithers and Region Aboriginal Community	Executive Director of Dzel K'ant Indian Friendship Centre Society
The Terrace and Region Aboriginal Community	Executive Director of Kermode Friendship Centre
The Vancouver and Region Aboriginal Community	Executive Director of Vancouver Aboriginal Friendship Centre Society
The Vernon and Region Aboriginal Community	Executive Director of First Nation Friendship Centre
The Victoria and Region Aboriginal Community	Director of Social Programs, Victoria Native Friendship Centre
The Williams Lake and Region Aboriginal Community	Executive Director of Cariboo Friendship Centre
Metis Community	Executive Director of Metis Commission for Children and Family Services
The Kelly Lake Aboriginal Community located south-east of Pouce Coupe	Chief of Kelly Lake First Nation Society
Liard River Reserve No. 3 located at Lower Post	First Nation Manager
Eastern Arctic Inuit Community	Chairperson of Social Development Council, Nunavut Social Development Council
Western Arctic Inuit Community	Registrar of Enrolment, Inuvialuit Regional Corporation

**SCHEDULE 3**

[am. B.C. Regs. 350/2005, Sch. 3, s. 11; 350/2012, ss. 21 to 25; 102/2014, s. 8; 75/2022, s. 1; 271/2023, s. 2.]

**FORM 1**

(section 6 (1))

**NOTICE OF INTENT TO RECEIVE A  
CHILD BY DIRECT PLACEMENT**

[Check one]

TO: ☐ Director of Adoption  
Address.....☐ Name of Agency .....  
Address .....**THIS WILL BE YOUR NOTICE** that

..... [first applicant] and ..... [second applicant] who reside at  
..... in the city/town of ..... in the Province of British Columbia intend to  
receive a ..... [sex] child into my/our home for the purposes of adoption.

The child ..... [legal name] was born on ..... [date of birth] at  
..... [city/town] ..... [province/state/country].

If known, complete as much of the following information as possible:

The pre-adoption parents are:

Full name	Full address (city/town/province/state/country)	Telephone number including area code

If the child you intend to receive is not yet born, please indicate approximate date of birth .....  
.....

Circumstances regarding proposed placement. How you came to know about the child proposed for  
adoption:

.....  
.....

Dated ..... at .....

First Applicant:

[Signature] ..... [Name (please print)] .....

Second Applicant:

[Signature] ..... [Name (please print)] .....

Witness:

[Signature] ..... [Address] .....

Legal authority for collection of this information is the *Adoption Act*, section 8 (1).

## FORM 2

(section 9 (1) (a))

This is the ..... [1st/2nd/3rd/etc.] affidavit of  
..... [name] in this case and was  
made on ..... [mmm/dd/yyyy]

Court File No.: .....

Court Registry: .....

IN THE SUPREME COURT OF BRITISH COLUMBIA  
IN THE MATTER OF THE *ADOPTION ACT*

IN THE MATTER OF A CHILD

Birth Registration Number .....

## A F F I D A V I T

### Consent to Adoption by Parent or Guardian

I, ..... [Name in full of person consenting]  
of ..... [Address],  
..... [Occupation], swear (affirm) as follows:

1. I am the ..... [Parent/Guardian] of the child  
..... [Name in full of child to be adopted]  
born on ..... [Date of birth – mmm/dd/yyyy] at ..... [Place of  
birth].
2. The meaning and effect of adoption was fully explained to me by .....  
.....[Name of social worker or lawyer].
3. The circumstances under which I can revoke my consent were fully explained to me by  
..... [Name of social worker or lawyer].
4. I consent to the adoption of my child.

**OR**

- \* I consent to the adoption of my child by ..... [Insert name of parent  
in direct placement].
5. I am signing this consent freely and voluntarily.

(\* Only applies to a direct placement)

## Schedule 3

SWORN (OR AFFIRMED) BEFORE ME )  
 at ..... , British Columbia )  
 on ..... [mmm/dd/yyyy]. ) .....  
 ) [Signature of person consenting]  
 )  
 )  
 .....  
 A commissioner for taking affidavits for British Columbia  
 ....[print name or affix stamp of commissioner]....

**FORM 3**

(section 9 (1) (b))

This is the ..... [1st/2nd/3rd/etc.] affidavit of  
 ..... [name] in this case and was  
 made on ..... [mmm/dd/yyyy]

Court File No.: .....

Court Registry: .....

IN THE SUPREME COURT OF BRITISH COLUMBIA  
 IN THE MATTER OF THE *ADOPTION ACT*

IN THE MATTER OF A CHILD

Birth Registration Number .....

**A F F I D A V I T****Consent to Adoption by Child Twelve or Over**

I, ..... [Name in full of child consenting]  
 of ..... [Address],  
 swear (affirm) as follows:

1. I am the child to be adopted by ..... [Name of adopting parent/s].
2. The meaning and effect of adoption was fully explained to me by .....  
 ..... [Name of social worker or lawyer].
3. The circumstances under which I can revoke my consent were fully explained to me by  
 ..... [Name of social worker or lawyer].
4. I consent to being adopted by the applicant/s.
5. I am signing this consent freely and voluntarily.
6. I do not consent to my name being changed.

**OR**

I consent to the change of my name to .....

Schedule 3

SWORN (OR AFFIRMED) BEFORE ME )  
at ..... British Columbia )  
on ..... [mmm/dd/yyyy]. ) .....  
 ) [Signature of person consenting]  
 )  
..... )  
A commissioner for taking affidavits for British Columbia  
....[print name or affix stamp of commissioner]....

**FORM 3.1**

(section 9 (1) (c))

This is the ..... [1st/2nd/3rd/etc.] affidavit of  
..... [name] in this case and was  
made on ..... [mmm/dd/yyyy]

Court File No.: .....

Court Registry: .....

IN THE SUPREME COURT OF BRITISH COLUMBIA  
IN THE MATTER OF THE *ADOPTION ACT*

IN THE MATTER OF A CHILD

Birth Registration Number .....

**A F F I D A V I T**

**Consent to Adoption by Director of Child Protection**

I, ..... [Name in full of person consenting],  
Director designated for the ..... [Region] of ..... [Director's Address],  
..... [Director's City], British Columbia, swear (affirm) as follows:

1. I am a director designated by the Minister under section 91 of the *Child, Family and Community Service Act*.
2. I am the guardian of the child ..... [Name in full of  
child to be adopted] born on ..... [Date of birth – mmm/dd/yyyy] at  
..... [Place of birth].
3. Pursuant to section 50 (1) (a) of the *Child, Family and Community Service Act*, and section 13 of  
the *Adoption Act*, I consent to the adoption of .....  
[Name in full of child to be adopted].
4. I am signing this consent freely and voluntarily.

## Schedule 3

SWORN (OR AFFIRMED) BEFORE ME )  
 at ....., British Columbia )  
 on ..... [mmm/dd/yyyy]. ) .....  
 ) [Signature of person consenting]  
 )  
 )  
 .....  
 A commissioner for taking affidavits for British Columbia  
 ....[print name or affix stamp of commissioner]....

**FORM 4**

(section 13 (1))

**Provincial Director  
of Adoption****APPLICATION FOR REGISTRATION  
OF PARENT****APPLICANT'S INFORMATION:**

Surname: ..... Given names: .....

Date of birth: ..... Other known names: .....

Address: ..... Postal code: .....

Phone number: .....

**PRE-ADOPTION PARENTS' INFORMATION:**

[Complete the following for each pre-adoption parent other than the parent who is making this application.]

Full name	Date of birth	Other known names (include maiden name)	Address (include postal code/zip code and country)	Phone number (include area code)

**CHILD'S INFORMATION:**

Surname: ..... Given names: .....

Gender: ..... Date of birth: .....

Expected date of birth: ..... Birth place: .....

Address: ..... Postal code: .....

Phone number: .....

Signature of applicant: ..... Date: .....

1. Include a copy of birth certificate or driver's licence or passport.

2. Acknowledgment of receipt of your registration will be sent to the address provided on this registration form.
3. Mail to:  
Provincial Director of Adoption  
Parents' Registry  
P.O. Box 9705  
Stn. Prov. Govt.  
Victoria, British Columbia  
V8W 9S1

**Offence**

Section 86 of the *Adoption Act* states that a person must not make a statement that the person knows to be false or misleading in an application on the parents' registry. A person who contravenes this section commits an offence and is liable to a fine of up to \$5 000.

**FORM 5**

(section 17)

**BIRTH MOTHER, PRE-ADOPTION PARENT  
OR GUARDIAN EXPENSES AFFIDAVIT**

IN THE SUPREME COURT OF BRITISH COLUMBIA  
IN THE MATTER OF THE *ADOPTION ACT*

**A F F I D A V I T**

I, ..... [Name in full], ..... [Occupation], and  
..... [Name in full], ..... [Occupation], of  
..... [Street address]  
..... [City, Municipality, etc] , British Columbia, swear  
(affirm) as follows:

1. I/We are applying to adopt a child born on the ..... day of ..... , 20 ..... ,  
Birth Registration Number .....
2. I/We have paid for or given to or on behalf of the birth mother, pre-adoption parent or guardian  
the following:

Item	Amount
(a) accommodation	.....
(b) medical services	.....
(c) transportation	.....
(d) counselling	.....
(e) cost of gifts	.....
<b>Total</b>	.....

**OR**

## Schedule 3

I/We have not given to or on behalf of the birth mother, pre-adoption parent or guardian, either directly or indirectly, any payment or reward.

SWORN (OR AFFIRMED) BEFORE ME )  
at ..... British Columbia )  
on ..... [mmm/dd/yyyy]. ) .....  
 ) [Signature of person consenting]  
 )  
..... )  
A commissioner for taking affidavits for British Columbia  
....[print name or affix stamp of commissioner]....

SWORN (OR AFFIRMED) BEFORE ME )  
at ..... British Columbia )  
on ..... [mmm/dd/yyyy]. ) .....  
 ) [Signature of person consenting]  
 )  
..... )  
A commissioner for taking affidavits for British Columbia  
....[print name or affix stamp of commissioner]....



Schedule 4

**SCHEDULE 4**

[en. B.C. Reg. 160/2023, s. 2.]

NET INCOME THRESHOLD AND MAINTENANCE PAYMENT TABLE												
Total Net Income of Family Unit												
		\$0 to \$80,000	\$80,001 to \$85,000	\$85,001 to \$90,000	\$90,001 to \$95,000	\$95,001 to \$100,000	\$100,001 to \$105,000	\$105,001 to \$110,000	\$110,001 to \$115,000	\$115,001 to \$120,000	\$120,001 to \$125,000	\$125,001 to \$130,000
# of Dependent Persons	Designated Child's Age	Maintenance Payment Amount										
1	<12	849.36	764.42	679.49	594.55	509.62	424.68	339.74	254.81	169.87	84.94	0.00
1	>=12	1,135.81	1,022.23	908.65	795.07	681.49	567.91	454.32	340.74	227.16	113.58	0.00
2	<12	849.36	849.36	764.42	679.49	594.55	509.62	424.68	339.74	254.81	169.87	84.94
2	>=12	1,135.81	1,135.81	1,022.23	908.65	795.07	681.49	567.91	454.32	340.74	227.16	113.58
3	<12	849.36	849.36	849.36	764.42	679.49	594.55	509.62	424.68	339.74	254.81	169.87
3	>=12	1,135.81	1,135.81	1,135.81	1,022.23	908.65	795.07	681.49	567.91	454.32	340.74	227.16
4	<12	849.36	849.36	849.36	849.36	764.42	679.49	594.55	509.62	424.68	339.74	254.81
4	>=12	1,135.81	1,135.81	1,135.81	1,135.81	1,022.23	908.65	795.07	681.49	567.91	454.32	340.74
5	<12	849.36	849.36	849.36	849.36	849.36	764.42	679.49	594.55	509.62	424.68	339.74
5	>=12	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,022.23	908.65	795.07	681.49	567.91	454.32
6	<12	849.36	849.36	849.36	849.36	849.36	849.36	764.42	679.49	594.55	509.62	424.68
6	>=12	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,022.23	908.65	795.07	681.49	567.91
7	<12	849.36	849.36	849.36	849.36	849.36	849.36	849.36	764.42	679.49	594.55	509.62
7	>=12	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,022.23	908.65	795.07	681.49
8	<12	849.36	849.36	849.36	849.36	849.36	849.36	849.36	849.36	764.42	679.49	594.55
8	>=12	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,022.23	908.65	795.07
9	<12	849.36	849.36	849.36	849.36	849.36	849.36	849.36	849.36	849.36	764.42	679.49
9	>=12	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,022.23	908.65
10	<12	849.36	849.36	849.36	849.36	849.36	849.36	849.36	849.36	849.36	849.36	764.42
10	>=12	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,022.23
11 or more	<12	849.36	849.36	849.36	849.36	849.36	849.36	849.36	849.36	849.36	849.36	849.36
11 or more	>=12	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81	1,135.81

## Schedule 4

NET INCOME THRESHOLD AND MAINTENANCE PAYMENT TABLE											
Total Net Income of Family Unit											
		\$130,001 to \$135,000	\$135,001 to \$140,000	\$140,001 to \$145,000	\$145,001 to \$150,000	\$150,001 to \$155,000	\$155,001 to \$160,000	\$160,001 to \$165,000	\$165,001 to \$170,000	\$170,001 to \$175,000	\$175,001 to \$180,000
# of Dependent Persons	Designated Child's Age	Maintenance Payment Amount									
1	<12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1	>=12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2	<12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2	>=12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3	<12	84.94	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3	>=12	113.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4	<12	169.87	84.94	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4	>=12	227.16	113.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5	<12	254.81	169.87	84.94	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5	>=12	340.74	227.16	113.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6	<12	339.74	254.81	169.87	84.94	0.00	0.00	0.00	0.00	0.00	0.00
6	>=12	454.32	340.74	227.16	113.58	0.00	0.00	0.00	0.00	0.00	0.00
7	<12	424.68	339.74	254.81	169.87	84.94	0.00	0.00	0.00	0.00	0.00
7	>=12	567.91	454.32	340.74	227.16	113.58	0.00	0.00	0.00	0.00	0.00
8	<12	509.62	424.68	339.74	254.81	169.87	84.94	0.00	0.00	0.00	0.00
8	>=12	681.49	567.91	454.32	340.74	227.16	113.58	0.00	0.00	0.00	0.00
9	<12	594.55	509.62	424.68	339.74	254.81	169.87	84.94	0.00	0.00	0.00
9	>=12	795.07	681.49	567.91	454.32	340.74	227.16	113.58	0.00	0.00	0.00
10	<12	679.49	594.55	509.62	424.68	339.74	254.81	169.87	84.94	0.00	0.00
10	>=12	908.65	795.07	681.49	567.91	454.32	340.74	227.16	113.58	0.00	0.00
11 or more	<12	764.42	679.49	594.55	509.62	424.68	339.74	254.81	169.87	84.94	0.00
11 or more	>=12	1,022.23	908.65	795.07	681.49	567.91	454.32	340.74	227.16	113.58	0.00

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