

Ministerial Regulation

An examination on qualifications and facts as to the livelihood and suitability of the adoption applicant, the person authorized to consent the adoption and a child intended for adoption

B.E. 2554

By virtue section 21 paragraph two of the Child Adoption Act B.E. 2522 as amended the Child Adoption Act (No. 3) B.E. 2553 and section 39 paragraph one of the Adoption Act B.E. 2522 which contains certain provisions in relation to the restriction of rights and liberties of persons, in respect of which section 29, in conjunction with section 33, section 34 and section 41 of the Constitution of the Kingdom of Thailand so permit by virtue of law, the Minister of Social Development and Human Security hereby issue the Ministerial Regulation as follows:

Clause 1. In order to adopt a child, a competent official shall examine the qualifications and facts as to the livelihood and suitability of the adoption applicant to see whether or not he or she is suitable to have an adopted child as follows:

- (1) History and basic data about family;
- (2) Conditions of the residence and environment;
- (3) Career and the economic situation of the family;
- (4) Conditions of the mental state in accordance with the psychological examination;
- (5) Criminal background check;
- (6) Perspectives and suitability in looking after the child and providing him or her with an education;
- (7) Reasons for an adoption application

Clause 2. A competent official shall examine the qualification and facts as to the livelihood and suitability of the person authorized to consent the adoption as follows:

(1) History and basic data about family;

(2) Reasons for giving up a child to be adopted

Paragraph one shall not be enforced in the case where the Court has given the permission order on behalf of the person authorized to consent the adoption or in the case where the child is in care or in being looking after of the institution under the law on child protection in which such institution has the power to give consent for the adoption and has given its consent.

Clause 3. A competent official shall examine the qualification and facts as to the livelihood and suitability of a child intended for adoption as follows:

(1) History and basic data about family;

(2) Living and care conditions;

(3) Intentions and opinions in being an adopted child

In the case where a child intended for adoption cannot give a verbal statement, a competent official shall examine qualifications and facts in accordance with paragraph one (1) and (2) from the person authorized to consent the adoption or from a person taking care of such child.

Given on 29th of December B.E. 2554

Santi Prompat

Minister of Social Development and Human Security