



APPENDIX 5

Eligibility Criteria under the Adoption of Children Regulation 1999

All adoption applicants and people expressing interest in adopting a child in Queensland or from overseas

- must be resident or domiciled in Queensland;
- must be an Australian citizen or married to an Australian citizen;
- must not be suffering from a physical or mental condition, or have a physical or mental disability, to an extent that the person could not provide a high level of stable, long term care for a child.

In addition, unless it would be in the welfare and interests of the child, an adoption order cannot be made in favour of a person unless:

- the person is over twenty-one years of age; and
- the male applicant is at least eighteen years older than the child and the female applicant is at least sixteen years older than the child at the time an order is made.

People expressing interest in adopting a child in Queensland or from overseas and Relative Children's Adoption applicants

The person must have been married for at least two years.

People expressing interest in adopting a child in Queensland

- there must not be more than one child in the custody of the person, the person's spouse or both of them;
- the person must be infertile or married to an infertile person;
- at the time the person applies, the person must be less than 36 if they do not have a child and less than 40 years old if they have a child.

People expressing interest in adopting a child from overseas

- there must not be more than four children in the custody of the person, the person's spouse or both of them;
- at the time the person applies one of them must be less than 41 years old and the other less than 47 years old if they have not already adopted a child or if they have previously adopted a child one of them must be less than 43 years old and the other less than 47 years old.

Relative Children's Adoption applicants

See Appendix 2

Eligibility criteria for Special Needs Children's Adoption applicants as per all adoption applicants above. In addition criteria:

- provide for more flexibility than eligibility criteria prescribed for other adoption applicants and ensure that there are no barriers affecting the Department's capacity to secure the most appropriate adoptive placement to meet the specific needs of each child requiring an adoptive placement.