



Australian Government

Attorney-General's Department

INTERSTATE TRANSFER GUIDELINES

EXECUTIVE SUMMARY

A number of prospective adoptive parents will relocate interstate at some point during the course of their adoption application. These Guidelines aim to ensure consistent procedures across States and Territories to minimise the disruption to relocating prospective adoptive families.

The approval of an interstate transfer is subject to the legislation and policy of the receiving jurisdiction.

APPLICATION OF THE GUIDELINES

These Guidelines apply to those families wishing to relocate interstate after their application has been approved by their State or Territory Central Authority. The process applies to active adoption applications before allocation.

Cases where an allocation has been received will need to be considered on a case by case basis as update assessments are no longer required where an allocation has been received. Where prospective adoptive parents wish to transfer their file interstate after allocation, State and Territory Central Authorities will negotiate to determine which Central Authority is responsible for finalisation aspects of the adoption such as assisting the family to travel, post adoption supervision and finalisation in Australia. Please note that adoption orders can only be finalised in the State or Territory where the adoptive parents are resident or domiciled.

Cases where prospective adoptive parents wish to transfer their file interstate prior to approval will also be considered on a case-by-case basis by the relevant Central Authorities. This is due to the challenges in transferring an application where the assessment has not been completed.

PROCEDURE FOR TRANSFERRING AN ADOPTION APPLICATION

There are differences in legislation, policy, criteria and fees between States and Territories. The key steps for transferring an adoption application to another State or Territory are outlined below. The 'Initial Central Authority' is the Central Authority in the State or Territory in which the prospective adoptive parents currently have an application. The 'Receiving Central Authority' is the Central Authority in the State or Territory to which the prospective adoptive parents wish to transfer.

1. Prospective adoptive parents should advise the Initial Central Authority of their intention to relocate as soon as possible. It is the responsibility of prospective adoptive parents to discuss their specific circumstances with their Central Authority prior to committing to relocating.
2. The Initial Central Authority will inform the Receiving Central Authority of the pending transfer.



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3. Following the consent of the prospective adoptive parents, the Initial Central Authority will forward the application to the Receiving Central Authority. Please note, this does not indicate an acceptance of the application at this stage.
4. The Receiving Central Authority will conduct an update assessment to ensure the application meets the criteria and requirements of the receiving State or Territory. Approval decisions will be made in accordance with the legislation and policy of the Receiving Central Authority.
5. If the application is approved by the Receiving Central Authority, the Receiving Central Authority will inform the relevant overseas adoption authority (where appropriate).
6. If the Receiving Central Authority does not approve the application and accept the file transfer, the prospective adoptive parents may request a review of this decision through the Receiving Central Authority's processes.