



Queensland

# Adoption Amendment Regulation (No. 1) 2011

## Explanatory Notes for SL 2011 No. 118

made under the  
*Adoption Act 2009*

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## General outline

### Short title

*Adoption Amendment Regulation (No. 1) 2011.*

### Authorising law

Section 328 of the *Adoption Act 2009*.

### Policy objectives and the reasons for them

Adoption is a legal process that establishes a permanent parent-child relationship between a child and his or her adoptive parents. The Department of Communities (Child Safety Services) is the only agency authorised under the *Adoption Act 2009* to arrange for the adoption of children in Queensland, including the adoption of children from overseas by Queensland adults.

Delivering quality adoption services attracts considerable costs. To meet those costs, adoption fees were increased from 29 October 2007 for the first time since 2002. This increase was aimed at increasing the proportion of the operational budget for the adoption program that is funded through fee revenue to approximately 30 per cent. At the time this increase was

made, it was also announced that future adoption fees would be increased annually and reflect movements in Consumer Price Index (CPI) in accordance with the Queensland Government's policy on the indexation of fees and charges.

The indexation factor recommended by Queensland Treasury for increases in government fees and charges from 1 July 2011 is 3.6 per cent, which is the change in the CPI (Brisbane - All Groups) over the 12 months to 31 March 2011. Consistent with the Queensland Government's policy, the indexation of fees has been rounded to the nearest coin.

### **Achievement of policy objectives**

The amendment makes the following changes to fees listed in Schedule 2 of the *Adoption Regulation 2009*—

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|-------------------|--|
| Part 1, item 1    | the step-parent adoption application fee is increased from \$63.70 to \$66.00        |
| Part 2, item 2(a) | the assessment fee for local adoption is increased from \$517.45 to \$536.10         |
| Part 2, item 2(b) | the intercountry adoption assessment fee is increased from \$3,716.75 to \$3,850.55  |
| Part 2, item 2(d) | the step-parent assessment is increased from \$477.85 to \$495.05                    |
| Part 3, item 3    | the intercountry adoption supervision fee is increased from \$1,592.90 to \$1,650.25 |

With the projected revenue from the increases in adoption fees, the Queensland Government will continue to meet the majority of the cost of delivering adoption services.

### **Consistency with policy objectives of authorising law**

The amendment is consistent with section 328 of the *Adoption Act 2009* which states that a regulation may be made by the Governor in Council under this act and that such regulations may be made about fees for this Act.

## **Inconsistency with policy objectives of other legislation**

The *Adoption Amendment Regulation (No. 1) 2011* is not inconsistent with the policy objectives of other legislation.

## **Benefits and costs of implementation**

The annual adjustment in adoption fees allows the Department of Communities to continue to meet the costs of providing quality adoption services and to maintain an appropriate and sustainable fee structure. Under this fee structure, the Queensland Government continues to meet the majority of the cost of delivering adoption services.

There will be no additional implementation costs to government in adjusting the adoption fee schedule.

To assist Queensland couples, the Department of Communities will continue to implement the adoption fees schedule for intercountry adoptions in two instalments so as to stagger payment of fees and align the timing of such fees with actual events associated with the costs being incurred. In addition, there are no fees associated with making an expression of interest, in the preparation of documents or attending information or education sessions.

## **Consistency with fundamental legislative principles**

The *Adoption Amendment Regulation (No. 1) 2011* does not breach fundamental legislative principles.

## **Consultation**

Adoption fees have increased annually in accordance with movements in CPI and stated government policy since 2009. Advice about fees and that they are subject to change is communicated through the operations of Department of Communities to couples interested in expressing interest to adopt, including information posted online. Advice on adoption fees is also provided through information sessions conducted by the Department of Communities for couples interested in expressing interest in the Queensland and Intercountry Children's Adoption Programs. Information sessions are provided on a regular basis for people wanting more information about adoption in Queensland.

Due to the annual nature of adoption fee increases and the targeted consultation identified above that occurs with individuals who may pay the fee, no further consultation was undertaken.

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#### ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Communities.

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