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ADOPTION OF CHILDREN ACT 2022

ADOPTION OF CHILDREN (GENERAL) REGULATIONS 2024

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In exercise of the powers conferred by section 75 of the Adoption of Children Act 2022, the Minister for Social and Family Development makes the following Regulations:

PART 1**PRELIMINARY****Citation and commencement**

1. These Regulations are the Adoption of Children (General) Regulations 2024 and come into operation on 15 October 2024.

Definitions

2. In these Regulations —

“immediate family member”, in relation to an individual (*A*), means any other individual who is the spouse, or a child

(including an adopted child), stepchild, sibling or parent, of *A*;

“public agency” means —

- (a) a Ministry or department of the Government;
- (b) an Organ of State; or
- (c) a body corporate established by a public Act for the purposes of a public function;

“relevant website” means the Internet website of the Ministry of Social and Family Development at <https://www.msf.gov.sg>;

“social service agency” means any not-for-profit organisation which provides as its primary function a bona fide direct social service which helps to meet existing needs of the community.

Forms

3. The Forms to be used for the purposes of these Regulations are those set out on the relevant website, and any reference in these Regulations to a form identified by a number or alphanumeric characters is a reference to the current version of the form set out on that website bearing the corresponding number or alphanumeric characters.

PART 2

PROVISIONS RELATING TO MEANINGS OF TERMS DEFINED IN ACT

Prescribed services included in meaning of “adoption-related service”

4.—(1) The following services are prescribed for the purposes of paragraph (e) of the definition of “adoption-related service” in section 2(1) of the Act:

- (a) any of the following services provided by an adoption agency to any person (*A*) who desires to adopt or who has adopted a child:

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- (i) informing *A* about the process of adoption in Singapore, including under the repealed Act;
 - (ii) informing *A* about the eligibility criteria for an adoption order, including under the repealed Act;
 - (iii) informing *A* about the parenting of an adopted child, including understanding the unique needs of such a child;
 - (iv) arranging for *A* to attend a pre-adoption briefing described in section 12, or a disclosure of adoptive status briefing described in section 13, of the Act;
 - (v) arranging for *A* to undergo the process for obtaining an Adoption Suitability Assessment;
 - (vi) finding a child for whom an adoptive parent is being sought, on behalf of *A*;
 - (vii) facilitating any contact between *A* and any relevant person of a child for whom an adoptive parent is being sought, with a view to the child's adoption by *A*;
 - (viii) obtaining the agreement of any relevant person of a child to seek an adoptive parent for the child (whether directly or indirectly through one or more intermediaries), with a view to the child's adoption by *A*;
 - (ix) transferring (whether directly or indirectly through one or more intermediaries) the physical custody of a child, or the custody or care and control of a child, to *A* with a view to the child's adoption by *A*, or making any arrangement for such transfer;
 - (x) obtaining, on behalf of *A*, the consent required under section 26 of the Act or section 4(4) of the repealed Act of any relevant person of a child for the adoption of the child by *A*;
 - (xi) delivering (whether directly or indirectly through one or more intermediaries) the physical custody of a

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- child who is the subject of an unsuccessful adoption application by *A* or an order under section 57(6) of the Act (where *A* is the potential adopter mentioned in that provision), to a relevant person of the child or a suitable person, or making any arrangement for such delivery;
- (xii) collating or preparing documents necessary for the adoption of a child by *A*;
 - (xiii) preparing or providing reports to inform or update *A* of —
 - (A) the progress of the process of the adoption of a child by *A*; or
 - (B) the welfare of a child identified for adoption or adopted by *A*;
- (b) providing any mediation, counselling, psychotherapy or other assessment, programme or treatment (each called an intervention) for or to one or more of the following persons, where the objective or one of the objectives of the intervention is the benefit or welfare of an adopted child, a child for whom an adoptive parent is being sought or a child who is the subject of an unsuccessful adoption:
- (i) any person who adopts the child or who desires to adopt the child;
 - (ii) the child;
 - (iii) any relevant person of the child;
- (c) conducting any activity involving one or more of the following persons, where the objective or one of the objectives of the activity is the benefit or welfare of an adopted child, a child for whom an adoptive parent is being sought or a child who is the subject of an unsuccessful adoption:
- (i) any person who adopts the child or who desires to adopt the child;
 - (ii) the child;

(iii) any relevant person of the child.

(2) In this regulation —

- (a) a reference to an adopted child includes a reference to an infant in respect of whom an adoption order has been made under the repealed Act;
- (b) a reference to a relevant person of a child includes a reference to a person whose consent to the adoption of the child is required under section 4(4) of the repealed Act;
- (c) a reference to an unsuccessful adoption is a reference to an adoption in respect of which an adoption application, whether made under the Act or repealed Act, is withdrawn, or struck out or dismissed by the court; and
- (d) a reference to a suitable person is a reference to a suitable person to whom the physical custody of a child is ordered by the court to be delivered under section 43(2) or 57(6) of the Act.

Prescribed persons excluded from meaning of “adoption agency”

5.—(1) For the purposes of section 3(1) of the Act, each of the following persons making any arrangement for or on behalf of any other person (*A*) for the adoption in Singapore by *A* of a child is not an “adoption agency”:

- (a) any advocate or solicitor, when acting for *A* in relation to an adoption application made by *A* in respect of that child;
- (b) any employee of the advocate or solicitor mentioned in paragraph (a) or of a law corporation, law firm or limited liability law partnership, when assisting the advocate or solicitor in the matter mentioned in that paragraph.

(2) In paragraph (1), a reference to an adoption application includes a reference to an application under the repealed Act.

Prescribed factors for considering whether applicants are “suitable to adopt”

6. The following factors are prescribed for the purposes of section 7(a) of the Act:

- (a) the applicant’s reason or reasons for seeking to adopt a child;
- (b) the physical, mental, psychological and emotional health of the applicant;
- (c) the financial means of the applicant, and whether the applicant is financially stable and is likely to remain so if a child were to be adopted by the applicant;
- (d) whether any of the following applies to the applicant and, if so, its relevance to the applicant’s ability to properly care for a child:
 - (i) the applicant has been convicted of, or has accepted any offer of composition for, any offence in Singapore (except an offence set out in the Schedule to the Adoption of Children (Prescribed Offences) Regulations 2024 (G.N. No. S 784/2024));
 - (ii) the applicant has contravened or failed to comply with any law in Singapore (which contravention or failure, as the case may be, does not constitute an offence);
 - (iii) the applicant has breached or failed to comply with any order given by any court of law, or by a tribunal constituted under any written law, in Singapore;
- (e) whether the applicant was, or is being, investigated for any offence in Singapore, and the outcome of the investigations if concluded;
- (f) the following factors affecting the applicant’s ability to parent and care for an adopted child:

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- (i) the parenting capacity of the applicant, such as —
 - (A) whether the applicant understands the responsibility that comes with parenthood;
 - (B) whether the applicant understands the parenting of a child who has been adopted, including understanding the unique needs of such a child;
 - (C) whether the applicant understands the benefits of disclosing, and intends to disclose, to his or her adopted child the child's adoptive status;
 - (D) whether the applicant understands and has the capacity to meet a child's physical, mental, psychological, emotional, educational and social needs;
 - (E) whether the applicant uses or engages in, or is aware of, appropriate parenting methods; and
 - (F) in the case of joint applicants — whether the joint applicants are aware of the importance of joint parenting;
 - (ii) the stability of care and the quality of the home environment that the applicant is able to provide;
 - (iii) the following factors affecting the resources available to the applicant in the parenting of a child:
 - (A) whether the applicant has access to adequate support in the parenting of a child, whether within or outside the applicant's household;
 - (B) whether the applicant is receptive to seeking support in the parenting of a child from social service agencies if necessary;
 - (g) whether there is an alternative caregiver in the event of the demise of the applicant, or in the event that the applicant suffers from any physical or mental disability or illness which renders the applicant incapable of parenting or caring for a child;

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- (h) any factor that may pose a risk to the safety and welfare of a child;
 - (i) where the authorised adoption agency, Guardian-in-Adoption or the court (whichever is applicable) considers that the views of any immediate family member of the applicant or any member of the applicant's household are relevant to the applicant's ability to parent or care for a child — such views, whether conveyed directly to the agency, Guardian-in-Adoption or the court or indirectly through the applicant;
 - (j) the strength of the relationship between the applicant and each immediate family member of the applicant and each member of the applicant's household;
 - (k) whether the applicant is of good character;
 - (l) in the case of joint applicants — the duration of their marriage and the strength of the marital relationship;
 - (m) if the applicant has resided with a child, or spent any amount of time with a child, for the purpose of considering whether to adopt the child —
 - (i) the strength of the relationship between the child and the applicant;
 - (ii) the ability of the applicant to care for the child and the degree of the applicant's involvement in such care;
 - (iii) if the child is of suitable age and maturity — the wishes of the child in relation to the proposed adoption; and
 - (iv) whether an adoption order in respect of the child in favour of the applicant legally changes existing family relations between the child and the applicant;
 - (n) if a child has been identified for adoption and the child is of suitable age and maturity — the wishes of the child in relation to the proposed adoption;

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- (o) whether granting an adoption order in the circumstances of the case will offend —
- (i) the Government’s policy to promote parenthood within a marriage, or any publicly communicated Government policy regarding adoption of children by singles; or
 - (ii) any publicly communicated Government policy regarding surrogacy.

Prescribed changes constituting “material change in circumstances” in sections 15(4), 22(4)(b) and 30(5) of Act

7. Each of the following is a material change in circumstances for the purposes of sections 15(4), 22(4)(b) and 30(5) of the Act in relation to an applicant:

- (a) the applicant becomes employed or unemployed;
- (b) the applicant is adjudged a bankrupt, is discharged from bankruptcy, or a bankruptcy order against him or her is annulled;
- (c) any change in the applicant’s income, financial resources or financial obligations, which is not likely to be transient in nature;
- (d) the applicant changes his or her place of residence;
- (e) any change in the applicant’s relationship or marital status;
- (f) the applicant is diagnosed with, relapses in, or recovers from any physical, mental, psychological or emotional health condition that is likely to adversely affect the applicant’s ability to parent and care for a child;
- (g) the applicant receives or stops receiving assistance from any public agency or social service agency;
- (h) any change in the applicant’s proposed or planned caregiving arrangement for any child that may be adopted by the applicant;

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- (i) the applicant, any immediate family member of the applicant or any member of the applicant's household is investigated for, charged with, convicted of, or acquitted of, an offence in Singapore;
 - (j) the applicant, any immediate family member of the applicant or any member of the applicant's household is investigated by any public agency for any alleged contravention of or failure to comply with any law in Singapore (which contravention or failure does not amount to an offence);
 - (k) there is a change in the number or composition of the applicant's immediate family members or the applicant's household;
 - (l) an immediate family member of the applicant or a member of the applicant's household passes away, or is diagnosed with, relapses in, or recovers from, any physical, mental, psychological or emotional health condition that is likely to pose a risk to the safety or welfare of a child;
 - (m) if a child has been identified for adoption by the applicant —
 - (i) the child is diagnosed with any physical, mental, psychological or emotional health condition that is likely to require the applicant to expend more resources than the applicant is able to in order to provide the necessary care for the child for the duration of the condition; or
 - (ii) the applicant becomes aware of a change in the child's wishes in relation to the proposed adoption.

PART 3

CONSENT OF RELEVANT PERSONS

Prescribed information to be provided to relevant persons, etc.

8.—(1) The following information are prescribed for the purposes of section 26(2)(a) of the Act:

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- (a) the criteria and requirements under sections 4 to 7, 11 to 14 and 42 of the Act which are to be satisfied for an adoption in Singapore;
 - (b) the powers of the Guardian-in-Adoption and the court in relation to a relevant person of a child under sections 29(1), (2) and (5), 33(1), 34(1) and (6), 35(1) and (2) and 45(2) and (3) of the Act;
 - (c) the power of the court to make orders under sections 49(1) and 52(1) of the Act;
 - (d) the following information relating to the consent of a relevant person:
 - (i) the requirements of and relating to a validly obtained consent of a relevant person under section 26(2) of the Act and regulation 10;
 - (ii) the prohibition in section 56 of the Act against the use of fraud, duress, undue influence or other improper means to obtain the consent of a relevant person, and the consequences of contravening the prohibition;
 - (e) the grounds set out in section 37 of the Act under which the consent of a relevant person may be dispensed with;
 - (f) the effect of an adoption order under section 46 of the Act;
 - (g) the offences under sections 43(5), 48(4), 51(2), (4) and (5), 55(3), 56(2), 57(5) and (10), 59(1), 60(3), 64 and 65(1) of the Act;
 - (h) all the information relating to the following matters and appended to the form of consent prescribed by regulation 9:
 - (i) kinship or kithship care as an alternative to adoption;
 - (ii) post-adoption contact between an adopted child and his or her biological parents.
- (2) The document in Form ACA-1 containing the particulars as to the name, age, sex, nationality, race and religion of the person or

persons who intend to adopt the child in question is prescribed for the purposes of section 26(2)(a) of the Act.

- (3) A person obtaining the consent of a relevant person of a child —
- (a) may provide the information mentioned in sub-paragraph (a), (b), (c), (d), (e), (f) or (g) of paragraph (1) to the relevant person by drawing the relevant person's attention to the provisions that are specified in that sub-paragraph; and
 - (b) may provide the information mentioned in paragraph (1)(h) to the relevant person by drawing the relevant person's attention to the information appended to the form of consent prescribed by regulation 9.

Prescribed form of consent

9. Form ACA-2 is prescribed for the purposes of section 26(2)(b) of the Act.

Requirement relating to witnesses to consent

10. Each of the 2 persons witnessing the consent of a relevant person of a child under section 26(2)(c) of the Act must not be —

- (a) a person who has made or who intends to make an application for the adoption of the child;
- (b) a solicitor or an agent of a person mentioned in paragraph (a);
- (c) any person engaged by a person mentioned in paragraph (a) to facilitate the adoption of the child; or
- (d) any adoption agency engaged by a person mentioned in paragraph (a) in relation to the adoption of the child, or any employee of such an adoption agency acting in relation to the adoption of the child.

PART 4

GUARDIAN-IN-ADOPTION'S FEE

Fee payable to Guardian-in-Adoption

11.—(1) The fee of \$250 is payable by the applicant of an adoption application to the Guardian-in-Adoption for making the Guardian-in-Adoption's affidavit in relation to the application, including making any investigation mentioned in section 27(1) of the Act.

(2) The fee payable under paragraph (1) must be paid into the bank account specified by the Guardian-in-Adoption on the relevant website, whether by means of the electronic fund transfer service specified by the Guardian-in-Adoption on the relevant website or by other means.

Remission of fee by Guardian-in-Adoption or other officer of Ministry of Social and Family Development

12. The Guardian-in-Adoption, or any officer of the Ministry of Social and Family Development authorised by the Minister for the purposes of this regulation, may in his or her discretion, remit wholly or in part any fee payable under regulation 11(1).

PART 5

PROVISIONS RELATING TO
PAYMENTS AND REWARDS

**Prescribed format and itemised components under
section 54(1) of Act**

13. For the purposes of section 54(2) of the Act, the information required under section 54(1) of the Act must be listed in the prescribed format, and in accordance with the itemised components, in the Schedule.

**Permitted payments and other rewards for purposes of
section 55(2)(c) of Act**

14.—(1) The following are permitted payments and other rewards for the purposes of section 55(2)(c) of the Act:

- (a) subject to paragraph (2), any payment to an adoption agency for any adoption-related service mentioned in regulation 4;
- (b) any payment to defray —
 - (i) the cost of undergoing any mediation, counselling, psychotherapy or other assessment, programme or treatment, or partaking in any activity that the court thinks is beneficial, as required under or in accordance with any provision of the Act;
 - (ii) the cost of producing any information or document as required in connection with the adoption or proposed adoption of a child, including the cost of certifying any such document;
 - (iii) the cost of any interpreter or translator in relation to any information or document used or to be used in connection with the adoption or proposed adoption of a child;
 - (iv) the cost of any commissioner for oaths, notary public, justice of the peace or other person authorised to administer oaths in relation to any document used

or to be used in connection with the adoption or proposed adoption of a child; or

(v) the cost of legalising any foreign public document used or to be used in connection with the adoption or proposed adoption of a child;

(c) any payment to reimburse or compensate a person —

(i) who has paid any fee chargeable by the Guardian-in-Adoption under Part 4; or

(ii) against whom a cost order has been made by the court hearing an adoption application.

(2) A payment to an adoption agency for the service of conducting an activity mentioned in regulation 4(1)(c) is not a permitted payment or other reward for the purposes of section 55(2)(c) of the Act unless the activity is —

(a) ordered by the court; or

(b) provided or recommended by an authorised adoption agency, a public agency or a social service agency.

PART 6

OTHER PROVISIONS

Prescribed Internet website for purposes of section 10(7) of Act

15. The relevant website is prescribed for the purposes of section 10(7) of the Act.

Prescribed period under section 33(3) of Act

16. A period of 6 months is prescribed for the purposes of section 33(3) of the Act.

Form of notice to attend court under section 66 of Act

17. A notice to be served on a person under section 66 of the Act must be in Form ACA-3.

THE SCHEDULE

Regulation 13

FORMAT AND ITEMISED COMPONENTS OF
PAYMENTS AND REWARDS FOR PURPOSES
OF SECTION 54(2) OF ACT

PAYMENT CATEGORY	ITEMISED COMPONENTS	AMOUNT (IN SINGAPORE DOLLARS)
Payments to or through authorised adoption agencies	Conduct of pre-adoption briefing	State quantum
	Conduct of disclosure of adoptive status briefing	State quantum
	Conduct of assessment for the purposes of preparing an Adoption Suitability Assessment	State quantum
	<Any other item, with appropriate description>	State estimated unit cost, unit of measurement (<i>e.g.</i> , one-off/days/weeks/months, <i>etc.</i>) and quantity of units
Reasonable professional fees of an adoption agency for providing adoption-related services	<To provide breakdown, with appropriate description>	State estimated unit cost, unit of measurement (<i>e.g.</i> , one-off/days/weeks/months, <i>etc.</i>) and quantity of units
Costs related to necessary care of a biological mother and her child provided in connection with, and before or after, the delivery of the child	<To provide breakdown, with appropriate description>	State estimated unit cost, unit of measurement (<i>e.g.</i> , one-off/days/weeks/months, <i>etc.</i>) and quantity of units
Medical expenses incurred for the delivery of the child	Hospitalisation and delivery fees <To provide breakdown, with appropriate description>	State estimated unit cost, unit of measurement (<i>e.g.</i> , one-off/days/weeks/months, <i>etc.</i>) and quantity of units
	<Any other item, with appropriate description>	State estimated unit cost, unit of measurement (<i>e.g.</i> , one-off/days/weeks/months, <i>etc.</i>) and quantity of units

THE SCHEDULE — *continued*

PAYMENT CATEGORY	ITEMISED COMPONENTS	AMOUNT (IN SINGAPORE DOLLARS)
Cost of satisfying the subsistence needs of the child, including any medical expenses incurred for medical services rendered to the child	Medical fees (<i>e.g.</i> , for vaccinations, whether in Singapore or otherwise) <To provide breakdown, with appropriate description>	State estimated unit cost, unit of measurement (<i>e.g.</i> , one-off/days/weeks/months, <i>etc.</i>) and quantity of units
	<Any other item, with appropriate description <i>e.g.</i> , clothing, food>	State estimated unit cost, unit of measurement (<i>e.g.</i> , one-off/days/weeks/months, <i>etc.</i>) and quantity of units
Cost of any caregiver engaged to care for the child	<To provide breakdown, with appropriate description>	State estimated unit cost, unit of measurement (<i>e.g.</i> , one-off/days/weeks/months, <i>etc.</i>) and quantity of units
Cost of medical assessments for: (a) any person who desires to adopt a child; (b) any biological parent of the child; or (c) the child	<To provide breakdown, with appropriate description>	State estimated unit cost, unit of measurement (<i>e.g.</i> , one-off/days/weeks/months, <i>etc.</i>) and quantity of units
Traveling expenses or cost of accommodation incurred for the transfer of the physical custody of the child to a person who desires to adopt a child	Accommodation for child and person(s) accompanying child <To provide breakdown, with appropriate description>	State estimated unit cost (by location), unit of measurement (<i>e.g.</i> , one-off/days/weeks/months, <i>etc.</i>) and quantity of units
	Cost of land/sea/air transfer for child and person(s) accompanying child <To provide breakdown, with appropriate description>	State estimated unit cost based on prevailing rates (by location), unit of measurement (<i>e.g.</i> , one trip, return trip) and quantity of units
	Cost of satisfying any entry requirements to Singapore (<i>e.g.</i> , visa)	State estimated unit cost based on prevailing rates (by country of origin) and quantity of units

THE SCHEDULE — *continued*

PAYMENT CATEGORY	ITEMISED COMPONENTS	AMOUNT (IN SINGAPORE DOLLARS)
	<To provide breakdown, with appropriate description>	
	<Any other item, with appropriate description>	State estimated unit cost, unit of measurement (<i>e.g.</i> , one-off/days/weeks/months, <i>etc.</i>) and quantity of units
Administration, legal or application fees incurred (whether in or outside Singapore) in the course of obtaining immigration facilities, registering or re-registering the child's birth or obtaining an adoption order (whether in or outside Singapore) in respect of the child	Cost of obtaining immigration facilities	State estimated rate (by country)
	Fee for registering or re-registering the child's birth	State rate (by country)
	Legal fees (Singapore)	State estimated rates.
	Legal fees (overseas)	State estimated rates (by country)
	Cost of any commissioner for oaths, notary public, justice of the peace or other person authorised to administer oaths, for administering oaths for a document to be used in the adoption process	State estimated unit cost (by location) and quantity of units
	Translating or interpreting any documents used or to be used, or information shared during the adoption process	State estimated unit cost (by location) and quantity of units
	Legalising/apostillising any document to be used in the adoption process	State estimated unit cost (by location) and quantity of units
Cost of assessments (other than medical assessments) and producing relevant documents	Cost of undergoing any assessment or producing any information or document for the adoption or proposed adoption (<i>e.g.</i> , costs of obtaining certified copies) <To provide breakdown,	State estimated unit cost and quantity of units

THE SCHEDULE — *continued*

PAYMENT CATEGORY	ITEMISED COMPONENTS	AMOUNT (IN SINGAPORE DOLLARS)
	with appropriate description>	
Cost of support services	Any mediation, counselling, psychotherapy or other programme or treatment related to the child's welfare, adoption or proposed adoption for the child, any relevant person of the child or a person desiring to adopt the child <To provide breakdown, with appropriate description>	State estimated unit cost, unit of measurement (<i>e.g.</i> , one-off/days/weeks/months, <i>etc.</i>) and quantity of units
Any other item	<To provide breakdown, with appropriate description>	State estimated unit cost, unit of measurement (<i>e.g.</i> , one-off/days/weeks/months, <i>etc.</i>) and quantity of units

Made on 8 October 2024.

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Ministry of Social and Family
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