

CX301\*

Adoption Act 1994

## Adoption Amendment Regulations 2002

Made by the Governor in Executive Council.

### 1. Citation

These regulations may be cited as the *Adoption Amendment Regulations 2002*.

### 2. The regulations amended

The amendments in these regulations are to the *Adoption Regulations 1995*\*.

[\* *Published in Gazette 29 December 1994, p. 7171-208.*  
*For amendments to 10 April 2002 see 2000 Index to*  
*Legislation of Western Australia, Table 4, p. 8.*]

### 3. Regulation 38 amended

Regulation 38(4)(a) is deleted and the following paragraph is inserted instead —

“

- (a) pay —
  - (i) the fee referred to in regulation 87(a);
  - and

- (ii) the fee referred to in regulation 87(b) or (c), as is relevant to the case,

unless the applicant is exempted under regulation 88(1) or (2) from paying the particular fee;

”.

#### 4. **Regulation 44 amended**

Regulation 44 is amended as follows:

- (a) after paragraph (b) by deleting “or”;
- (b) after paragraph (c) by deleting the full stop and inserting —

“

; or

- (d) the person adopts a child under an adoption order.

”.

#### 5. **Regulation 87 replaced and regulation 87A inserted**

Regulation 87 is repealed and the following regulations are inserted instead —

“

##### **87. Fees on proceeding with application to be prospective adoptive parent**

The fees for the purposes of regulation 38(4)(a) are as follows —

- (a) \$750 for registration as an applicant to be a prospective adoptive parent;
- (b) \$986 for the preparation of the assessment report under section 40 of the Act in the case where the applicant or the joint applicants have not previously adopted a child;
- (c) \$650 for the preparation of the assessment report under section 40 of the Act in the case where the applicant or the joint applicants have previously adopted a child.

##### **87A. Fee for preparation of report for Court in step-parent adoptions**

A fee of \$450 is payable for the preparation of a report under section 61 of the Act if the report is required in relation to an application for an order for a child to be adopted by a step-parent.

”.

**6. Regulation 88 replaced**

Regulation 88 is repealed and the following regulation is inserted instead —

“

**88. Exemptions from paying fees**

- (1) A person is exempted from paying all the fees referred to in regulation 87 if the person proceeds with the application under section 38 of the Act in respect of the adoption of a child who, in the opinion of the Director General, has a disability.
- (2) A person is exempted from paying the fee referred to in regulation 87(b) or (c), as is relevant to the case, if the person proceeds with the application under section 38 of the Act in respect of the adoption of a child who resides, or is domiciled, in the State at the time the application is proceeded with.

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By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.