



# **DÁIL ÉIREANN**

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**AN BILLE UCHTÁLA 2009  
ADOPTION BILL 2009**

**LEASUITHE TUARASCÁLA  
REPORT AMENDMENTS**

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# DÁIL ÉIREANN

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## AN BILLE UCHTÁLA 2009 —AN TUARASCÁIL

### ADOPTION BILL 2009 —REPORT

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#### *Leasuithe Amendments*

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1. In page 13, line 14, to delete “SIGNED” and substitute “DONE”.

—Jan O'Sullivan.

2. In page 13, after line 37, to insert the following:

“(3) Nothing contained in this Act shall prevent any person or married couple who applied to the HSE to be assessed for an intercountry adoption prior to the 1st January 2009 and subsequently obtain a declaration of suitability to adopt from effecting such adoption and having such adoption recognised under the law applicable prior to the coming into operation of this Act.”.

—Alan Shatter.

3. In page 14, to delete lines 8 and 9.

—Alan Shatter.

4. In page 15, line 12, after “years” to insert the following:

“and over 18 years who was in the care of a person or persons other than his or her biological parent or parents for a period of three years or more prior to attaining the age of 18 years”.

—Alan Shatter.

5. In page 16, between lines 1 and 2, to insert the following:

“(iii) is appointed to be a guardian of the child in accordance with the provisions of this Act.”.

—Alan Shatter.

6. In page 16, line 5, after “text” to insert “in the English language”.

—Jan O'Sullivan.

7. In page 16, line 21, after “1991” to insert the following:

“by a person or couple ordinarily resident, habitually resident, or domiciled in the State where the adoption was effected”.

—Alan Shatter.

8. In page 16, line 26, after “1991” to insert the following:

“by a person or couple habitually resident or domiciled in the State where the adoption was effected”.

—Alan Shatter.

9. In page 16, line 30, after “Convention” to insert the following:

“and includes an adoption from a country other than one a party to the Hague Convention or a bilateral agreement if the Authority considers that the adoption can be effected from a third country in a manner compatible with this Act”.

—Jan O’Sullivan.

**10.** In page 17, between lines 18 and 19, to insert the following:

““welfare” means the physical, emotional, social, intellectual, moral and religious welfare of the child.”.

—Alan Shatter.

**11.** In page 18, between lines 19 and 20, to insert the following:

“(2) Nothing contained in this Act shall result in the furnishing of legal advice, assistance or representation about adoption or any adoption matter to any person being regarded as the making of arrangements for adoption.”.

—Alan Shatter.

**12.** In page 18, to delete lines 24 to 26.

—An tAire Sláinte agus Leanaí.

**13.** In page 18, to delete lines 31 to 37.

—An tAire Sláinte agus Leanaí.

**14.** In page 19, to delete lines 1 to 4.

—An tAire Sláinte agus Leanaí.

**15.** In page 19, between lines 4 and 5, to insert the following:

“(2) Nothing contained in this Act shall result in any provider of travel services as being held to make arrangements for the adoption of a child.”.

—Alan Shatter.

**16.** In page 19, to delete lines 30 and 31.

—Alan Shatter.

**17.** In page 20, between lines 10 and 11, to insert the following:

“(a) the birth of the child has been registered, and either the particulars of the father have been registered or the mother has sworn and furnished to the accredited body a statutory declaration that the father is unknown or missing, and cannot be traced using reasonable inquiries, unless the court permits placement notwithstanding a failure or refusal to swear such a statutory declaration,”.

—Jan O’Sullivan.

**18.** In page 20, between lines 16 and 17, to insert the following:

“Adoption from jurisdiction which permits an adoption otherwise than through a Central Authority.

14.—Where a jurisdiction permits adoption otherwise than through the Central Authority of that jurisdiction, the adoptive parent or parents may arrange for the carrying out of the adoption without the restriction of obtaining a referral from a Central Authority in the originating state but subject to the consent of the Authority and subject to the following—

(a) an attempt to carry out an inter-country adoption is not deemed to have commenced until the prospective adoptive parent or parents have been issued with a declaration;

- (b) all formal documentation provided by the State during the process to identify the suitability of the adoptive parent or parents including a suitability report and clearance to provide the immigration of the child following the adoption process have been supplied to the originating state;
- (c) the legal process in the originating state has been conducted according to the law of that state and is consistent with this Act;
- (d) the adoptive child shall not be removed from the originating state before the completion of the legal adoptive process in the originating state;
- (e) all relevant documentation to demonstrate the appropriate carrying out of the procedure in the originating state shall be provided to the Authority;
- (f) documentation formally annotated from the legal entities of the originating state shall be accepted without recourse to further evidential proof unless such proof is required.”.

—Jan O’Sullivan.

**19.** In page 20, between lines 34 and 35, to insert the following:

“(2) Twelve months after the placement by an accredited body of a child for adoption with an adopter or adopters the agreement of the mother or guardian of the child to such placement shall be irrevocable.”.

—Alan Shatter.

**20.** In page 21, to delete lines 6 to 15 and substitute the following:

“Rights of father where mother wishes to place child for adoption.

16.—(1) A child shall not be placed for adoption, nor may an application be made by the mother or a relative of the child for an adoption order, without the consent of the father or the court where the father is a guardian or is named on the child’s birth certificate.

(2) Where *subsection (1)* does not apply, the father may give notice to the Authority that he objects to the adoption of the child.”.

—Jan O’Sullivan.

**21.** In page 23, line 2, before “it” to insert “the father has committed an offence such that”.

—Jan O’Sullivan.

**22.** In page 23, lines 4 and 5, to delete all words from and including “, after” in line 4 down to and including “Court,” in line 5.

—Alan Shatter.

**23.** In page 23, lines 35 and 36, to delete all words from and including “, after” in line 35 down to and including “Court,” in line 36.

—Alan Shatter.

**24.** In page 24, lines 1 and 2, to delete all words from and including “, after” in line 1 down to and including “Court,” in line 2.

—Alan Shatter.

**25.** In page 24, line 18, after “consideration” to insert the following:

“, and it shall be presumed unless the contrary is shown that the welfare of the child is best promoted in the society of either or both of the child’s natural parents, if either or both of them wish to exercise that role”.

—Jan O'Sullivan.

**26.** In page 24, between lines 18 and 19, to insert the following:

“(2) In any matter, application or proceedings referred to in this section, such regard shall be had to the views, if any, of the child, as is appropriate having regard to the child’s age and understanding.”.

—Jan O'Sullivan.

**27.** In page 24, between lines 18 and 19, to insert the following:

“(2) In order to vindicate the welfare of the child referred to in this section, the State shall support the provision of comprehensive post adoption specialised services that respect the child’s best interests.”.

—Jan O'Sullivan.

**28.** In page 24, line 20, after “couple” to insert “or the spouse of the parent of a child”.

—Alan Shatter.

**29.** In page 24, line 24, after “adoption” to insert “or an intercountry adoption”.

—Alan Shatter.

**30.** In page 24, between lines 31 and 32, to insert the following:

“(4) On the application of the spouse of a biological parent desiring to adopt a child to acquire the same rights and responsibilities with regard to the child as the biological parent.

(a) The adoption order shall confer the same rights and responsibilities on the spouse as vest in the biological parent.

(b) Shall not affect the rights and responsibilities of the biological parent.

(c) Where the biological parent with whom the child does not permanently reside continues to have regular contact with the child, the Authority may make an order conferring guardianship rights and responsibilities on the applicant to so act jointly with the child's existing guardian or guardians instead of making an adoption order.”.

—Alan Shatter.

**31.** In page 25, between lines 13 and 14, to insert the following:

“(7) In exercising its functions in relation to recognition of an adoption effected outside the State, the Authority shall insofar as possible recognise an adoption effected outside the State by a person who was ordinarily resident in the jurisdiction in which the adoption was effected at the time it was effected.”.

—Jan O'Sullivan.

**32.** In page 25, between lines 13 and 14, to insert the following:

“(7) A person or couple who prior to the commencement of this part completed an intercountry adoption effected outside the State may notwithstanding this Act effect another such adoption within 5 years of the former adoption from the same State having first obtained a declaration of suitability in accordance with this Act and such adoption may be recognised as if effected under the law applicable prior to the coming into operation of this Act.”.

—Alan Shatter.

**33.** In page 25, between lines 13 and 14, to insert the following:

“Adoption from non-Hague and non-bilateral agreement countries.

21.—A person or couple who has or have prior to the commencement of this Part adopted a child from another country, may notwithstanding this Act conduct a second or subsequent adoption from that country within 5 years of such commencement if the Authority is satisfied that the standards that are being or will be applied to the adoption accord with those of the Hague Convention.”

—Jan O'Sullivan.

34. In page 25, line 14, after “Executive” to insert “or other accredited body”.

—Alan Shatter.

35. In page 25, line 18, after “Executive” to insert “or other accredited body”.

—Alan Shatter.

36. In page 25, to delete lines 29 and 30.

—Alan Shatter.

37. In page 25, to delete lines 39 to 42.

—Alan Shatter.

38. In page 25, line 43, to delete “under *subsection (1)*”.

—Alan Shatter.

39. In page 25, to delete line 45 and substitute the following:

“where the child is over 7 years of age having regard to his or her age, maturity and understanding”.

—Alan Shatter.

40. In page 26, line 2, after “order” to insert “or guardianship order made by it”.

—Alan Shatter.

41. In page 26, line 7, after “mother” to insert the following:

“, father (if named on the child’s birth certificate),”.

—Jan O'Sullivan.

42. In page 26, to delete lines 28 and 29 and substitute the following:

“(4) A consent may be withdrawn within 4 months of being given and shall be irrevocable thereafter.”.

—Alan Shatter.

43. In page 26, to delete lines 34 and 35 and substitute the following:

“(i) that the consent may be withdrawn within 4 months of being given and is irrevocable thereafter,”.

—Alan Shatter.

44. In page 28, to delete lines 1 and 2.

—Alan Shatter.

45. In page 28, line 13, before “it” to insert “the father has committed an offence such that”.

—Jan O'Sullivan.

46. In page 28, lines 14 and 15, to delete all words from and including “, after” in line 14 down to and including “Court,” in line 15.

—Alan Shatter.

47. In page 28, line 29, to delete “, after first obtaining the approval of the High Court,”.

—Alan Shatter.

- 48.** In page 29, to delete lines 37 to 43 and in page 30, to delete lines 1 to 4 and substitute the following:

“Persons eligible for adoption order or recognition of intercountry adoption effected outside State.

33.—(1) (a) The Authority shall not make an adoption order, or recognise an intercountry adoption effected outside the State, unless—

(i) the applicants are a married couple who are living together,

(ii) the applicant is the mother or father or a relative of the child, or

(iii) the applicant, notwithstanding that he or she does not fall within *subparagraph (ii)*, satisfies the Authority that, in the particular circumstances, the adoption is desirable and in the best interests of the child.

(b) Notwithstanding *paragraph (a)*, the Authority may recognise an intercountry adoption effected outside the State on the application of a person referred to in *paragraph (a)* or (c) of *section 90(3)*.”

—An tAire Sláinte agus Leanaí.

- 49.** In page 29, between lines 41 and 42, to insert the following:

“(b) the applicant is a spouse of the mother or father of the child.”

—Alan Shatter.

- 50.** In page 30, line 9, to delete “an adoption order or” and substitute the following:

“an adoption order is married, or an applicant, other than an applicant who is a person referred to in *paragraph (a)* or (c) of *section 90(3)*.”

—An tAire Sláinte agus Leanaí.

- 51.** In page 30, line 27, to delete “order, or recognise” and substitute the following:

“order or, except where the applicant is a person referred to in *paragraph (a)* or (c) of *section 90(3)*, recognise”.

—An tAire Sláinte agus Leanaí.

- 52.** In page 30, line 35, to delete “, or recognise an intercountry adoption,”

—An tAire Sláinte agus Leanaí.

- 53.** In page 31, lines 4 and 5, to delete all words from and including “order,” in line 4 down to and including “unless” in line 5 and substitute the following:

“order or, except where the applicant is a person referred to in *paragraph (a)* or (c) of *section 90(3)*, recognise an intercountry adoption, unless”.

—An tAire Sláinte agus Leanaí.

- 54.** In page 31, line 7, after “them” to insert the following:

“(or either of them, if a failure by one only of the married couple to comply with this section would not seriously threaten the welfare of the child)”.

—Jan O'Sullivan.

- 55.** In page 31, between lines 27 and 28, to insert the following:



“(2) Where the application is by a natural parent or relative of the child, the Authority may decide to waive such of the provisions of this section as are unnecessary for the protection of the child’s welfare.”.

—Jan O’Sullivan.

**56.** In page 31, to delete lines 30 to 32.

—Alan Shatter.

**57.** In page 31, line 31, after “*section 37(1)*,” to insert the following:

“or to an accredited committee or body on behalf of the Executive”.

—Jan O’Sullivan.

**58.** In page 31, to delete lines 33 to 41 and in page 32, to delete lines 1 to 11.

—Alan Shatter.

**59.** In page 32, between lines 4 and 5, to insert the following:

“(4) The membership of an adoption committee shall not exceed 5 persons.

(5) Each adoption committee shall be comprised of at least one member who is:

(a) a senior social worker;

(b) a child psychologist;

(c) a child psychiatrist; and

(d) a person who has adopted a child at least three years before their appointment to an adoption committee.”.

—Alan Shatter.

**60.** In page 33, between lines 2 and 3, to insert the following:

“(d) submitting the assessment report prepared in accordance with *paragraph (c)* to the applicants for correction and/or clarification, which may be submitted by the applicants to the Health Service Executive within 6 weeks of the receipt of the assessment report.”.

—Alan Shatter.

**61.** In page 33, to delete lines 3 to 6 and substitute the following:

“(4) Assessment of the suitability of an applicant for adoption and the furnishing by the HSE and any other appropriate agency of a report as to suitability to the Adoption Authority shall take no longer than a period of 18 months save in exceptional circumstances directly relating to the applicants for adoption where the applicants agree due to such exceptional circumstances to an extension of a period not exceeding 6 months.”.

—Alan Shatter.

**62.** In page 33, between lines 6 and 7, to insert the following:

“(5) In referring the assessment report to an adoption committee in accordance with *subsection (4)*, the Health Service Executive shall send the original assessment report referred to in *subsection (3)(c)(ii)* of this section together with any corrections and/or clarification that have been submitted to the Health Service Executive in accordance with *subsection (3)(d)* of this section.”.

—Alan Shatter.

**63.** In page 33, line 13, to delete “the adoption committee concerned”.

—Alan Shatter.

**64.** In page 33, to delete lines 15 to 26 and substitute the following:

“39.—(1) The assessment report shall be furnished to the Adoption Authority and shall recommend to the Authority in writing, whether or not, under *section 40*, the Authority should issue a declaration of eligibility and suitability in favour of the applicants and such recommendation shall contain the reasons for the recommendation made.

(2) A copy of the recommendation and of the assessment report shall be delivered to the Authority and the applicants.”.

—Alan Shatter.

**65.** In page 33, between lines 26 and 27, to insert the following:

“(4) The applicants are entitled to have a personal or legal representative be in attendance at any meeting or other proceedings convened by the adoption committee, or any other authority, in carrying out its function in accordance with *subsection (1)* of this section.”.

—Alan Shatter.

**66.** In page 35, between lines 7 and 8, to insert the following:

“42.—In the event that a recommendation by the Health Service Executive under *section 37* of this Act declines to recommend the issue of a declaration of eligibility and suitability in favour of the applicants and, the Authority, having considered that recommendation in accordance with *section 40(2)* of this Act, issues a declaration of eligibility and suitability, the Authority shall instruct the Health Service Executive to amend the recommendation issued under *section 37* to reflect the final decision of the Authority under *section 40* and the Health Service Executive shall comply with such instruction.”.

—Alan Shatter.

**67.** In page 37, line 4, after “oath” to insert “or affirmation”.

—Jan O'Sullivan.

**68.** In page 37, line 14, after “oath” to insert “or affirmation”.

—Jan O'Sullivan.

**69.** In page 39, lines 7 and 8, to delete all words from and including “subject” in line 7 down to and including “1964” in line 8 and substitute the following:

“in accordance with the Guardianship of Children Acts 1964 to 1997”.

—Jan O'Sullivan.

**70.** In page 45, line 30, to delete “effected under and” and substitute the following:

“effected by an adopter or adopters who were habitually resident in that state at the time of the adoption under and”.

—An tAire Sláinte agus Leanaí.

**71.** In page 46, between lines 10 and 11, to insert the following:

“58.—Where prospective adopters agree to an open adoption and know or are introduced to the father and/or mother of the child the Adoption Authority may make an access order in respect of that child in favour of either the mother or father of the child or both of them to take effect immediately after the making of an adoption order.”.

—Alan Shatter.

72. In page 46, line 21, after “duties” to insert the following:

“, apart from the right to apply to the Court for access in accordance with section 11B of the Guardianship of Infants Act 1997 (inserted by section 9 of the Children Act 1997), which section is hereby declared to apply to a natural parent of, or relative of, or person who acted *in loco parentis* in relation to, the child prior to the making of the adoption order”.

—Jan O'Sullivan.

73. In page 48, lines 15 to 18, to delete all words from and including “made,” in line 15 down to and including “order” in line 18 and substitute “made under this Act, then”.

—An tAire Sláinte agus Leanaí.

74. In page 48, to delete lines 19 and 20 and substitute the following:

“(a) any order under which the birth parent of the child is required to make payments specifically for the benefit of the child, and

(b) any agreement whereby the birth parent of the child has”.

—An tAire Sláinte agus Leanaí.

75. In page 48, to delete lines 33 to 35 and substitute the following:

“ability before the establishment day, the adoption may proceed under this Act as if—

(i) it were commenced under this Act and the date of the issue of the declaration were that day,”.

—An tAire Sláinte agus Leanaí.

76. In page 49, between lines 2 and 3, to insert the following:

“(3) The Authority may appoint an agent or agents to specified countries to ensure the appropriateness of proposed adoptions in the transitional period and may authorise an adoption from a country that has not ratified the Hague Convention where it is satisfied that the adoption is in the best interests of the child and—

(i) the process is well advanced or a declaration has been received, or

(ii) the authorisation is to enable a person or couple to adopt a sibling for an adopted child of a similar cultural background.”.

—Jan O'Sullivan.

77. In page 59, between lines 20 and 21, to insert the following:

“(2) On payment of the prescribed fees persons shall be entitled to search the index and to have a certified copy of an entry in the register or of items contained in the entry on the same terms and conditions in all respects as to fees and otherwise as are applicable under the Births and Deaths Registration Acts, 1863 to 1952, or any other enactment in respect of the register of births; and such fees shall be collected and disposed of in the same manner as fees payable under the said recited Acts.”.

—Caoimhghín Ó Caoláin.

78. In page 60, line 18, after “Authority” to insert the following:

“, which shall give consent to that information being given where the adopted person and the person placing the child for adoption have agreed through a tracing mechanism which shall be established by the Authority that the information can be given”.

—Jan O’Sullivan.

**79.** In page 60, between lines 18 and 19, to insert the following:

“(3) A child shall be entitled to a copy of his or her birth certificate not later than his or her 18th birthday, and a natural parent shall be entitled to a copy of the adoption certificate in respect of his or her child not later than the child’s 18th birthday.”.

—Jan O’Sullivan.

**80.** In page 60, between lines 18 and 19, to insert the following:

“(3) Where in accordance with this Act and regulations thereunder an adopted person who is supplied with a copy of his or her birth certificate, he or she shall be supplied at the same time with a copy of the relevant entry in the Adopted Children Register.”.

—Jan O’Sullivan.

**81.** In page 60, to delete lines 25 to 32 and substitute the following:

“88.—(1) An tArd-Chláraitheoir shall on an application made in the prescribed manner by an adopted person, a record of whose birth is kept by an tArd-Chláraitheoir and who has reached the age of 18 years supply to that person on payment of the prescribed fee (if any) such information as is necessary to enable that person to obtain a certified copy of the record of his/her birth.

(2) The Adoption Authority shall supply to an adopted person who has reached the age of 18 years a copy of their adoption file held by the Authority and a copy of the file held by the registered adoption agency.”.

—Caoimhghín Ó Caoláin.

**82.** In page 60, to delete lines 38 and 39.

—Caoimhghín Ó Caoláin.

**83.** In page 61, between lines 19 and 20, to insert the following:

“(4) For the purposes of ensuring that every child the subject of a proposed entry in the Register of Intercountry Adoptions has appropriate access to support services, the adoptive parents shall notify the Health Services Executive of the presence of the child within the State, within such period as may be prescribed.”.

—Jan O’Sullivan.

**84.** In page 65, between lines 22 and 23, to insert the following:

“(d) promoting the development of post adoption services;”.

—Jan O’Sullivan, Caoimhghín Ó Caoláin.

**85.** In page 65, line 24, after “adoption” to insert “and post-adoption”.

—Jan O’Sullivan.

**86.** In page 65, between lines 24 and 25, to insert the following:

“(e) promoting the development of services to assist persons who were adopted and persons who have placed children for adoption to trace one another;”.

—Jan O'Sullivan, Caoimhghín Ó Caoláin.

87. In page 65, line 27, after “services” to insert “and post adoption services”.

—Caoimhghín Ó Caoláin.

88. In page 65, between lines 29 and 30, to insert the following:

“(h) promoting the development of intermediary, information and tracing services for birth families and adopted persons.”.

—Caoimhghín Ó Caoláin.

89. In page 66, to delete lines 22 to 27 and substitute the following:

“(a) two shall be adopted persons elected by such body or bodies as are, in the opinion of the Minister, representative of adopted persons.”.

—Jan O'Sullivan.

90. In page 66, between lines 35 and 36, to insert the following:

“(f) one shall be a person who has been the subject of a domestic adoption who shall be over 21 years at the time of their appointment to the Authority, and

(g) one shall be a person who has been the subject of an inter-country adoption who shall be over 21 years at the time of their appointment to the Authority.”.

—Caoimhghín Ó Caoláin.

91. In page 69, between lines 32 and 33, to insert the following:

“(5) At least one committee established by the Authority shall be made up of or include adopted people and birth parents and shall have the purpose of reporting to the Authority concerning matters involving accredited bodies and other issues.”.

—Caoimhghín Ó Caoláin.

92. In page 70, between lines 2 and 3, to insert the following:

“Disclosure of birth records of adopted children.

103.—(1) The Authority shall, on an application made in the prescribed manner by an adopted person who was placed for adoption subsequent to the coming into operation of the Act, a record of whose birth is kept by the Authority and who has attained the age of 18 years, supply to that person on payment of the prescribed fee (if any) such information as is necessary to enable that person to obtain a certified copy of the record of his birth.

(2) The Authority shall provide counselling for adopted persons who apply for information under *subsection (1)* and for the biological parents of such persons.”.

—Alan Shatter.

93. In page 71, to delete lines 34 to 39.

—Jan O'Sullivan.

94. In page 79, between lines 7 and 8, to insert the following:

“(j) a breakdown of intercountry adoptions, detailing whether they were with contracting or non-contracting states,

(k) statistics detailing the number and nature of complaints received by the Authority about the Authority,

(l) statistics detailing the number and nature of complaints received by the Authority about accredited bodies.”.

—Caoimhghín Ó Caoláin.

**95.** In page 84, between lines 11 and 12, to insert the following:

“(5) Adoption agencies previously registered on the Adoption Societies Register shall not be registered on the register of accredited bodies without submitting a detailed application as prescribed in *section 127* and subject to the provisions of *section 130*.”.

—Caoimhghín Ó Caoláin.

**96.** In page 86, line 11, after “body” to insert the following:

“including persistent non-compliance with the Standardised Framework for the Provision of a National Information and Tracing Service occurs, the facilitation of illegal adoptions, the filing of false birth records (where the adoptive parents are registered as the natural parents of the adopted child), the provision of false information to an adopted person, natural parent, adoptive parent or sibling making an enquiry, the refusal or inability to provide an adequate search and reunion service”.

—Caoimhghín Ó Caoláin.

**97.** In page 92, between lines 32 and 33, to insert the following:

“(6) In determining for the purposes of *subsection (2)* whether a person has contravened *section 125(1)(a)*, the court shall have regard to the matters set out in *sections 4* and *5* and also to whether the person did any or all of the following:

- (a) prepared documentation to assist any prospective adopter habitually resident in the State in complying with the adoption laws of the state of origin of the child concerned;
- (b) provided assistance to any prospective adopter habitually resident in the State in relation to any legal matter that arose in the state of origin of the child concerned and relates to the effecting of the adoption in that state or to the release of that child from that state for the purpose of adoption in the State;
- (c) provided assistance in transferring the child concerned to the State;
- (d) carried out any other activity the purpose of which was to assist any prospective adopter habitually resident in the State in adopting the child concerned whose state of origin is another contracting state or a state that has a bilateral agreement with the State.”.

—An tAire Sláinte agus Leanaí.

**98.** In page 93, between lines 35 and 36, to insert the following:

“(3) Regulations may make provision for an entitlement to leave from employment for the purpose of travel by prospective adoptive parents in order to complete the intercountry pre-adoptive process.”.

—Jan O'Sullivan.

**99.** In page 99, between lines 23 and 24, to insert the following:

“163.—Section 11B(1) of the Guardianship of Infants Act 1964 is amended by the insertion of the following:

“(c) is a spouse of a parent of the child,”.”.

—Alan Shatter.

**100.** In page 102, line 25, to delete “persons to the Health Service Executive for an” and substitute “persons for an”.

—An tAire Sláinte agus Leanaí.

**101.** In page 102, between lines 30 and 31, to insert the following:

“(3) If An Bord Uchtála has taken steps, before the establishment day, to satisfy itself that a person or persons were eligible or suitable to adopt a child under the Adoption Acts but has not determined the eligibility or suitability of that person or those persons before that day, the person or persons concerned shall be deemed to have made an application for an assessment of his, her or their eligibility and suitability under this Act and this Act shall apply accordingly.”.

—An tAire Sláinte agus Leanaí.