[Adopted children from overseas - new legislation](http://blog.sl.nsw.gov.au/hsc_legal_studies/index.cfm/2013/11/25/adopted-children-from-overseas--new-legislation)

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A new Bill amends the  [*Adoption Act 2000*](http://www.legislation.nsw.gov.au/maintop/view/inforce/act%2B75%2B2000%2Bcd%2B0%2BN)(NSW), the regulations under that Act and the [*Births, Deaths and Marriages Registration Act 1995*](http://www.legislation.nsw.gov.au/maintop/view/inforce/act%2B62%2B1995%2Bcd%2B0%2BN) (NSW) in relation to the registration of adoptions granted in foreign countries.

**Proposed changes**

Parents who adopt a child overseas will be able to obtain NSW birth certificates for their children, giving them the same rights as children adopted in NSW.  These children would be able to use a NSW birth certificate as proof of identity instead of the adoption documents issued in their country of birth.

At present, children adopted from China are issued with a certificate of abandonment stating that their parents are unknown.  This amendment will enable the parents to apply for a birth certificate that will state where the child was born and who their parents are in the eyes of the law – it will not state whether the parents are biological or adoptive.  Source: [media release](http://www.lawlink.nsw.gov.au/lawlink/Corporate/ll_corporate.nsf/vwFiles/MR13_adopted_children_win_id_rights.pdf/%24file/MR13_adopted_children_win_id_rights.pdf), 29 September 2013, by Greg Smith and Pru Goward.

**See:** [*Adoption Legislation Amendment (Overseas Adoption) Bill 2013*](http://www.parliament.nsw.gov.au/prod/parlment/nswbills.nsf/0/E2854ED276419501CA257C050016A8DC?Open&shownotes)(NSW).

This Bill has passed both houses and was assented to on 29 October 2013.  It commences on assent.

For more information about adoption see:

* Research Guide - [Family: HSC Legal Studies - Adoption](http://guides.sl.nsw.gov.au/content.php?pid=316240&sid=2587861)
* Find Legal Answers – [Adoption and Surrogacy](http://www.legalanswers.sl.nsw.gov.au/information_about/index.html?id=5133)