

SEEKING INFORMATION UNDER THE ADOPTION ACT, 2000 FROM THE SUPREME COURT OF NEW SOUTH WALES

Pre 1 January 2010 Adoptions:

Under the provisions of the NSW Adoption Act 2000 and NSW Regulation 2003, adult adopted persons (over 18 years) and the birth parents of adult adopted persons are able to apply for identifying details and information about each other from a range of information sources. To access any information, you will first need to obtain a SUPPLY AUTHORITY from the NSW Government Communities and Justice <https://dcj.nsw.gov.au/children-and-families/adoption/finding-information-on-past-adoptions.html>

A supply authority is not required if you have already obtained an original birth certificate (adoptees) or amended birth certificate (birth parents) under the *Adoption Information Act 1990* prior to October 1998. These certificates also enable you to apply for the same information as the supply authority.

If you are a father whose child has been adopted in NSW, you must be an acknowledged birth father (recorded on the child's original birth certificate) before you can apply for a supply authority.

For information regarding Adoptees who are under 18 years of age refer to the NSW Government Communities and Justice website for further information.

Post 1 January 2010 Adoptions:

From the time an adoption is finalised, adoptees, adoptive parents, birth parents and non adopted siblings may access adoption information (such as birth certificates and adoption orders) for adoptions made in or after 2010.

Adoptees over 18 years of age are entitled to receive all identifying information about themselves, their birth parents and siblings without needing the consent of their adoptive parents or the Director-General of Communities and Justice.

When adoptees reach 18 years of age, birth parents can obtain identifying and non-identifying information about an adoptee and their adoptive parents without the need for an authority.

If you are a father whose child has been adopted in NSW, you must be an acknowledged birth father (recorded on the child's original birth certificate) before you can obtain your child's amended birth certificate.

Non-adopted siblings of adoptees can receive identifying and non-identifying background information about an adoptee and also search for them without needing an authority or consent provided both are over 18 years.

For information regarding Adoptees under 18 years of age refer to the NSW Government Communities and Justice website:

<https://dcj.nsw.gov.au/children-and-families/adoption/finding-information-on-past-adoptions.html>

Inheriting rights to adoption information

If you are the relative, spouse, de-facto or another person who had a close relationship with a now deceased birth parent or adoptee, you are able to apply to inherit the right to obtain access to some of the information that would have been available to them. Refer to the NSW Government Communities & Justice website for more information –

<https://dcj.nsw.gov.au/children-and-families/adoption.html>

How to lodge your application

Applications for adoption information can be made to the Supreme Court in person, email or by mail by completing the Supreme Court of NSW Application for Adoption Information form. - https://supremecourt.nsw.gov.au/content/dam/dcj/ctsd/supreme-court/documents/Forms-and-Fees/Adoption-Forms/Application_for_Adoption_Information_2023July.doc

The application must be accompanied by:

- i) A Supply Authority (if required – refer to information above)
- ii) 2 forms of Proof of Identity - one must include the applicant's signature for example driver's licence.

If your application is lodged in person the originals will be sighted by the Filing Clerk and immediately returned. If your application is lodged by mail / email then certified copies of your proof of identify can be provided.

- iii) the search fee together with file standard retrieval fee; must be provided and paid. The fees are specified in the form

<https://supremecourt.nsw.gov.au/practice-procedure/forms/forms-by-subject/adoption.html>

The Civil Procedure Regulation 2017 Schedule 1 Court fees sets out all applicable fees <https://legislation.nsw.gov.au/view/html/inforce/current/sl-2017-0435>