

CCAA Amended Regulations, 2007

Ed. Note. Our families have been deeply disappointed and dismayed at the changes in China's adoption regulations which took effect May 1, 2007. Following are the actual text of the regulations and two letters. The first is a letter from the Presidents of four large FCC chapters explaining to their respective members the context of their letter to the CCAA. The second is the actual letter to the CCAA they sent to China in early May of this year.

At present, the number of adoption application documents that the China Centre of Adoption Affairs (hereafter referred to as CCAA) receives is increasing very fast. However, the limited number of Chinese children available for inter-country adoption is far from being able to meet the demand of families from overseas. The CCAA maintains, in accordance with the principle of protecting the best interests of children in the Convention on Protection of Children and Co-Operation in Respect of Inter-Country Adoption (hereafter referred to as Hague Adoption Convention), that adopted in the following conditions answer better to the spirit of Hague Adoption Convention and the provisions of adoption law in both China and your country, and are able to offer the Chinese children adopted the best possible environment to grow in. It is our hope that you read this letter attentively, screen the families and give priority to those in the following conditions, and submit the adoption applications for them:

The CCAA first accepts and reviews adoption applications of foreign adopters who are qualified with the following conditions from the day of 1st May 2007, and then makes placement of adoptees with them. Adoption applications of the other adopters who are not qualified will be put into consideration after all cases of the qualified have been dealt with.

I. The adopters are a couple of one male and one female with a stable marital relationship. In case that both the husband and wife do not have any ex-marriage, the length of marriage has to reach two years. In case that either the husband or wife has ex-marriages (not more than 2), the length of the current marriage has to reach 5 years.

II. Both the husband and wife have reached the age of 30 years and are under 50. For adoption of special need child, both of them should have reached the age of 30 and are under 55.

III. Both the husband and wife are fully healthy physically and mentally, and do not have the following conditions:

1. AIDS; 2. mental handicap; 3. infectious disease within infective stage; 4. binocular blind or binocular parallax or monocular blink and with no ocular prosthesis; 5. binaural hearing loss or language function loss; adoption of special needs children who have identical conditions will be exempt from this limitation; 6. a function or dysfunction of limbs or trunk cause by impairment, incompleteness, numbness or deformation; severe facial deformation; 7. severe diseases which requires long term treatment and which affect life expectancy, like malignant tumor, lupus erythematosus, nephrosis, epilepsy, and etc.; 8. post-surgery of major organs transplantation, not yet 10 years; 9. schizophrenia; 10. medication for severe mental disorders, like depression, mania, or anxiety neurosis, and etc, stopped not more than 2 years; 11. BMI over 40.

IV. Either the husband or wife holds a stable occupation. The family annual income reaches \$10,000 for each family member, including the prospective adoptee and the family net assets value should reach \$80,000. The family annual income does not include welfare income, like relief fund, pension, unemployment insurance, or government subsidy, and etc.

V. Both the husband and wife have received education of or above the level of senior high school, or vocational skills training of the same level.

VI. The number of children in family under the age of 18 years does not reach 5, and the youngest one should have reached the age of 1 year. Adoption of special needs children will be exempt from the limitation of "the number of children in family under the age of 18 years does not reach 5".

VII. Both the husband and wife have never come under any criminal sanction. And they behave honourably with good moral characters, and abide by regulations and laws. Both of them do not accord with the following situations:

1. have a history of domestic violence, sex abuse, abandonment or abuse of children (even if they are not consequently arrested or criminated); 2. have a history of taking narcotics like opium, morphine, marijuana, cocaine, heroin, methamphetamine, and etc, and medication for mental diseases, which are able to arouse addiction among human beings; 3. have a history of alcohol abuse and have given up drinking not more than 10 years ago.

Adoption application will be given consideration on a case by case basis when either the husband or the wife has less than 3 criminal records of slight severity with no severe outcomes, and the time for correction of wrong has reached 10 years, or has less than 5 records of traffic law violation with no severe outcomes.

VIII. The adopters are able to have a correct cognition of adoption, and expect to provide a warm family for the orphaned children (or children with handicap and disability) via adoption and to meet the needs of the children adopted for the sake of a good development of them. They have a correct cognition of inter-country adoption as well, and are fully mentally- prepared for the potential risks within inter-country adoption and for the situations of children adopted as potential diseases, developmental delay, post-placement maladjustment, and etc.

IX. The adopters make in the adoption application letter clear promises of being able to accept post-placement follow-ups and offer post- placement reports as required.

X. The fixed number of year or age that appears in this letter shall be dated from the day when the adoption application documents are logged in at the CCAA.

The CCAA expects sincerely to cooperate with you and to provide better services for the adopters and children adopted and to help the Chinese children adopted develop in a family full of happiness, love and understanding. Thank you very much for your understanding and assistance.