

The Adoption Regulations, 2003

being

[Chapter A-5.2 Reg 1](#) (effective April 1, 2003) as amended by Saskatchewan Regulations [99/2004](#), [63/2006](#), [42/2007](#), [70/2015](#), [11/2016](#) and [114/2017](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER A-5.2 REG 1
The Adoption Act, 1998

PART I
Short Title and Interpretation

Title

1 These regulations may be cited as *The Adoption Regulations, 2003*.

Interpretation

2(1) In these regulations:

“**Act**” means *The Adoption Act, 1998*; («*Loi*»)

“**adopted adult**” means a person who is 18 years of age or more and who:

- (a) was adopted pursuant to the Act or any former Act; or
- (b) was a permanent ward at the time of his or her adoption in another jurisdiction;

“**adopted child**” means a person who is under 18 years of age and who:

- (a) was adopted pursuant to the Act or any former Act; or
- (b) was a permanent ward at the time of his or her adoption in another jurisdiction;

“**application for adoption**” means an application for an order of adoption of a child pursuant to section 16 or 23 of the Act or an application for an order of adoption of an adult pursuant to section 24 of the Act; («*demande d’adoption*»)

“**certificate of counselling**” means a certificate of counselling mentioned in clause 4(4)(a) of the Act; («*attestation de counseling*»)

“**certificate of independent advice**” means a certificate of independent advice mentioned in clause 4(4)(a), (b) or (c) of the Act; («*certificat attestant l’obtention de conseils de personnes indépendantes*»)

“**certificate of placement**” means a certificate of placement mentioned in subsection 14(1) of the Act; («*certificat de placement*»)

“**child welfare agency**” means an entity that has legal authority to provide services to children who are in need of protection; («*organisme de bien-être de l’enfance*»)

“**consent to adoption**” means a consent mentioned in clause 4(1)(a) or (b) of the Act; («*consentement à l’adoption*»)

“**contact preference**” means a document that is submitted to the minister, or to a person or body in a jurisdiction other than Saskatchewan that is responsible pursuant to the laws of that jurisdiction for recording and maintaining information related to adoptions, by a birth parent or an adopted adult named on the original birth registration, as the case may be, that specifies the type of contact, if any, that the person wishes to have respecting an adoption with individuals to whom the minister has released the birth registration pursuant to section 28; (« *préférences communicationnelles* »)

“**identifying information**” means information that leads or is likely to lead, either directly or indirectly, to the identity of an individual; (« *renseignements identificateurs* »)

“**health professional**” means:

- (a) a person who is licensed pursuant to an Act that the Minister of Health is responsible to administer; or
- (b) a person who is licensed to practise in a health profession in a jurisdiction other than Saskatchewan and who has qualifications that the minister determines are equivalent to those set out in clause (a) in that jurisdiction; (« *professionnel de la santé* »)

“**licence**” means a licence to operate an agency; (« *permis* »)

“**non-identifying information**” means information that does not lead and is not likely to lead, either directly or indirectly, to the identity of an individual; (« *renseignements non identificateurs* »)

“**registry**” means the registry established pursuant to section 30 of the Act; (« *registre* »)

“**veto**” means a document that is submitted to the minister, or to a person or body in a jurisdiction other than Saskatchewan that is responsible pursuant to the laws of that jurisdiction for recording and maintaining information related to adoptions, by a birth parent or adopted adult named on the original birth registration, as the case may be, that prohibits the release of identifying information that is contained on the original birth registration with respect to the person who submitted the document. (« *veto* »)

(2) For the purposes of the Act and these regulations, “**international adoption**” means an intercountry adoption within the meaning of *The Intercountry Adoption (Hague Convention) Implementation Act*.

(3) A reference in these regulations to a form is a reference to the form as set out in Part I of the Appendix.

(4) **Repealed.** 8 Jne 2007 SR 42/2007 s3.

14 Mar 2003 cA-5.2 Reg 1 s2; 5 Nov 2004 SR 99/2004 s3; 8 Jne 2007 SR 42/2007 s3; 4 Mar 2016 SR 11/2016 s3; 17 Nov 2017 SR 114/2017 s3.

PART II
Forms and Application Procedures

Form of application for adoption

- 3** An application for adoption is to be substantially:
- (a) in Form A-1 in the case of an application pursuant to section 16 of the Act;
 - (b) in Form A-2 in the case of an application pursuant to section 23 of the Act for a step-parent adoption; or
 - (c) in Form A-3 in the case of an application pursuant to section 24 of the Act for an adoption of an adult.

14 Mar 2003 cA-5.2 Reg 1 s3.

- 4 Repealed.** 17 Nov 2017 SR 114/2017 s4.

Form of consent

- 5(1)** Where the consent of a birth parent or guardian is required, the consent to adoption is to be substantially:
- (a) in the case of an independent adoption, in Form C-1; or
 - (b) in the case of a step-parent adoption:
 - (i) in Form C-2 if the birth parent whose consent is required is not the applicant's spouse; or
 - (ii) in Form C-3 if the birth parent whose consent is required is the spouse of the applicant.
- (2) Where the consent of the minister is required, the consent to adoption is to be substantially in Form C-4.
- (3) Where the consent of a child is required, the consent to adoption is to be substantially in Form C-5.
- (4) Where the consent of an agency is required, the consent to adoption is to be substantially in Form C-6.
- (5) Where the consent of a person who is 18 years of age or more is required, the consent to adoption is to be substantially in Form C-7.

14 Mar 2003 cA-5.2 Reg 1 s5; 5 Nov 2004 SR
99/2004 s4.

Form re consent to change of name

- 5.1** The consent of a child who is 12 years of age or more to a change of his or her name is to be substantially in Form C-5.

5 Nov 2004 SR 99/2004 s4.

Form of transfer of guardianship

- 6** A transfer of guardianship is to be substantially in Form D.

14 Mar 2003 cA-5.2 Reg 1 s6.

- 7 Repealed.** 5 Nov 2004 SR 99/2004 s6.

Form of certificate of counselling

8 A certificate of counselling is to be substantially in Form F.

14 Mar 2003 cA-5.2 Reg 1 s8.

Form of certificate of independent advice

9 A certificate of independent advice is to be substantially in Form G.

14 Mar 2003 cA-5.2 Reg 1 s9.

Form of notice of fiat or decision

10 A notice of fiat or decision pursuant to subsection 29.3(1) of the Act is to be substantially in Form H.

14 Mar 2003 cA-5.2 Reg 1 s10; 7 Jly 2006 SR 63/2006 s3.

Form of order of adoption

11 An order of adoption is to be substantially:

- (a) in Form I-1 in the case of an order pursuant to section 16 of the Act;
- (b) in Form I-2 in the case of an order pursuant to section 23 of the Act for a step-parent adoption; or
- (c) in Form I-3 in the case of an order pursuant to section 24 of the Act for an adoption of an adult.

14 Mar 2003 cA-5.2 Reg 1 s11; 4 Mar 2016 SR 11/2016 s6.

12 Repealed. 17 Nov 2017 SR 114/2017 s5.

Application for adoption

13 In addition to any requirements in the Act, a person who makes an application for adoption must include with the application:

- (a) a copy of the registration of birth for the child pursuant to *The Vital Statistics Act, 1995* or *The Vital Statistics Act* or similar legislation of another province or territory in Canada or proof of the child's birth that is acceptable to the court;
- (b) in any case other than an application for adoption of a permanent ward, a certificate of the director stating that, to the director's knowledge, no person who may revoke his or her consent to adoption or transfer of guardianship has revoked that consent to adoption or transfer of guardianship within the time during which it is revocable;
- (c) in the case of an independent adoption application, a financial statement that is substantially in Form K or any other form that the court may allow;
- (d) in the case of an application pursuant to section 23 of the Act, proof that notice of the application was served on the other birth parent;

- (e) proof of service on the director, pursuant to subsections 16(16) and (17) of the Act;
- (f) Form L, which is to be attached to each order of adoption for the Vital Statistics Registry;
- (g) in the case of a child who is a status Indian, Form M; and
- (h) Form C-5.

14 Mar 2003 cA-5.2 Reg 1 s13; 5 Nov 2004 SR 99/2004 s7; 4 Mar 2016 SR 11/2016 s7; 17 Nov 2017 SR 114/2017 s6.

14 Repealed. 4 Mar 2016 SR 11/2016 s8.

Application re independent adoption

15(1) In the case of an independent adoption of a child, the applicant, in addition to complying with section 13, must include with the application:

- (a) evidence that the applicant is physically, psychologically and emotionally suitable to adopt the child;
 - (b) the child's social, medical and family history provided by:
 - (i) the birth parent of the child; or
 - (ii) in the discretion of the court, any other person;
 - (c) information respecting the social, medical and family history of the applicant; and
 - (d) information respecting the reason the child was placed for adoption with the applicant.
- (2) The court may waive the requirement of clause (1)(b) where the applicant has been unable to secure the history from the birth parent or any other person.

14 Mar 2003 cA-5.2 Reg 1 s15.

Report for the court

16(1) Where a person is required to supply a report respecting a child for the court:

- (a) the person must submit to the court information with respect to:
 - (i) the child's name, date and place of birth, the time of birth if known and the date on which the child was placed for adoption;
 - (ii) the child's physical, mental and emotional level of development;
 - (iii) the child's social, medical and family history;
 - (iv) the circumstances resulting in the child being placed for adoption, including, where applicable:
 - (A) the transfer of guardianship of the child to an agency;
 - (B) the child's committal to the minister; or
 - (C) the child's committal to a child welfare agency outside Saskatchewan;

- (v) the applicant's social, medical and family history;
 - (vi) the applicant's income and expenses, assets and liabilities;
 - (vii) whether the applicant is physically, psychologically and emotionally suitable to adopt the child; and
 - (viii) the criminal record, if any, of the applicant; and
- (b) the information required for the report may be contained in more than one document, and all documents submitted for the purposes of this section constitute part of the report.
- (2) The court may waive the requirement of subclause (1)(a)(iii) where the ministry, agency or other child welfare agency has been unable to secure the history from the birth parent of the child or from any other person.

14 Mar 2003 cA-5.2 Reg 1 s16; 4 Mar 2016 SR 11/2016 s9.

Report for the court – child's understanding of adoption

16.1(1) For the purposes of subclause 16(14)(a)(ii) of the Act, if a person is required to provide a report to the court, the person must interview the child with respect to the following:

- (a) the child's wishes with respect to placement with the adoptive applicants;
 - (b) the child's understanding of the effects of adoption;
 - (c) if the child is 12 years of age or older, his or her wishes with respect to retaining his or her birth name;
 - (d) any other information required by the court.
- (2) A report pursuant to subsection (1) may be completed by:
- (a) a registered social worker;
 - (b) a registered psychologist; or
 - (c) any other individual appointed by the court.

17 Nov 2017 SR 114/2017 s7.

17 Repealed. 17 Nov 2017 SR 114/2017 s8.

Social, medical and family history

18(1) Where a child's social, medical and family history is required to be filed with the court pursuant to these regulations, the person who filed the history must include information with respect to:

- (a) the child's birth, including the date and place of birth, the time of birth if known, the child's birth weight and length and the type of birth;
- (b) a birth parent's:
 - (i) full name;
 - (ii) date and place of birth;
 - (iii) racial and ethnic origin, including First Nation or Métis status, if applicable;

- (iv) spousal relationship;
 - (v) appearance, personality, interests and special skills or talents;
 - (vi) educational level and achievements;
 - (vii) occupation and occupational history;
 - (viii) religious, spiritual or cultural practices, if any;
 - (ix) other children, if any, including their names, ages, health, personalities, interests and educational levels and whether or not the children are living with the birth parent;
 - (x) health condition, both physical and mental, any medical disorders, any mental impairment and any known genetic disorders; and
 - (xi) treatment and prognosis with respect to any medical disorders;
- (c) the health condition, medical disorders, mental impairment and known genetic disorders of the birth parents' children, parents, siblings or other birth relatives;
- (d) whether the birth parents jointly agreed on the adoption plan for the child;
- (e) the reason why the birth parent placed the child for adoption; and
- (f) the degree to which other family members of the birth parent were aware of the pregnancy and adoption placement of this child and, if so, their names and locations.
- (2) Where an applicant's social and family history is required pursuant to these regulations, the history must include:
- (a) the information mentioned in subclauses (1)(b)(i) to (viii);
 - (b) the name, age, occupation and education of the applicant's parents and siblings, if any; and
 - (c) if applicable, information with respect to the applicant's spousal relationship.

14 Mar 2003 cA-5.2 Reg 1 s18; 17 Nov 2017 SR
114/2017 s9.

Records

19 With respect to each order of adoption and each order recognizing a simple adoption order made pursuant to the Act or any former Act, the minister shall maintain a record that includes:

- (a) the application, supporting material and notice:
 - (i) required by the Act or any former Act; and
 - (ii) filed with the director pursuant to the Act or any former Act;
- (b) any order made by the court pursuant to the Act or any former Act; and
- (c) all other materials in the possession of the ministry relating to the adoption that are, in the opinion of the minister, required for post-adoption services.

14 Mar 2003 cA-5.2 Reg 1 s19; 4 Mar 2016 SR
11/2016 s10.

PART III
Post-adoption Services

Interpretation of Part**20** In this Part:

“**birth registration**” means:

- (a) a certified copy of the original birth registration; or
- (b) a copy of a certified copy mentioned in clause (a); (« *enregistrement de naissance* »)

“**child of the deceased adopted adult**” means a deceased adopted adult’s adult biological or adopted child; (« *enfant du défunt adulte adopté* »)

“**child of the deceased birth parent**” means a deceased birth parent’s adult child; (« *enfant de la défunte mère ou du défunt père de sang* »)

“**personal decision-maker**” means a personal decision-maker as defined in *The Adult Guardianship and Co-decision-making Act*, and includes a person who has been appointed pursuant to any other law to exercise, on behalf of another person, powers that are similar to the powers conferred on a personal decision-maker by that Act. (« *décideur personnel* »)

4 Mar 2016 SR 11/2016 s11.

Application of Part

20.1(1) This Part applies if an order of adoption is made pursuant to the Act or any former Act.

(2) Notwithstanding subsection (1), subsection 28(3) applies to individuals born in Saskatchewan but adopted in another jurisdiction according to the laws of that jurisdiction.

4 Mar 2016 SR 11/2016 s11.

Registry

21 The registry includes the records described in section 19 and any additional information made known to the minister with respect to the social, medical, and family history of an adopted child, adopted adult, adoptive family member, birth parent or other birth family member after an order of adoption is made.

14 Mar 2003 cA-5.2 Reg 1 s21.

22 Repealed. 4 Mar 2016 SR 11/2016 s12.

Step-parent adoptions

23(1) If the minister receives a written request for a release with respect to a step-parent adoption, the minister may release:

- (a) a copy of the order of adoption to an adoptive parent;
- (b) the birth registration to a birth parent, if the birth parent is named on the document; and

- (c) one or both of the following to an adopted adult:
 - (i) the birth registration;
 - (ii) a copy of the order of adoption.
- (2) Sections 25 to 32.1 do not apply with respect to step-parent adoptions.

4 Mar 2016 SR 11/2016 s13.

Adoption of an adult

23.1(1) If the minister receives a written request for a release with respect to an adoption of an adult, the minister may release:

- (a) a copy of the order of adoption to an adoptive parent; and
- (b) one or both of the following to the adult who was adopted:
 - (i) the birth registration;
 - (ii) a copy of the order of adoption.
- (2) Sections 25 to 32.1 do not apply with respect to adoptions of adults.

4 Mar 2016 SR 11/2016 s13.

24 Repealed. 5 Nov 2004 SR 99/2004 s10.

Obtaining consent

- 25(1)** Any consent required for the purposes of these regulations must be in writing.
- (2) The minister may, for the purposes of obtaining any consent required to provide any service pursuant to this Part, search for any person whose consent is required.
 - (3) If a person whose consent is required lacks capacity and a personal decision-maker has been appointed for that person:
 - (a) the minister may contact the personal decision-maker to determine if the personal decision-maker has the authority to consent, and will consent, to the action for which consent is required; and
 - (b) a consent given by the personal decision-maker is valid consent for the purposes of this Part.

4 Mar 2016 SR 11/2016 s14.

Release of non-identifying information

26(1) If the minister receives a written request for information, the minister may release non-identifying information about an adopted child or an adopted adult from the registry to:

- (a) the adoptive parent of the adopted child, or if the adoptive parent is deceased, the guardian of the adopted child;
- (b) the adopted adult; or
- (c) the birth parent of the adopted adult.
- (2) The minister may release non-identifying information pursuant to subsection (1) in any form the minister considers appropriate.

4 Mar 2016 SR 11/2016 s14.

Release of information provided by birth parent

26.1(1) A birth parent who has provided the minister with any information for the purpose of having it recorded in the registry may, at any time after the information is provided, make a written request to the minister for a copy or summary of that information.

(2) On receiving a request from a birth parent pursuant to subsection (1), the minister shall release to the birth parent a copy or summary of the information that the birth parent previously provided to the minister for the purpose of having it recorded in the registry.

4 Mar 2016 SR 11/2016 s14.

Providing a copy of an order of adoption

27(1) If the minister receives a written request to provide a copy of an order of adoption, the minister may provide a copy of an order of adoption to:

- (a) an adopted adult;
- (b) an adoptive parent of an adopted child or of an adopted adult; or
- (c) a guardian of an adopted child, if the adoptive parent is deceased.

(2) The minister may provide a copy of an order recognizing a simple adoption order to:

- (a) the person with respect to whom the simple adoption order was made;
- (b) the adoptive parent of the person mentioned in clause (a); or
- (c) a guardian of the person mentioned in clause (a), if the adoptive parent is deceased.

4 Mar 2016 SR 11/2016 s14.

Providing copies of documents

27.1(1) If the minister receives a written request to provide a copy of a consent, the minister may provide a copy of a consent to adoption, voluntary committal or transfer of guardianship with respect to the adopted adult or child to the birth parent who signed the document.

(2) If the minister receives a written request for a copy of an order of committal, the minister may provide a copy of an order of committal to a birth parent whose name appears on the document.

4 Mar 2016 SR 11/2016 s14.

Release of birth registration

28(1) Subject to subsections (3) and (4), if the minister receives a written request for the birth registration of an adopted adult, the minister may provide the birth registration to:

- (a) the adopted adult named on the original birth registration, or with proof of death of the adopted adult, a child of the deceased adopted adult; or
- (b) a birth parent named on the original birth registration, or with proof of death of the birth parent, a child of the deceased birth parent.

- (2) The release of the birth registration mentioned in subsection (1) is subject to:
- (a) a veto submitted to the minister pursuant to section 30 by the adopted adult or birth parent named on the original birth registration;
 - (b) a contact preference submitted to the minister pursuant to section 30.1 by the adopted adult or birth parent named on the original birth registration; or
 - (c) a request submitted to the minister pursuant to section 30.2.
- (3) If the minister receives a written request for the birth registration of an adopted adult who was born in Saskatchewan but adopted in another jurisdiction, release of the birth registration is subject to:
- (a) a veto submitted in the other jurisdiction by the birth parent named on the original birth registration; or
 - (b) a contact preference submitted in the other jurisdiction by the birth parent named on the original birth registration.
- (4) An adopted adult's birth registration must not be released pursuant to this section until six months after the adopted adult's 18th birthday.

4 Mar 2016 SR 11/2016 s14; 17 Nov 2017 SR
114/2017 s10.

Voluntary contact re adopted adult or birth parent

- 29(1)** If the minister receives a written request with respect to placement on a voluntary contact list, the minister may place on that list the name of all or any of the following individuals:
- (a) an adopted adult, or with proof of death of the adopted adult, a child of the deceased adopted adult;
 - (b) a birth parent, or with proof of death of the birth parent, a child of the deceased birth parent;
 - (c) an adult extended family member of either an adopted adult or a birth parent;
 - (d) former foster parents or caregivers of an adopted adult.
- (2) On receiving a written request from an individual mentioned in subsection (1), the minister shall determine if a written request from another individual mentioned in that subsection concerning the same adopted adult or birth parent has been made.
- (3) If the minister determines that written requests from individuals pursuant to subsection (1) concern the same adopted adult or birth parent, the minister shall:
- (a) advise the individual mentioned in clause (1)(a) or (b) that a written request from an individual mentioned in clause (1)(c) or (d) has been made with respect to placement on the voluntary contact list; and
 - (b) with the consent of the individual mentioned in clause (1)(c) or (d), disclose the identity and contact information of the individual mentioned in clause (1)(c) or (d) to the individual mentioned in clause (1)(a) or (b).
- (4) An individual whose name has been placed on the voluntary contact list pursuant to subsection (1) may have his or her name withdrawn from that list by submitting a written request to the minister.

4 Mar 2016 SR 11/2016 s14.

Voluntary communication exchange re adopted child

29.1(1) If the minister receives a written request with respect to placement on a voluntary communication exchange list, the minister may place on that list the name of all or any of the following individuals:

- (a) an adoptive parent;
- (b) a birth parent of an adopted child;
- (c) an adult extended family member of an adopted child;
- (d) former foster parents or caregivers of an adopted child;
- (e) the guardian of a minor birth sibling of an adopted child who is acting on behalf of the minor birth sibling.

(2) On receiving a written request from an individual mentioned in subsection (1), the minister shall determine if a written request from another individual mentioned in that subsection concerning the same adopted child has been made.

(3) If the minister determines that written requests from individuals pursuant to subsection (1) concern the same adopted child, the minister shall contact the individuals mentioned in clauses (1)(a) and (b) to determine if they are willing to consent to the voluntary exchange of communication between the individuals whose names have been placed on the voluntary communication exchange list mentioned in subsection (1).

(4) If the individuals mentioned in clauses (1)(a) and (b) provide the minister with consent pursuant to subsection (3), the minister shall contact the individuals mentioned in clauses (1)(c) to (e) and:

- (a) advise them that requests concerning the same adopted child have been made pursuant to subsection (1); and
- (b) in accordance with the directions provided by each of the individuals mentioned in clauses (1)(a) to (e), provide for the voluntary exchange of communication between those individuals.

(5) For the purposes of clause (4)(b), “**voluntary exchange of communication**” means the voluntary exchange of all or any of the following:

- (a) cards;
- (b) letters;
- (c) photographs;
- (d) electronic communication.

4 Mar 2016 SR 11/2016 s14; 17 Nov 2017 SR
114/2017 s11.

Vetoes

30(1) This section applies with respect to persons who are adopted before January 1, 2017.

(2) An adopted adult may submit to the minister a veto, in writing, unless the adopted adult's identifying information from the birth registration has been previously released from the registry.

(3) At any time after a child is placed for adoption, a birth parent of the adopted child may submit to the minister a veto, in writing, unless the birth parent's identifying information from the birth registration has been previously released from the registry.

(4) A person who submits a veto pursuant to subsection (2) or (3) may have the veto removed by submitting a written request to the minister.

(5) A veto submitted pursuant to this section terminates on the date of death of the person who submitted the veto.

(6) Any veto that was in effect on the day before the coming into force of *The Adoption (Birth Registration Information) Amendment Regulations, 2015* continues to be in effect and may be dealt with pursuant to these regulations as if it were submitted pursuant to these regulations on or after the coming into force of *The Adoption (Birth Registration Information) Amendment Regulations, 2015*.

4 Mar 2016 SR 11/2016 s14.

Contact preferences

30.1(1) An adopted adult may submit to the minister a contact preference in writing.

(2) At any time after a child is placed for adoption, a birth parent of the adopted child may submit to the minister a contact preference in writing.

(3) If a contact preference is submitted pursuant to subsection (1) or (2), the adopted adult's birth registration must not be released unless the individual making the request for the birth registration signs an undertaking to follow the terms of the contact preference.

(4) A person who submits a contact preference pursuant to subsection (1) or (2) may remove or amend the terms of the contact preference by submitting a written request to the minister.

(5) A contact preference submitted pursuant to subsection (1) or (2) terminates on the date of death of the person who submitted the contact preference.

(6) No person shall fail to comply with an undertaking signed pursuant to subsection (3).

4 Mar 2016 SR 11/2016 s14.

Persons adopted before April 1, 1997

30.2(1) This section applies to requests made for the birth registration of an adopted adult with respect to persons who were placed for adoption before April 1, 1997.

(2) The minister shall determine if a request not to release identifying information has been made by the birth parent or adopted adult concerning an adoption mentioned in subsection (1).

(3) If the minister determines that a request from an individual mentioned in subsection (2) has been made, the minister may consider the request as having the same legal effect as a veto mentioned in section 30.

(4) Any veto made effective pursuant to this section terminates on the death of the person who made the request.

17 Nov 2017 SR 114/2017 s12.

Search for person named as birth father

31(1) An adopted adult, or with proof of death of the adopted adult, the child of the deceased adopted adult may request, in writing, that the minister search for a birth father whose name does not appear on the original birth registration.

(2) If, on receiving the request mentioned in subsection (1), the minister is satisfied that, based on information in the registry pertaining to the adoption of the adopted adult mentioned in that subsection, there is a reasonable likelihood that a person named in the registry is the birth father of the adopted adult, the minister shall make reasonable efforts to locate that person.

(3) If the minister locates the person mentioned in subsection (2) as a result of a search pursuant to that subsection, the minister shall:

(a) disclose to that person:

(i) the name of the birth mother as her name appears on the original birth registration of the adopted adult;

(ii) the name of the adopted adult at birth; and

(iii) non-identifying information regarding the circumstances of the birth or adoption of the adopted adult; and

(b) determine if that person consents to the release of identifying information to the adopted adult or to the child of the deceased adopted adult.

(4) If the person mentioned in subsection (2) consents to the release of identifying information pursuant to clause (3)(b), the minister may release the identifying information to the adopted adult or to the child of the deceased adopted adult in accordance with the consent.

(5) If the person mentioned in subsection (2) is not located after reasonable efforts have been made, or is determined to be deceased, the minister may release identifying information regarding that person to the adopted adult or to the child of the deceased adopted adult.

4 Mar 2016 SR 11/2016 s14.

Person claiming to be birth father

31.1(1) A person who claims to be the birth father of an adopted adult but whose name does not appear on the adopted adult's birth registration may make a written request to the minister to search for an adopted adult or the child of the deceased adopted adult.

(2) If the minister is satisfied that there is a reasonable likelihood that the person claiming to be the birth father mentioned in subsection (1) is the birth father, the minister may:

- (a) determine if the person claiming to be the birth father consents to the release of identifying information to the adopted adult or to the child of the deceased adopted adult; and
- (b) search for the adopted adult or the child of the deceased adopted adult.

(3) If the minister locates the adopted adult or the child of the deceased adopted adult as a result of the search pursuant to subsection (2) and determines that the adopted adult or the child of the deceased adopted adult wishes to receive identifying information provided by the person claiming to be the birth father, the minister shall disclose to the adopted adult or the child of the deceased adopted adult:

- (a) the name of the person claiming to be the birth father of the adopted adult; and
- (b) in accordance with the consent provided pursuant to subsection (2), any additional identifying information with regard to the person claiming to be the birth father of the adopted adult.

4 Mar 2016 SR 11/2016 s14.

32 Repealed. 4 Mar 2016 SR 11/2016 s15.

Search for adopted sibling who is a minor

32.1(1) An adoptive parent of an adopted child may request, in writing, that the minister conduct a search of the registry for any sibling of the adopted child if the sibling is a minor and:

- (a) was adopted by someone other than the adoptive parent making the request; or
- (b) was not adopted.

(2) If the minister locates an adopted sibling as a result of a search conducted pursuant to subsection (1), the minister shall only release identifying information respecting the adopted sibling if:

- (a) the adoptive parents of the adopted sibling consent to the release of identifying information; and
- (b) the birth parents of the adopted sibling consent to the release of identifying information.

(3) If the minister locates a sibling that was not adopted as a result of a search conducted pursuant to subsection (1), the minister shall only release identifying information respecting that sibling if:

- (a) the guardians of the sibling consent to the release of the identifying information; and
- (b) the birth parents of the sibling consent to the release of the identifying information.

4 Mar 2016 SR 11/2016 s16; 17 Nov 2017 SR 114/2017 s13.

Search and disclosure re medical information for diagnostic or treatment purposes

33(1) The minister may search for medical information if the information is for diagnostic or treatment purposes and a written request for medical information is received from:

- (a) the adoptive parent of an adopted child, or if the adoptive parent is deceased, the adopted child's guardian;
 - (b) an adopted adult, or with proof of death of the adopted adult, the child of the deceased adopted adult; or
 - (c) a birth parent, or with proof of death of the birth parent, the child of the deceased birth parent.
- (2) A written request made pursuant to subsection (1) must be supported by a note from a health professional stating that the information is required for diagnostic or treatment purposes.
- (3) If a request has been made to the minister by a person mentioned in clause (1)(a) or (b), the minister may search for the person first described in the following clauses who has capacity and is available:
- (a) a birth parent of the adopted adult or adopted child;
 - (b) a child of the birth parent mentioned in clause (a);
 - (c) a sibling of the birth parent mentioned in clause (a);
 - (d) a parent of the birth parent mentioned in clause (a);
 - (e) an adult grandchild of the birth parent mentioned in clause (a).
- (4) If the minister locates a person mentioned in any of clauses (3)(a) to (e), the minister shall interview that person with respect to the request of a person mentioned in clause (1)(a) or (b).
- (5) If a request has been made to the minister by a person mentioned in clause (1)(c), the minister may search for any of the persons mentioned in clause (1)(a) or (b) and interview any of them with respect to the request.
- (6) The minister may provide medical information to the individual to whom the information pertains with the consent of the person mentioned in subsection (4) or (5), as the case may be.
- (7) On receiving medical information from an individual mentioned in subsection (1), or from a health professional on behalf of an individual mentioned in subsection (1), the minister shall:
- (a) search for the individual to whom the medical information pertains; and
 - (b) if the individual mentioned in clause (a) is located, disclose the medical information to that individual with the consent of the individual mentioned in subsection (1).

Beneficiaries of estates

34(1) The minister may contact an adopted adult or the adoptive parent of an adopted child where the adopted person is or may be a beneficiary of an estate with respect to which probate or administration is being sought.

(2) Where a person may be a beneficiary of an estate with respect to which probate or administration is being sought, the minister may, without the written consent of the person, disclose to a lawyer, to a personal representative of the deceased or to the Public Guardian and Trustee of Saskatchewan whether or not there has been an adoption of the person.

14 Mar 2003 cA-5.2 Reg 1 s34; 4 Mar 2016 SR 11/2016 s18.

Aboriginal status

35 The minister may release identifying information with respect to an adopted child or adopted adult to Indigenous and Northern Affairs Canada without the written consent of the person to whom the information pertains where the information is required for the purpose of determining the status of the adopted child or adopted adult pursuant to the *Indian Act* (Canada).

14 Mar 2003 cA-5.2 Reg 1 s35; 4 Mar 2016 SR 11/2016 s19.

Release to employees, child welfare agencies

36 The minister may release identifying information and non-identifying information with respect to an adopted child or adopted adult to an employee of the ministry or to a child welfare agency within or outside of Saskatchewan without the written consent of the person to whom the information pertains where the information is required by the employee to carry out his or her duties or by the agency to carry out its duties.

14 Mar 2003 cA-5.2 Reg 1 s36; 4 Mar 2016 SR 11/2016 s20.

Publication of statistical information

36.1 The minister may compile, publish and distribute any statistical information respecting adoptions registered during any period that the director considers necessary and in the public interest.

4 Mar 2016 SR 11/2016 s21.

PART IV Agencies

Application for a licence

37(1) A body corporate that desires to secure the approval of the minister pursuant to section 37 of the Act must apply to the minister for a licence to operate an agency.

(2) An application for a licence must be in a form supplied by the minister and must be accompanied by:

(a) documentation to show that:

(i) the applicant is incorporated, continued or registered pursuant to *The Non-profit Corporations Act, 1995* or *The Co-operatives Act, 1996*;

- (ii) the applicant has general liability insurance covering the proposed agency and its employees in an amount satisfactory to the minister; and
- (iii) the premises from which the applicant proposes to operate the agency:
 - (A) comply with municipal zoning bylaws; and
 - (B) provide space for counselling and interviewing that ensures privacy for all persons involved in an adoption;
- (b) documentation stating the proposed agency's policies respecting:
 - (i) staff qualifications;
 - (ii) record keeping;
 - (iii) assessment and approval of persons who apply to adopt a child;
 - (iv) selection of approved applicants for a child;
 - (v) storage of files and records;
 - (vi) recruitment of birth parents and adoptive applicants; and
- (c) any other documentation that the minister may require.

14 Mar 2003 cA-5.2 Reg 1 s37.

Issuance of licence

38 Where the minister is satisfied that the public interest will be served and that the requirements of the Act and these regulations are met, the minister may issue a licence to an applicant.

14 Mar 2003 cA-5.2 Reg 1 s38.

Duration of licence

39 A licence may be issued for any period not exceeding three years.

14 Mar 2003 cA-5.2 Reg 1 s39.

Licence not transferable

40 A licence is not transferable.

14 Mar 2003 cA-5.2 Reg 1 s40.

Amendment, suspension, cancellation of licences

41(1) Subject to subsection (2), where the minister considers it to be in the public interest, the minister may suspend, amend or cancel a licence.

(2) For the purposes of section 41 of the Act, before suspending, amending or cancelling a licence, the minister shall give written notice to the licensee of the decision to suspend, amend or cancel the licence.

(3) A licence that is suspended is, for the period of the suspension, deemed not to have been issued.

14 Mar 2003 cA-5.2 Reg 1 s41.

Licence to be displayed

42 An agency to which a licence has been issued must keep the licence on the premises of the agency and must make the licence available for inspection by any person at any reasonable time.

14 Mar 2003 cA-5.2 Reg 1 s42.

Program supervisor

43(1) Subject to subsection (4), an agency must designate as the agency's program supervisor a person who meets the qualifications mentioned in subsection (2).

(2) An agency's program supervisor must have:

- (a) a master's or bachelor's degree in social work or a related degree in the social sciences with a minimum of five years' experience in child and family services, including at least one year of direct service in adoption services; or
- (b) an equivalent combination of education and experience.

(3) An agency's program supervisor is responsible for the daily operation of the agency's pregnancy counselling and adoption services.

(4) Where an agency's program supervisor is absent or unable to act or has resigned as the agency's program supervisor, the agency may, subject to the approval of the minister, designate an officer or employee of the agency who does not possess the qualifications set out in subsection (2) as the agency's program supervisor to act for a period not exceeding 12 months.

14 Mar 2003 cA-5.2 Reg 1 s43.

Board membership

44(1) Subject to subsection (2), an agency must ensure that at least 25% of the members of the agency's board of directors have knowledge of and experience in adoption services.

(2) Subject to subsection (3), where fewer than 25% of the members of an agency's board of directors have knowledge of and experience in adoption services, the agency must ensure that an advisory committee is established by the board of directors consisting of at least three persons who have knowledge of and experience in adoption services.

(3) Where a member of an advisory committee is absent or unable to act or has resigned as a member of the advisory committee, the board of directors may, with the approval of the minister, place on the advisory committee a person who does not have knowledge of and experience in adoption matters to act as a member of the committee for a period not exceeding six months.

14 Mar 2003 cA-5.2 Reg 1 s44.

Agency services

45(1) An agency must make available pregnancy counselling services for birth parents, including but not limited to:

- (a) information on available options with respect to planning for a child;
- (b) where a birth parent is considering adoption for a child, information respecting available alternatives to adoption; and
- (c) counselling and support services before and after the birth of a child.

- (2) An agency must provide services to prospective adoptive parents, including but not limited to:
- (a) providing information about adoption and available alternatives to adoption;
 - (b) maintaining a list of individuals who have applied to the agency to adopt a child;
 - (c) assessing prospective adoptive parents to determine their suitability to adopt a child; and
 - (d) preparation for adoptive parenthood.
- (3) An agency must provide counselling and support services to:
- (a) birth parents who wish to place, or have placed, children for adoption with the agency; and
 - (b) adoptive parents and prospective adoptive parents.
- (4) An agency must accept transfers of guardianship with respect to children and place children for the purposes of adoption pursuant to the Act.

14 Mar 2003 cA-5.2 Reg 1 s45.

Records

46 Where an agency's licence terminates or is cancelled and a new licence is not issued, the agency must, within 30 days after termination or cancellation of the licence or within any other period that the minister may allow, forward to the minister all files and records established pursuant to the Act by the agency that relate to a child, a birth parent, an adoptive parent or a prospective adoptive parent.

14 Mar 2003 cA-5.2 Reg 1 s46.

Reporting

47 An agency must provide to the minister:

- (a) statistical reports with respect to the adoption services:
 - (i) every three months; and
 - (ii) at any other time when requested by the minister;
- (b) an annual audited statement with respect to the pregnancy counselling and adoption services of the agency; and
- (c) an annual report that provides an accurate report of the agency's operations and services.

14 Mar 2003 cA-5.2 Reg 1 s47.

Inspection

48 An agency must permit the minister to inspect the agency's premises, all records with respect to the agency and all records and files that relate to pregnancy counselling and adoption services provided by the agency.

14 Mar 2003 cA-5.2 Reg 1 s48.

PART V
Adoption Assistance

Interpretation

49 In this Part:

“assistance” includes:

- (a) maintenance payments to meet the initial and ongoing expenses of rearing a child where the adoptive family is unable to meet the child's needs;
- (b) payments for services related to the special needs of a child that are not available free of charge through existing community services, including payments for:
 - (i) medical expenses;
 - (ii) orthodontic and corrective dental treatment;
 - (iii) home renovations or equipment to accommodate a disability;
 - (iv) therapy, including occupational, speech and hearing therapy;
 - (v) remedial education;
 - (vi) rehabilitation training;
 - (vii) day care for remedial purposes; and
 - (viii) transportation and accommodation costs; («aide»)

“foster parent” means foster parent as defined in *The Child and Family Services Regulations*. («mère ou père de famille d'accueil»)

14 Mar 2003 cA-5.2 Reg 1 s49.

Eligibility

50(1) Subject to section 51, if a person proposes to obtain an order of adoption with respect to a person who, at the time of the proposed adoption, is a permanent ward, the minister may provide assistance with respect to the permanent ward to the person who proposes to obtain the order of adoption if:

- (a) the permanent ward has a special need requiring special services as a result of:
 - (i) being a member of a family group to be placed for adoption jointly;
 - (ii) having siblings previously placed for adoption with the person who proposes to adopt the permanent ward;
 - (iii) having a diagnosed physical, mental or emotional disturbance or disability; or
 - (iv) having a recognized high risk of physical, mental or emotional disturbance or disability; or
- (b) because of circumstances pertaining to the permanent ward, the provision of assistance is likely to result in a placement of the child for adoption.

(2) Subject to section 51, the minister may provide assistance to an adoptive parent with respect to an adopted child who is a former permanent ward if the adopted child has a special need requiring special services as a result of having:

- (a) a diagnosed physical, mental or emotional disturbance or disability; or
- (b) a recognized high risk of physical, mental or emotional disturbance or disability.

(3) Subject to section 51, if the minister receives proof of death of the adoptive parents of a former permanent ward, the minister may provide assistance to the subsequent legal guardian of the former permanent ward if:

- (a) the former permanent ward has not reached 21 years of age; and
- (b) the deceased adoptive parents were entitled to receive assistance pursuant to subsection (2) before their deaths.

17 Nov 2017 SR 114/2017 s14.

Assistance agreement

51(1) The minister shall not provide assistance pursuant to section 50, and no person is entitled to receive any assistance pursuant to section 50, until the minister has entered into an assistance agreement with one of the following persons, as the case may be:

- (a) the prospective adoptive parent;
- (b) the adoptive parent;
- (c) the subsequent legal guardian described in subsection 50(3).

(2) The assistance provided pursuant to an assistance agreement and the other provisions of an assistance agreement may be varied or terminated by the minister where:

- (a) the ability of the person to provide for the special needs of the adopted child has changed;
- (b) there is a change in the special needs of the adopted child; or
- (c) the person and the minister agree to the modification.

(3) No assistance will be paid pursuant to an assistance agreement after the adopted child attains the age of 21 years.

(4) An assistance agreement is to be reviewed annually and at any other time requested by the minister.

14 Mar 2003 cA-5.2 Reg 1 s51; 28 Aug 2015 SR 70/2015 s2; 17 Nov 2017 SR 114/2017 s15.

PART VI
General

Certain fees authorized

52(1) For the purposes of section 33 of the Act, a fee may be charged for the following:

- (a) professional services provided in relation to an application for adoption by:
 - (i) a person who prepares a report for the court pursuant to the Act;
 - (ii) a person who provides translation services required by the Act or these regulations or required by the foreign jurisdiction where a child adopted or to be adopted resides or resided;
 - (iii) a lawyer for all legal fees in relation to obtaining an order pursuant to the Act;
 - (iv) a person who provides independent advice pursuant to subsection 4(4) of the Act to a birth parent or guardian or person having lawful custody of a child;
 - (v) a medical practitioner or other professional who provides medical reports, psychological assessments or related services with respect to a child, an adoptive parent or a birth parent;
 - (vi) a person, other than an employee of the Government of Saskatchewan, who prepares a written report required by subsection 27(2) of the Act; or
 - (vii) a person, other than an employee of the Government of Saskatchewan, who prepares a post-adoption placement report for a child and the child's adoptive family following the placement of the child for adoption, if the report was requested by the state where the child was habitually resident before the placement for adoption;
- (b) in the case of an independent or international adoption, the actual cost of transportation related to the placement of the child for the purpose of adoption;
- (c) in the case of an international adoption, maintenance costs for the child where care is provided by:
 - (i) a person other than the child's birth parent or birth family member; or
 - (ii) a minister or other official of the government of a jurisdiction outside Saskatchewan or another child welfare agency outside Saskatchewan;
- (d) services provided by the Government of Saskatchewan with respect to an international adoption, including fees for:
 - (i) the preparation of a written report required by subsection 27(2) of the Act;
 - (ii) translation services for the purpose of obtaining an order pursuant to the Act or where required by the foreign jurisdiction where the child adopted or to be adopted resides or resided;

(iii) administrative costs incurred by the ministry for services provided in relation to an international adoption, including the cost of salaries and transportation of members of the staff of the ministry; and

(iv) post-adoption placement reports for a child and the child's adoptive family following the placement of the child for adoption, if requested by the state where the child was habitually resident before the adoption;

(e) services provided in a jurisdiction outside Saskatchewan by a person who is approved in that jurisdiction to provide services necessary to meet the standards established by the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption;

(f) in the case of an agency, services provided pursuant to section 45 of these regulations, including administrative costs incurred by the agency.

(2) A fee charged for a service mentioned in subsection (1) must not exceed an amount that, in the opinion of the director, is reasonable for the service.

14 Mar 2003 cA-5.2 Reg 1 s52; 4 Mar 2016 SR 11/2016 s22.

Filing of notice of appeal

53 Every person who files a notice of appeal pursuant to subsection 29.6(4) of the Act must, at the same time, file a copy of the notice of the appeal with the Court of Queen's Bench at the judicial centre where the fiat, order or decision appealed from was made.

14 Mar 2003 cA-5.2 Reg 1 s53; 7 Jly 2006 SR 63/2006 s4.

R.R.S. c.A-5.1 Reg 1 repealed

54 *The Adoption Regulations, 1990* are repealed.

14 Mar 2003 cA-5.2 Reg 1 s54.

Coming into force

55(1) Subject to subsection (2), these regulations come into force on the day on which section 43 of *The Adoption Act, 1998* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 43 of *The Adoption Act, 1998* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

14 Mar 2003 cA-5.2 Reg 1 s55.

Appendix

PART I

Forms

FORM A-1

[Clause 3(a)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for the adoption of _____, a child,
(child's full birth name)by _____
(name(s) of applicant(s))**Application For Order of Adoption**
pursuant to section 16 of *The Adoption Act, 1998*I/We, _____ of _____,
(name(s) of applicant(s)) (mailing address)Saskatchewan, hereby apply to adopt as my/our child, _____,
(child's full birth name)born on _____, _____, at _____,
(month) (day) (year) (city/town) (province)and who is, to the best of my/our information and belief, a child within the meaning of
The Adoption Act, 1998.I/We request that an order be made that the name of the adopted child remain
as _____

or be changed to _____.

I/We request that an order be made for the adoption of _____.
(child's full birth name)Dated at _____, Saskatchewan, this _____ day of _____, 20 ____.
(city/town)_____
(Signature of applicant)_____
(Signature of applicant)This document was delivered by _____
(applicant(s))of _____,
(business or residence address)_____
(telephone number)

and the address for service is _____.

FORM A-2
[Clause 3(b)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for the adoption of _____ ,
(child's full birth name)

a child, by _____
(name of applicant)

Application For Order of Adoption

pursuant to section 23 of *The Adoption Act, 1998* (Step-parent Adoption)

I, _____ , of _____ , Saskatchewan,
(name of applicant) *(mailing address)*

spouse of _____ , hereby apply to adopt
(name of birth parent)

as my child, _____
(child's full birth name)

born on _____ , _____ , at _____ , _____ ,
(month) (day) *(year)* *(city/town)* *(province)*

and who is, to the best of my information and belief a child within the meaning of *The Adoption Act, 1998*.

I request that an order be made that the name of the adopted child remain as

_____ .
or be changed to _____ .

I request that an order be made for the adoption of the child

_____ .
(child's full birth name)

Dated at _____ , Saskatchewan, this _____ day of _____ , 20 ____ .
(city/town)

(Signature of applicant)

This document was delivered by _____
(applicant)

of _____ ,
(business or residence address)

(telephone number)

and the address for service is _____ .

FORM A-3
[Clause 3(c)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for the adoption of _____ ,
(person's full birth name)

a person 18 years of age or more, by _____
(name(s) of applicant(s))

Application For Order of Adoption

pursuant to section 24 of *The Adoption Act, 1998* (Adoption of an Adult)

I/We, _____ , of _____ , Saskatchewan,
(name(s) of applicant(s)) (mailing address)

hereby apply to adopt _____ ,
(person's full birth name)

born on _____ , _____ , at _____ , _____ ,
(month) (day) (year) (city/town) (province)

and who is, to the best of my/our information and belief, a person 18 years of age or more.

I/We request that an order be made that the name of the adopted person remain
as _____

or be changed to _____ .

I request that an order be made for the adoption of _____ .
(person's full birth name)

Dated at _____ , Saskatchewan, this _____ day of _____ , 20 ____ .
(city/town)

(Signature of applicant)

(Signature of applicant)

This document was delivered by _____
(applicant)

of _____ , _____ ,
(business or residence address) (telephone number)

and the address for service is _____ .

FORM B
[Section 4]

Application to Recognize a Simple Adoption Order
Repealed. 17 Nov 2017 SR 114/2017 s16.

FORM C-1
[Clause 5(1)(a)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for the adoption of _____
(child's full birth name)

Consent of Birth Parent or Guardian
pursuant to section 16 of *The Adoption Act, 1998*

I, _____, of _____, _____,
(name of birth parent or guardian) (city/town) (province)

hereby certify:

1. That I am the:

- birth mother; or
- birth father; or
- guardian;

of _____,
(child's full birth name)

born at _____, _____, on _____, _____,
(city/town) (province) (month) (day) (year)

2. that I hereby consent to the adoption of _____
(child's full birth name)

by _____
(name(s) of applicant(s))

of _____, _____.
(mailing address) (province)

Dated at _____, Saskatchewan, this _____ day of _____, 20 ____.
(city/town)

(Signature of birth parent/guardian)

(Signature of witness)

(Attach Affidavit of Execution and Form G - Certificate of Independent Advice)

FORM C-2
[Subclause 5(1)(b)(i)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for the adoption of _____
(child's full birth name)

Consent of Birth Parent or Guardian to an Order of Adoption
pursuant to Application pursuant to section 23 of *The Adoption Act, 1998*
(Step-parent Adoption)

I, _____, of _____, _____,
(name of birth parent or guardian) (city/town) (province)

hereby certify:

1. That I am the:

birth mother; or

birth father; or

guardian;

of _____,
(child's full birth name)

born at _____, _____, on _____, _____,
(city/town) (province) (month) (day) (year)

2. that I hereby consent to the adoption of _____
(child's full birth name)

by _____
(name(s) of applicant(s))

of _____, _____.
(mailing address) (province)

Dated at _____, Saskatchewan, this _____ day of _____, 20 ____.
(city/town)

(Signature of birth parent/guardian)

(Signature of witness)

(Attach Affidavit of Execution and Form G - Certificate of Independent Advice)

FORM C-3
[Subclause 5(1)(b)(ii)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for the adoption of _____ ,
(child's full birth name)

by _____
(name of applicant)

Consent of Birth Parent (Spouse of Applicant) to an Order of Adoption
pursuant to Application Pursuant to section 23 of *The Adoption Act, 1998*
(Step-parent Adoption)

(To be completed by applicant's spouse)

I, _____ , of _____ , Saskatchewan,
(name of birth parent) (city/town)

hereby certify that:

1. I am a birth parent of _____ ,
(child's full birth name)

born at _____ , _____ , on _____ , _____ ,
(city/town) (province) (month) (day) (year)

2. The applicant is my spouse.

3. I hereby consent to an order of adoption being made granting the application
of _____ to adopt _____ .
(name of applicant) (child's full birth name)

Dated at _____ , Saskatchewan, this _____ day of _____ , 20 ____ .
(city/town)

(Signature of birth parent)

(Signature of witness)

(Attach Affidavit of Execution)

FORM C-4
[Subsection 5(2)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for an order of adoption of _____ ,
(child's full birth name)

a Crown ward, born on _____ , _____ , _____ ,
(month) (day) (year)

by _____ ,
(name(s) of applicant(s))

of _____ , Saskatchewan
(mailing address)

Consent of the Minister

pursuant to section 4 of *The Adoption Act, 1998*

I hereby consent to an order of adoption being made with respect to _____ ,
(child's full birth name)

a child who is a Crown ward within the meaning of *The Adoption Act, 1998*.

Dated at _____ , Saskatchewan, this _____ day of _____ , 20 ____ .
(city/town)

(Signature of witness)

Minister of Community Resources and Employment

(Attach Affidavit of Execution)

FORM C-5

[Subsection 5(3), section 5.1 and clause 13(h)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for the adoption of _____
(child's full birth name)**Consent of Child 12 Years of Age or More**
pursuant to sections 4 and 29.2 of *The Adoption Act, 1998*I, _____, a child 12 years of age or more, hereby certify:
(child's full birth name)1. That I am aware _____ is/are making an application
(name(s) of applicant(s))

for an order for my adoption.

2. That I hereby consent to an order being made for my adoption
by _____.
(name(s) of applicant(s))3. That I hereby consent to a change of my name to _____.
(new name)

OR

That I do not consent to a change of my name.
(strike out statement that does not apply)4. **Repealed.** 4 Mar 2016 SR 11/2016 s23.Dated at _____, Saskatchewan, this _____ day of _____, 20 ____.
(city/town)_____
(Signature of child)_____
(Signature of witness)

(Attach Affidavit of Execution)

14 Mar 2003 cA-5.2 Reg 1; 5 Nov 2004 SR
99/2004 s13; 7 Jly 2006 SR 63/2006 s5; 4 Mar
2016 SR 11/2016 s23.

FORM C-6
[Subsection 5(4)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for an order of adoption of _____ ,
(child's full birth name)

a child, born on _____ , by _____
(month) (day) (year) (name(s) of applicant(s))

of _____ , Saskatchewan.
(mailing address)

Consent of an Agency
pursuant to section 4 of *The Adoption Act, 1998*

The _____ hereby consents to an order of adoption
(name of agency)

being made with respect to _____ , a child,
(child's full birth name)

with respect to whom guardianship has been transferred to or vested in this agency.

Dated at _____ , Saskatchewan, this _____ day of _____ , 20 ____ .
(city/town)

(Signature of agency's program supervisor)

(Signature of witness)

(name and seal of agency)

(Attach Affidavit of Execution)

FORM C-7
[Subsection 5(5)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for the adoption of _____
(person's full birth name)

Consent of Person 18 Years of Age or More
Pursuant to subsection 24(1) of *The Adoption Act, 1998*

I, _____, a person 18 years of age or more, hereby certify:
(person's full birth name)

1. That I am aware _____ is/are making an application
(name(s) of applicant(s))
for an order for my adoption.

2. That I hereby consent to an order being made for my adoption by

(name(s) of applicant(s))

Dated at _____, Saskatchewan, this _____ day of _____, 20 ____.
(city/town)

(Signature of person)

(Signature of witness)

(Attach Affidavit of Execution)

FORM D
[Section 6]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of the transfer of guardianship of _____
(child's full birth name)

to _____
(name of agency)

Transfer of Guardianship
pursuant to section 11 of *The Adoption Act, 1998*

I hereby certify:

1. That I am the:

birth mother; or

birth father; or

guardian;

of _____,
(child's full birth name)

born at _____, _____, on _____, _____,
(city/town) (province) (month) (day) (year)

2. That I hereby transfer guardianship of my child _____
(child's full birth name)

to _____
(name of agency)

Dated at _____, Saskatchewan, this _____ day of _____, 20 ____.
(city/town)

(Signature of birth parent/guardian)

(Signature of witness)

Dated at _____, Saskatchewan, this _____ day of _____, 20 ____.
(city/town)

(Signature of agency's program supervisor)

(Signature of witness)

(Attach two Affidavits of Execution and Form G - Certificate of Independent Advice)

14 Mar 2003 cA-5.2 Reg 1.

FORM E

Repealed. 5 Nov 2004 SR 99/2004 s13.

FORM F

[Section 8]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for the adoption of _____.
(child's full birth name)

Certificate of Counselling
pursuant to section 4 of *The Adoption Act, 1998*

I, _____, birth parent of _____
(child's full birth name)

born on _____, _____, hereby certify that the following
(month) (day) (year)

have been discussed with me:

1. The possibility of obtaining financial support from the other birth parent of my child;

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2. The possibility of parenting my child with the help of relatives, the other birth parent, the Department of Community Resources and Employment or any other available service;
3. The option to explore Income Assistance, including services such as medical coverage;
4. The possibility of voluntary short-term foster home care for my child to enable me to work out a suitable plan;
5. Adoption alternatives:
 - Adoption through voluntary committal of my child through the Department Community Resources and Employment;
 - Agency adoption through transfer of guardianship;
 - Independent adoption by adoptive applicants identified and chosen by me;
6. Post-adoption services available.

Dated at _____, Saskatchewan, this _____ day of _____, 20 ____.

(city/town)

(Signature of birth parent)

I, _____, of _____, Saskatchewan,
(authorized person's name in full) *(city/town)*

hereby certify that:

In accordance with subclause 4(4)(a)(ii) and subsection 4(6) of *The Adoption Act, 1998*:

1. I am a person authorized to complete a certificate of counselling.
2. I have discussed the above options with _____.
(birth parent's name in full)
3. I am satisfied that _____ is aware of available options in
(birth parent's name)

planning for the future care of _____
(child's full birth name)

according to guidelines prepared by the Department of Community Resources and Employment.

Dated at _____, Saskatchewan, this _____ day of _____, 20 ____.

(city/town)

(Signature)

(address)

FORM G
[Section 9]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for the adoption of _____ .
(child's full birth name)

Certificate of Independent Advice
pursuant to section 4 of *The Adoption Act, 1998*

I, _____, of _____, Saskatchewan,
(name of person) (city/town)
hereby certify that:

1. I am a person who meets the qualifications stated in:

subclause 4(4)(a)(iii) or (c)(ii) of *The Adoption Act, 1998*; or

subsection 4(5) of *The Adoption Act, 1998*.

2. I have examined:

(a) _____, birth parent of _____ ;
(child's full birth name)

(b) _____, guardian of _____ ; or
(child's full birth name)

(c) _____, a child 12 years of age or older;
(child's full birth name)

named in the attached:

consent to adoption; or

transfer of guardianship;

in accordance with section 4 of *The Adoption Act, 1998*.

3. I am satisfied that the:

consent to adoption; or

transfer of guardianship;

represents the true and informed wishes of the person who signed it.

4. I have explained to the person who signed the consent to adoption or transfer of guardianship:
- the provisions in *The Adoption Act, 1998* respecting revocation of consent to adoption or transfer of guardianship;
 - the effects of an order of adoption; and
 - that the person has the right to be informed by the agency or the director, as the case may be, whether the child has been adopted.

Dated at _____, Saskatchewan, this _____ day of _____, 20 ____.
 (city/town)

 (Signature)

 (Address)

14 Mar 2003 cA-5.2 Reg 1.

FORM H
 [Section 10]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for an order of adoption with respect to

 (child's full birth name)

Notice of Fiat or Decision
 pursuant to subsection 29.3(1) of *The Adoption Act, 1998*

TO: _____
 (applicant)

 (applicant)

 (director for _____ region)

 (agency, if applicable)

The following fiat or decision was made by the Honourable ____ Justice _____
 on _____, _____ 20 ____ :

(Complete (a), (b) or (c))

(a) the application is granted.

(b) the application is dismissed for the following reasons:

(c) other:

Dated at _____, Saskatchewan, this _____ day of _____, 20 ____.
(city/town)

(Local Registrar)

Issued at the _____ of _____, Saskatchewan,
this _____ day of _____, 20 _____.

FORM I-1
[Clause 11(a)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for the adoption of _____,
(child's full birth name)

a child, born on _____, at _____
(month) (day) (year) (city/town) (province)

Birth Registration Number _____ }
Before the Honourable _____ }
Justice _____ } The ___ day of _____, 20__ .

Order of Adoption

pursuant to section 16 of *The Adoption Act, 1998*

On the application of _____
(name(s) of applicant(s))

of _____, Saskatchewan, and on reading the application for adoption:
(city/town)

1. It is ordered that the application of _____
(name(s) of applicant(s))
to adopt _____ is granted.
(child's full birth name)

2. It is further ordered that from this date the name of the child is

(child's full adoptive name)

(Local Registrar)

Issued at the _____ of _____, Saskatchewan,
on the _____ day of _____, 20_____.

FORM I-2
[Clause 11(b)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for the adoption of _____,
(child's full birth name)

a child, born on _____, at _____
(month) (day) (year) (city/town) (province)

Birth Registration Number _____
Before the Honourable _____
Justice _____ } The ___ day of _____, 20__ .

Order of Adoption

pursuant to section 23 of *The Adoption Act, 1998* (Step-parent Adoption)

On the application of _____
(name of applicant)

of _____, Saskatchewan, and on reading the application for adoption:
(city/town)

1. It is ordered that the application of _____
(name of applicant)
to adopt _____ is granted.
(child's full birth name)

2. It is further ordered that from this date the name of the adopted child is

(child's full adoptive name)

(Local Registrar)

Issued at the _____ of _____, Saskatchewan,
on the _____ day of _____, 20_____.

FORM I-3
[Clause 11(c)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for the adoption of _____,
(*person's full birth name*)

a person, born on _____, at _____
(*month*) (*day*) (*year*) (*city/town*) (*province*)

Birth Registration Number _____ }
Before the Honourable _____ }
Justice _____ } The ___ day of _____, 20__.

Order of Adoption

pursuant to section 24 of *The Adoption Act, 1998* (Adoption of an Adult)

On the application of _____,
(*name(s) of applicant(s)*)

of _____, Saskatchewan, and on reading the application for adoption:
(*city/town*)

1. It is ordered that the application of _____
(*name(s) of applicant(s)*)
to adopt _____ is granted.
(*person's full birth name*)

2. It is further ordered that from this date the name of the adopted person is

(*person's full adoptive name*)

(*Local Registrar*)

Issued at the _____ of _____, Saskatchewan,
on the _____ day of _____, 20_____.

14 Mar 2003 cA-5.2 Reg 1.

FORM J
[Section 12]

Order to Recognize a Simple Adoption Order

Repealed. 17 Nov 2017 SR 114/2017 s16.

FORM K
[Clause 13(c)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an application for the adoption of _____
(child's full birth name)

Financial Statement

of _____
(name(s) of applicant(s))

I/WE HEREBY MAKE OATH AND SAY that the details of my/our financial situation are herein accurately set out, to the best of my/our information and belief.

Estimate of Total Monthly Family Income		Estimate of Monthly Expenses	
Gross Pay:	\$ _____	Food:	\$ _____
(Name(s) of Employer(s):	_____	Clothing:	\$ _____
_____		Housing:	\$ _____
Other income: (specify)		Utilities:	\$ _____
_____		Recreation & Entertainment:	\$ _____
_____		Child Expenses:	\$ _____
_____	\$ _____	Insurance:	\$ _____
Total Income	\$ _____	Other: (specify)	\$ _____
Less Total Deductions	\$ _____	_____	\$ _____
		_____	\$ _____
		_____	\$ _____
Net Income	\$ _____	_____	\$ _____
		Total Expenses	\$ _____
Estimate of Total Assets		Estimate of Debts	
Real Estate:	\$ _____	Bank Loans:	\$ _____
Personal Property: (specify)	\$ _____	Credit & Charge Cards:	
_____	\$ _____	(specify)	
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
Investments:	\$ _____	_____	\$ _____
Cash:	\$ _____	Finance Company:	\$ _____
Total Assets	\$ _____	Other:	
		_____	\$ _____
		_____	\$ _____
		_____	\$ _____
		_____	\$ _____
		Total Debts	\$ _____

(Append schedule where necessary)

SWORN before me at _____
Saskatchewan, this _____ day
of _____, 20 ____ .

(Signature)

(Signature)

A Commissioner for Oaths in and for
Saskatchewan.
My commission expires on _____, 20 ____ .

FORM L
[Clause 13(f)]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an order of adoption with respect to _____
(child's full birth name)

Particulars of Adoption
pursuant to *The Adoption Act, 1998*

1. Type of adoption: (please check off appropriate category)

Two parent adoption

Single parent adoption

Step-parent adoption

2. Pre-adoption particulars:

Full birth name of child: _____

Date of birth: _____
(month) (day) (year)

Place of birth: _____

Birth registration number: _____

Aboriginal person?

(if yes, indicate category; if a status Indian state Band name and number) _____

3. Post-adoption particulars:

Full adoptive name of child: _____

Full names of adoptive parents: _____

Mailing address of adoptive parents: _____

Date of birth: _____
(month) (day) (year)

(Local Registrar)

Note: This fully completed form must be attached to each Order of Adoption forwarded to the Vital Statistics Branch, Saskatchewan Health, Regina, Saskatchewan, Canada.

FORM M
[*Clause 13(g)*]

In the Court of Queen's Bench (Family Law Division)

Judicial Centre of _____

In the matter of an order of adoption with respect to:

Child's full birth name: _____

Band name and number: _____

Name(s) of birth parent(s): _____

Child's full adoptive name: _____

Adoptive parent(s): _____

(name(s))

(mailing address)

Information for the Registrar pursuant to the Indian Act (Canada)
pursuant to clause 29.3(3)(c) of *The Adoption Act, 1998*

TO: The Registrar pursuant to the *Indian Act* (Canada)

(address)

FROM: Local Registrar

(address)

1. Documents filed with the court indicate the above-named child is a status Indian.
2. In accordance with subsection 19(3) of *The Adoption Act, 1998*, enclosed is a certified copy of the order of adoption with respect to _____ .

(child's full adoptive name)

(Local Registrar)

FORM N

[Clause 13(h) and subsection 14(2)]

Repealed. 4 Mar 2016 SR 11/2016 s23.

FORM O

[Clause 13(h) and subsection 14(3)]

Repealed. 4 Mar 2016 SR 11/2016 s23.

PART II

Repealed. 8 Jne 2007 SR 42/2007 s5.