

Adoption of Children Act Amendment Act 1949, Western Australia

1949 – 1995

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Details

The Adoption of Children Amendment Act 1949 (Act no. 1949/022 (13 Geo. VI No.108)) became law on 22 October 1949. It made the birth entry registration of an adopted child (and therefore a new birth certificate) automatic. It also made changes to the requirement that children over the age of 12 years had to give their consent to the adoption.

The Adoption of Children Act Amendment Act 1949 made the birth entry registration of an adopted child (and therefore a new birth certificate) automatic. The ability to record a new birth entry had been introduced in 1926, but until 1949 parents who adopted a child had to apply for this to happen. From 1949, all children who had been adopted were automatically registered with a new birth entry. This identified the people who became the child's parents by adoption as the birth parents.

Changes were also made to the requirement that children over the age of 12 years had to give their consent to the adoption. After the amendments, the Judge could dispense with the need for this consent in 'special circumstances'. In practice, those special circumstances included the child being unaware that he or she had not been born to the parents who were now seeking to adopt. Previously, the child had to give his or her consent to the adoption except where the Judge deemed them to be a 'deserted' child.

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