



Australian Government
Attorney-General's Department

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25 September 2014

Director, Legislation and Documents
Senate Table Office
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Dear Director, Legislation and Documents

Family Law (Bilateral Arrangements – Intercountry Adoption) Amendment (2014 Measures No.2) Regulation 2014 – Amended Explanatory Statement

I enclose an amended Explanatory Statement for the Family Law (Bilateral Arrangements – Intercountry Adoption) Amendment (2014 Measures No.2) Regulation 2014.

The purpose of the regulation is to clarify the operation of the Family Law (Bilateral Arrangements – Intercountry Adoption) Amendment (2014 Measures No.1) Regulation 2014, which commenced on 4 March 2014, and provides for automatic recognition of overseas adoption orders issued in Taiwan, South Korea and Ethiopia. The earlier amendments were intended to recognise such orders made both prior to, and after, commencement. The regulation clarifies the retrospective operation of the earlier amendments.

On 28 August 2014, the Senate Standing Committee on Regulations and Ordinances wrote to the Attorney-General's Senior Adviser seeking further information about what consultation was undertaken for the regulation, and an updated Explanatory Statement.

The Attorney-General's Department has amended the Explanatory Statement to confirm that consultation was undertaken with all state and territory central authorities responsible for the delivery of intercountry adoption services in Australia prior to the amendments that commenced on 4 March 2014. Given that the purpose of the regulation was to clarify those amendments and the perceived need for clarification was raised by one jurisdiction, limited further consultation was undertaken with only that jurisdiction.

The Office of Best Practice Regulation was consulted about the regulation and advised that a Regulatory Impact Statement is not necessary, as the amendments were likely to have no or low regulatory impacts on business and individuals or on the economy.

If you have any queries, please contact Jane Atchison on (02) 6141 3093.

Yours sincerely

Kelly Williams
Assistant Secretary
Marriage and Intercountry Adoption Branch