

Review Points for Decision on the Eligibility of Foreigners Adopting from China

June 30, 2017

Relevant government departments and adoption agencies in receiving states,

In order to further promote the scientific and standardized level of inter-country adoption, and implement our working principle "everything for the children", we have refined and improved the review points for deciding the eligibility of foreigners adopting from China, in accordance with the *Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption*, and *Measures for Registration of Adoption of Children by Foreigners in the People's Republic of China*, as well as the practice of paper review of CCCWA.

I . Age

1. The prospective adoptive parents (PAPs) should reach the age of 30, and the age difference between the PAP and the adoptee should be not more than 50 years.
2. When a couple adopts together, the age difference should be counted based on the age of the younger party.

II . Marital Status

1. The PAP(s) should be a couple of one male and one female, or a single female with no homosexual tendency.
2. In the adoption by a couple (couple adoption), the PAPs should have a stable marital status, either party should have not more than 2 divorces. If one party has no divorce history or 1 divorce, their current marriage should last not less than 2 years. If one party has 2 divorces, their current marriage should last not less than 5 years.

3. In calculating the marriage lasting time for PAPs, the time living together before their marriage can be included. When calculating the number of divorces, widow and remarriage after divorce are not included.

III. Health Conditions

The PAPs should be physically and mentally fit, with the ability to raise and educate the adoptee, but without any of the following conditions:

- (1) Intellectual disability;
- (2) HIV positive, or infectious disease that is actively contagious;
- (3) Schizophrenia;
- (4) Mental disorder including mania, depression, bipolar affective disorder, anxiety and phobia, etc. PAP(s) with minor symptoms and are under good control by taking medicine, assessed by a psychological professional as having no effects on their normal work and life and fit to care and educate the adoptee, will be exempt from this limitation;
- (5) Binocular blindness, binocular low vision or monocular blindness with no ocular prosthesis;
- (6) Severe facial deformation;
- (7) Binaural hearing loss or language function loss; PAPs who adopt children with identical conditions, or with one party of a couple healthy will be exempt from this limitation;
- (8) Non-function or dysfunction of limbs or trunk caused by impairment, incomplete limb, paralysis or deformation;
- (9) Diseases that require long-term treatment, and have bad prognosis which will affect PAPs' child care ability such as lupus, nephrosis, epilepsy, multiple sclerosis, etc.; In a couple adoption, if one party is completely healthy and the other suffers any of such diseases but is under good control after treatment, they will be exempt from this limitation if they can provide a

doctor's note to attest that the illness has no effects on their normal work and life and fit for caring the adoptee;

(10) Skin cancer, thyroid cancer, breast cancer and testicular cancer that has been cured for less than 3 years; other kinds of cancer or malignant tumor that has been cured less than 5 years;

(11) Vital organ transplant within 10 years; In a couple adoption, if one party is healthy and the other party had organ transplant within 10 years but has recovered to live a normal life, they will be exempt from this limitation;

(12) BMI (BMI=weight (kg)/ height² (m²)) \geq 40;

(13) Short stature or dwarfism; PAPs who adopt children with identical conditions will be exempt from this limitation.

IV Educational background

The PAPs should have received senior high school education or above, or vocational and technical skills education of the same level.

V. Family Financial Conditions

1. The PAPs (at least one party of a couple in a couple adoption) should have stable occupation and income. The per-capita annual income of a family including the prospective adoptee should reach 10,000 USD; When calculating the family per-capita annual income in an adoption by a single parent, the number of family members should be one more than the actual family member number after adoption

2. Couple adoption's family net worth should reach 80,000 USD, and single adoption's family net worth should reach 100,000 USD.

3. Welfare allowance such as relief fund, pension, disability benefits, adoption subsidy, foster care subsidy and disabled child subsidy, etc. are not included in the family annual income.

4. Proper relaxation can be granted to foreigners living in China on the aspects of family annual income and net worth.

VI Moral Characters

The PAPs should have no record of criminal penalties, have good moral characters, honorable behaviors and abide by laws and regulations, without any of the following circumstances:

- (1) a history of domestic violence, sex abuse, abandonment/abuse of children (even if they were not arrested or convicted);
- (2) a history of taking drugs including opium, morphine, marijuana, cocaine, heroin, smokable methamphetamine and etc;
- (3) a history of alcohol abuse and have stopped drinking for less than 10 years.

Adoption application will be given due consideration when the PAPs have had no more than 3 criminal records with minor violations and no severe outcomes, and the time for correction has reached 10 years; or have had no more than 5 records of traffic law violation with no severe outcomes.

VII Children in the House

1. The adoption of orphans, disable children, or abandoned infants and children whose parents cannot be ascertained or found, are not subject to the requirement that the adopter should be childless.
2. The PAPs should have enough time and energy to take care of the minors in the house including the prospective adoptee. In a couple adoption, the number of minors living in the house of the PAPs should be not more than 5; in a single adoption, the number of minors in the house of the PAPs should be not more than 2.
3. The youngest child in the house should reach 3 years old.

VIII Adoption Frequency and Numbers

1. Adopters should submit post placement reports as required after the adoption; There should be a 1 year interval between the second adoption

application and the previous one (from the registration date of the previous adoption to the current adoption application date).

2. In principle, the PAPs should adopt 1 child from China at a time.

3. In a couple adoption, if adoptee is a twin or multiple births or have siblings, the adoption will be exempt from the limitation of item 2.

VIII Others

1. The PAPs should receive pre-adoption training to have a correct cognition and understanding of the possible risks of inter-country adoption, be fully prepared for the adoption and care of the adoptee. The PAPs should promise in the inter-country adoption application letter that they will not abandon or maltreat the child to be adopted, and will submit post placement reports as required.

2. As for PAPs residing in countries other than their birth country, if they intend to apply to adopt from China, they should reside in countries which have cooperative relationship with China in inter-country adoption, or in contracting states of the *Hague Convention*.

3. This document does not apply to stepchild adoptions. As for the adoption of a child belonging to a collateral relative by blood of the same generation and up to the third degree of kinship, relaxation will be granted properly.

4. Time or age is calculated based on the adoption application dossier's log-in-date at CCCWA.

5. This document shall enter into force as of the date of issuance. In the event of any inconsistency between this document and previous CCCWA regulations or notices, the review points of this document shall apply.

