

FACT SHEET 3 applies in the following situations:

- The *Hague Convention* is not in force in the child's country of origin.
- The child is not related to the prospective adoptive parents.
- The adoption order is to be granted in British Columbia after the prospective adoptive parent(s) bring the child to the province.

Section 48 of the *Adoption Act* requires prospective adoptive parent(s) to obtain the approval of the Provincial Director of Adoption or a British Columbia licensed adoption agency before bringing a child from outside of British Columbia into the province.

Steps:

1. Prospective adoptive parent(s) must apply to Citizenship and Immigration Canada to sponsor the child. If the sponsorship application is approved by Citizenship and Immigration Canada they will request a Letter of No Objection from the office of the Provincial Director of Adoption.
2. Prospective adoptive parent(s) or their lawyer must notify in writing a BC licensed adoption agency of their intention to bring a child into BC for adoption purposes.
3. Before a BC licensed adoption agency can grant approval under Section 48(2) of the *Adoption Act* for the child to be brought to BC to be adopted, the agency requires proof that the:
 - a. child is legally available for adoption and that the legal requirements of the child's country of origin and/or province/territory/state have been met;
 - b. consents have been obtained as required in the jurisdiction in which the child is a resident;
 - c. birth parent(s) have been provided with information about adoption and the alternatives to adoption; and,
 - d. prospective adoptive parent(s) have received information about the medical and social history of the child and the child's birth family.
4. When the child to be adopted has been born, proposed and accepted by the prospective adoptive parent(s), the BC licensed adoption agency sends a letter to the office of the Provincial Director of Adoption confirming that the following requirements for a Letter of No Objection have been met:
 - a. The prospective adoptive parent(s) have a valid home study completed by a BC licensed adoption agency that approves them for intercountry adoption and for a child whose description is consistent with the child proposed for adoption;
 - b. Prospective adoptive parents have discussed the proposed child's medical and social history with their physician;
 - c. The prospective adoptive parent(s) or their lawyer have made reasonable efforts to give notice of the proposed adoption to anyone named by the birth mother as the child's birth father, or if his consent is not required under the Act (Section 13), to anyone registered on the Birth Father's Registry in BC; and,
 - d. Ministry records were checked within 90 days of travel to ensure that there are no previous contacts with the Ministry that would present concerns about the prospective adoptive parent(s)' ability to parent.
5. After receiving confirmation from the BC licensed adoption agency that the above requirements are met, and if there are no concerns, the office of the Provincial Director of Adoption issues the Letter of No Objection to Citizenship and Immigration Canada.

Please Note:

- A Letter of No Objection will not be issued after the child has entered Canada.
- A Letter of No Objection will not be issued if a prospective adoptive parent has a child welfare and/or a criminal record in the following areas: child physical or sexual abuse, or child exploitation.
- The final decision regarding whether a child will be allowed to enter Canada rests with Citizenship and Immigration Canada.