



Annexe II : Modalités de conservation et d'accès aux informations relatives aux origines
(Question 3 de la Circulaire)

	Organe responsable de la conservation des informations	Transmission des informations aux parents adoptifs au moment de l'adoption	Durée de conservation des informations	Modalités d'accès aux informations
Afrique du Sud	The Department of Social Development	The adoption social workers provide the adoptive parents with the adoptees background information.	There are no time limits applicable	See above
Allemagne	The adoption files are kept by the adoption agency which was involved in a certain adoption. If an adoption agency closes, the file is given to an agency that continues its work or to the Central Authority which was responsible for the closed adoption agency. Birth registers are kept in the civil registry offices.	Available information upon the family of origin are shared with the adoptive parents when a child proposal is submitted, except concrete personal data. These data are kept by the adoption agency or the Central Authority.	Adoption files have to be kept for 60 years from the date of the birth of the child in any case of adoption.	An adopted person can contact the adoption agency that was involved in his or her adoption. If the person does not know which agency was involved, he/she can ask to the Federal Central Authority. This latter is keeping a central database in which every intercountry adoption duly assisted by an accredited adoption agency is registered.

Andorre	Servicio de adopciones del Ministerio de Salud y Bienestar (Service des adoptions du Ministère de la Santé et du Bien Etre)	<p><u>Adoption nationale:</u> les parents adoptifs disposent d'informations détaillées et sont mis au courant des antécédents de l'enfant adopté.</p> <p><u>Adoption internationale :</u> les familles adoptives disposent de toute la documentation relative au processus d'adoption et en sont maîtres. Le plus naturel est que l'enfant soit mis au courant de ses antécédents progressivement tout au long de son enfance. Quoiqu'il en soit, une fois atteints ses 18 ans, il peut accéder à ces informations si tel n'a pas été le cas antérieurement.</p>	<p>Illimitée.</p> <p>Les informations sont stockées dans une archive spécialement prévue pour perdurer dans le temps.</p>	A travers d'une simple démarche administrative dirigée au Service des adoptions andorran.
Australie				
South Australia	In the State of South Australia, the State Government Department for Families and Communities is responsible for keeping this information. The Department is the adoption authority in this State.	<p>Adoptive parents are informed at the start of the process to adopt a child that all records in relation to the completed adoption of a child are kept in perpetuity.</p> <p>At the time of the placement of a child, any Information released to the adoptive parents about the birth parents is released with the consent of the birth parents and is usually non-identifying, and vice versa.</p> <p>During the adoption process a contract of agreement is negotiated between the two sets of parents. This applies exclusively to local adoption and is provided for under South Australian legislation. (An agreement with birth parents in relation to intercountry adoption is beyond the power of the legislation given that the birth parents are unknown or in a foreign country). See section 26A of the South Australian Adoption Act 1988: http://www.austlii.edu.au/au/legis/sa/consol_act/aa1988107/s26a.html.</p>	The information is kept in perpetuity (all adoption records).	<p>To access information people need to register with the Adoption and Family Information Service of the Department for Families and Communities. This is usually done via a specific form that is available on Internet or through a request over the telephone or in person.</p> <p>Provided there is no veto in place, the Department will prepare a package of information that contains documents (i.e. copies of documents from the original file and new authorisation forms) that will enable the person to search for his/her birth relatives and obtain official documents (e.g. birth</p>

				certificate) from the Registrar of Births, Deaths and Marriages (which is a separate government entity).
Tasmania (Australie)	The State Government is responsible for the safe keeping of Adoption records.	Non identifying information is provided to the adoptive parents. Identifying information can be provided if both the birth and adoptive parents agree to this.	Forever. All records since the first adoption act in 1920 have been preserved.	Access is determined by the Adoption Act 1988 which specifies who can access information and the process for this.
Australie (Victoria)	<p>In Victoria, it is a State government service called Family Information Networks and Discovery (FIND), formerly known as the Adoption Information Service (AIS).</p> <p>In addition, there are 3 approved Adoption Information Services that operate under the Victorian Adoption Act 1984. These are Anglicare Victoria, Connections, and Catholic Care.</p>	<p>In Victoria, approved adoption agencies can provide adoptive families with information about the origins of the adopted person.</p> <p>Pre the Victorian Adoption Act 1984, this information was non identifying. Post the Victorian Adoption Act 1984, there is a provision for identifying information to be released to the adoptive parents.</p>	The records are kept in perpetuity.	Eligible applicants are required to submit an application to FIND.
Australie (Western Australia)	Records of adoptions are held by the following authorities :	Information is provided to adoptive parents at the time of the adoption and also accessible after the adoption order is made in accordance with provisions of the	Records of proceedings in a court in relation to an adoption or proposed adoption are to be preserved, in so far as is practicable, indefinitely.	According to the Adoption Act of 1994, a person wishing to have access to information is to

	<p>-Department for Child Protection-DCP - Family Court of Western Australia-FCWA - Registry of Births, Deaths, and Marriages-BDM - bodies that conduct or have conducted adoption services.</p> <p>If a person or body ceases the conduct of adoption services, the person is to cause any document in his, her or its power, custody or control to be transferred to possession of the CEO (Chief Executive Officer) of the Department for Child Protection unless CEO satisfied provision has been made for access to and safekeeping of the document under the Act.</p>	Adoption Act 1994.	Any other documents recording information in relation to an adoption or proposed adoption is to be preserved not less than 100 years.	<p>apply to the CEO in a form approved by this latter and provide proof of the person's identity, if relevant the person's age, and other information that the CEO thinks is relevant to the application.</p> <p>Information may be released by the Department to eligible person and may include an authority to access adoption information held by the FCWA and BDM.</p>
Belgique (Communauté flamande)	According to the decree, the VCA must dispose of a copy of every adoption file. This copy has to be in	The adoptive parents have all the original documents of the adoption file and have thus all the available information on the origins of their adopted child.	Every file has to be kept for 50 years.	Adoptees can have access at all time from 12 years old. They can put a request with the Director of the VCA to ask for more

	the archives within four months after the adoption.			information.
Belgique (Communauté française)	L'OAA qui a encadré l'adoption doit conserver les informations qu'il détient sur les origines de l'enfant adopté, notamment celles relatives à l'identité de la mère et du père, ainsi que celles relatives au passé médical de l'adopté et de sa famille. Par ailleurs, l'ACC (Autorité centrale de la Communauté française) détient également un dossier individuel pour chaque adoption.	<p><u>Adoption internationale</u> : les parents adoptifs reçoivent les éléments du dossier reçu du pays d'origine avec la proposition d'enfant ; selon les pays d'origine, les informations sont plus ou moins importantes.</p> <p><u>Adoption interne</u> : les parents reçoivent une information (orale) sur les motivations de la mère biologique de confier l'enfant à l'adoption ; par ailleurs, ils obtiennent copie de l'acte de naissance de l'enfant (celui-ci reprend uniquement les nom et prénoms des parents biologiques, et le lieu de naissance de l'enfant).</p>	L'ACC (en tant qu'autorité publique) a l'obligation de conserver ses archives pendant 50 ans ; les OAA doivent les conserver tant qu'ils sont agréés, et s'engager à les remettre à l'ACC en cas de cessation d'activité.	Actuellement, les modalités n'ont pas encore été fixées (voir réponse au point 1), si ce n'est que les OAA ont l'obligation de rester à la disposition des adoptés pour les accompagner dans leurs recherches.
Brésil	As informações deverão ser conservadas nos autos da adoção, arquivados na comarca que correu o processo. São as Varas da Infância e da Juventude de cada comarca, que são as responsáveis pelo arquivamento de seus autos. - os	Sim, a mesma lei prevê que a inscrição dos pretendentes à adoção deve ser precedida de orientação psicológica, social e jurídica. O acesso às origens é parte da legislação.	Não é previsto tempo limite para arquivo do processo, que poderá ser microfilmado.	O adotado é encaminhado à Vara da Infância e da Juventude do seu processo de adoção. Nela, poderá ser requerido o acesso às informações que constam no processo de adoção, com o seu desarquivamento.

	<p>autos de adoção permanecem arquivados pelo poder judiciário, em cada juízo, devendo ser garantido o seu acesso a qualquer tempo - § 8º do art. 47 – Lei 12010/2011.</p>			
<p>Burkina Faso (BF)</p>	<p>Au BF, l'Autorité centrale à travers la Direction des Placements et des Adoptions est chargée de la conservation des informations. Au-delà de cette structure, le Ministère de la Justice à travers les tribunaux de Grande instance assurent également la conservation des dossiers ayant fait l'objet de jugement en leur sein.</p>	<p>Au moment de la proposition de l'enfant en adoption, les documents suivants sont transmis aux parents adoptifs :</p> <ul style="list-style-type: none"> -Enquête sociale retraçant l'histoire de l'enfant -extrait d'acte de naissance -consentement des parents biologiques à l'adoption - jugement d'abandon en cas d'abandon -fiche de sortie de la structure d'accueil. <p>En collaboration avec la structure d'accueil de l'enfant, les examens médicaux et les photos sont transmis par l'intermédiaire des représentants locaux des OAA.</p> <p>Après le jugement d'adoption, les parents reçoivent lors de leur séjour au BF :</p> <ul style="list-style-type: none"> -l'extrait du jugement d'adoption -le certificat de non appel - le certificat de conformité -l'autorisation de sortie du territoire 	<p>En principe, sauf cas de force majeure indépendant de la volonté des praticiens, ces informations sont conservées aussi longtemps que possible. Toutes les informations relatives à l'enfant sont contenues dans un dossier individuel sur lequel est indiqué son nom, le nom de ses parents adoptifs, le nom de la structure où il a séjourné avant l'adoption et l'année de son adoption.</p>	<p>Pour accéder à ces informations, l'intéressé doit formuler une demande adressée à l'Autorité centrale chargée des questions d'adoption afin que les informations sollicitées puissent lui être transmises.</p>
<p>Canada</p>				
<p>Alberta (Canada)</p>	<p>Post Adoption Registry, Ministry of Alberta Children and Youth Services</p>	<p>-</p>	<p>In perpetuity</p>	<p>Upon request, the Post Adoption Registry: - provides a summary of non-identifying information to adoptees, birth parents, adoptive parents, adult siblings or a descendant of a deceased</p>

				<p>adoptee according to the Act</p> <ul style="list-style-type: none"> - provides identifying information to adoptees and birth parents about each other, unless one of the parties has filed a veto - arranges for a reunion when two parties to an adoption voluntarily register for contact - manages a yearly information exchange between birth parents and adoptive parents on behalf of their minor child - provides information from the sealed adoption record to assist
Saskatchewan (Canada)	Minister or Designate. Information is kept by Social Services.	In an intercountry adoption, adoptive parents receive all information forwarded or contained in a child referral. Adoptive parents are made aware of the Ministry's responsibility to keep and safeguard all adoption records in the province.	There is a non-destruction policy with respect to adoption records.	This is dependent on whatever the current legislation is. Adoptees (over the age of 18), birth families or adoptive families can all apply for access to information.
Manitoba (Canada)	<p>The Manitoba provincial government, which operates the Post-Adoption Registry, is responsible for maintaining the adoption records.</p> <p>As well, mandated agencies who complete adoptions</p>	All background information is provided to adoptive parents, as well, they are informed of the Post-Adoption Registry and how to access it.	Adoption information are maintained under a legislative records archive schedule. Adoption records are archived for a minimum period of 100 years.	<p>Manitoba has provided a progressive approach in how we manage the rights of birth parents and adult adoptees.</p> <p>Adoptions prior to March 15, 1999 require the consent of birth parents to research identifying information. The Post-adoption Registry staff will do searches and outreaches to birth parents to</p>

	are also, by regulation, to archive adoption records.			<p>seek their consent to release identifying information. If birth parents do not wish to proceed, they can file a disclosure and/or contact veto.</p> <p>Disclosure vetos prevent identifying information from being released and contact vetoes prevent individuals from contacting each other.</p> <p>For adoptions that occur post-March 15, 1999, adoption records are open and identifying information can be released. The option of vetoes is available but rarely used.</p>
Ontario (Canada)	<p>Only the Ontario government and the Children's Aid Societies who handle public Ontario adoptions have access to adoption information. Adoption legislation supersedes all other legislation preventing the release of adoption related information except through the disclosure provisions authorized by the adoption</p>	<p>At the time of adoption, the adoptive parents are given whatever information that is provided by the sending country, including identifying information regarding the birth family. At the time of adoption, the information shared with the birth parents depends on the process in the child's country.</p>	<p>There are adoption records from 1921 when adoption was legalized in the province, there is no retention schedule for the destruction of records.</p>	<p>Non-identifying information is provided by the government if the adoption was handled privately. If there is an adoption file in the Ministry of Community and Social Services records, the adopted person and birth relatives may apply to receive non-identifying information.</p>

	disclosure legislation.			
Prince Edward Island (Canada)	The Director of Child Protection as Central Authority ensures the safeguarding of information.	The information is provided when a match has been made and the child's profile is received. All documentation received with the child referral is shared with the adoptive parents. This may include the child's original birth name, names of birth parents and details concerning the child's early history and circumstances leading to adoption. The adoptive parents would retain a copy of this information if they proceed with adopting the child.	The Director of Child Protection as Central Authority is required by our Adoption Act to retain all adoption records indefinitely.	For adoptions finalized within the province of PEI, access to adoption records can be sought by parties affected by an adoption. An application is sent to our Post Adoption Services Program. The Adoption Act governs the process for the sharing of such information. However, for adoptions finalized outside the province of PEI, access to such information would be governed by that Central Authority's legislation.
Newfoundland (Canada)	The Provincial Director, as Central Authority	Non-identifying information is shared. Identifying information is removed.	Information storage is not time limited.	The adoptee must be 19 years of age.
Québec (Canada)	<u>Adoption internationale :</u> Selon l'article 71.4 de la Loi sur la protection de la jeunesse, le Ministre de la Santé et des Services sociaux a l'obligation de conserver les dossiers ayant trait à l'adoption des enfants domiciliés à l'étranger, conformément à la législation, et de donner suite aux demandes	<u>Adoption internationale:</u> Selon l'article 71.14 de la Loi sur la protection de la jeunesse, sur demande, l'adoptant peut recevoir du Ministre de la Santé et des Services sociaux un sommaire des antécédents de l'enfant; l'enfant adopté de 14 ans et plus, un sommaire de ses antécédents; et le parent biologique, un sommaire des antécédents de l'adoptant. Les informations concernant l'enfant sont recueillies par le parent adoptif et l'organisme agréé, qui les communique au SAI. Elles sont conservées dans le dossier d'adoption et sont accessibles, de la façon prévue à la législation.	<u>Conservation des dossiers d'adoption:</u> Les dossiers d'adoption sont conservés durant 99 ans aux archives gouvernementales, comme prévu au Calendrier de conservation des documents contenus aux dossiers d'un organisme public, conformément à la Loi sur les archives (L.R.Q., chapitre A-21.1). Certaines pièces contenues dans le dossier d'adoption internationale sont conservées séparément au-delà de ce délai (documents originaux concernant l'enfant et le parent biologique et qui proviennent du pays d'origine, photographies de l'enfant, objets remis par le parent biologique et destinés à l'enfant, documents en langue	La Loi sur l'accès aux documents des organismes publics et sur la protection des renseignements personnels (L.R.Q., chapitre A-2.1) prévoit que l'accès aux documents et la protection des renseignements personnels contenus dans un dossier d'adoption sont régis par le Code civil du Québec et les autres lois relatives à l'adoption. La personne qui veut avoir accès à des

	<p>de recherches d'antécédents sociobiologiques et de retrouvailles. C'est le Secrétariat à l'adoption internationale (SAI) qui exerce cette responsabilité en son nom. Un membre du personnel est responsable de recevoir et de traiter les demandes.</p> <p><u>Adoption nationale:</u></p> <p>Selon l'article 82 de la Loi sur les services de santé et les services sociaux, les Centres de protection de l'enfance et de la jeunesse régionaux ont la responsabilité de conserver les dossiers ayant trait à l'adoption des enfants domiciliés au Québec, conformément à la législation, et de donner suite aux demandes de recherches d'antécédents sociobiologiques et de retrouvailles. Une équipe est en place</p>	<p><u>Adoption nationale :</u></p> <p>Selon l'article 71.1 de la Loi sur la protection de la jeunesse, dès que l'ordonnance de placement est prononcée, le directeur de la protection de la jeunesse remet à l'adoptant qui en fait la demande un sommaire des antécédents de l'enfant. Il remet également aux parents qui en font la demande un sommaire des antécédents de l'adoptant. Un enfant a droit d'obtenir, sur demande, un sommaire de ses antécédents, s'il est âgé de 14 ans et plus.</p>	<p>étrangère dont on n'a pas la traduction).</p> <p><u>Base de données des dossiers d'adoption:</u> Les informations nominatives et d'autres indications importantes sont inscrites dans la base de données des dossiers d'adoption au fur et à mesure de leur traitement. Cette base est conservée de façon permanente.</p> <p><u>Dossiers d'adoption microfilmés/numérisés:</u> Comme les dossiers d'adoption sont numérisés après la finalisation de la procédure d'adoption (les plus anciens ont été microfilmés), il est prévu qu'ils demeureront accessibles au-delà des 99 ans prévus (pourvu que la technologie permette leur lecture au moment de la consultation).</p>	<p>renseignements contenus dans le dossier d'adoption doit en faire la demande auprès du SAI, s'il s'agit d'une adoption internationale, et auprès du centre jeunesse régional, s'il s'agit d'une adoption nationale, qui vérifie, dans un premier temps, si elle est admissible à recevoir les informations.</p> <p>La loi ne prévoit pas la photocopie du dossier d'adoption en tout ou en partie; seul un sommaire contenant les renseignements que la loi permet de divulguer peut être remis sur demande, selon les modalités prévues.</p>
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	au sein de chacun des centres jeunesse régionaux pour recevoir et traiter les demandes.			
Croatie	<p>According to the Family Act, the Minister in charge of Social Welfare has the legal power to prescribe rules on the keeping of records and files of the adoption. A Centre for Social Welfare keeps adoption case files and the registry of the adoptions. The Registrar is responsible for keeping the documents pursuant to which was performed the enrolment of new data for the child and for providing information that is contained in the register of births. Information on adoption is an official secret.</p>	All information about the adopted child is provided to the adoptive parents at the time of the adoption.	This information has to be kept permanently by the Centres for Social Welfare.	<p>The person, who by law is entitled to apply for access to the record of adoption, may submit a written request directly to the Centre for Social Welfare or via the Ministry (when it comes to international cases). The competent centre examines the legal basis of the request. If the request is in accordance with the law, the applicant has access to his/her adoption file. If the applicant wants to contact his/her origins, the director of the centre shall appoint an expert (psychologist or social worker) to contact (respecting privacy) the concerned person. If the expert receives a positive answer, communication will be established pursuant certain rules. If the person concerned is an adult and legally capable, the appointed expert will exchange information (addresses, phone numbers, e-mail address, etc.). After this phase,</p>

				official assistance is not needed anymore and the file can be closed. If necessary, mediation will be provided by the centre.
Espagne	<p>-Las Entidades Públicas competentes en materia de adopción de las Comunidades Autónomas asegurarán la conservación de la información de que dispongan relativa a los orígenes del niño, en particular la información respecto a la identidad de sus padres, así como la historia médica del niño y de su familia (art. 12 de la ley 54/2007). En algunas legislaciones de las Comunidades Autónomas, se prevé la creación de Registros específicos.</p> <p>- Las Entidades colaboradoras que hubieran intermediado en la adopción deberán informar a las Entidades</p>	<p>En todos los casos se proporciona información general en relación al niño, historia familiar, datos relativos a la salud y otros datos que puedan ser relevantes.</p> <p>En cuanto a los datos de carácter identificativo, tienen acceso a aquellos que constan en los registros públicos, por ejemplo partidas de nacimiento.</p> <p>En los casos en los que existe un Registro de datos, se informa sobre los derechos de acceso a los datos que obran en el mismo.</p> <p>Para la adopción internacional, en general, depende del país de origen, de lo completo que sea el informe.</p>	<p>Como regla general, la información se conserva de forma indefinida.</p> <p>Recientemente, España ha ratificado el Convenio Europeo en materia de adopción del 27 de noviembre de 2008 que establece en su art. 22.5 que las informaciones pertinentes relativas a la adopción de una persona se recogerán y se conservarán durante al menos 50 años con posterioridad al momento en que la adopción se haya hecho definitiva.</p>	<p>Se solicita por escrito por las personas interesadas, en la mayoría de los casos el adoptado, y se articula mediante procedimientos de asesoramiento y mediación.</p> <p>El acceso puede ser también a través del Registro Civil. En caso de adopción, la partida literal es de publicidad restringida, por lo que sólo puede acceder el interesado a la información que en la copia original que conserva la Administración.</p> <p>En caso de instituciones privadas (y/o religiosas), depende de la voluntad de su administración interna, y en última instancia, puede demandarse mediante proceso judicial, contra la institución, que obligue a entregar la documentación (si la conservarán). En la actualidad, no se permite que las instituciones privadas</p>

	<p>Públicas de los datos de los que dispongan sobre los orígenes del menor (art. 12 de la ley 54/2007).</p> <p>- Registro civil (en la partida literal de nacimiento debe constar el nombre de la madre, desde 1999, a menos que sea un abandono)</p> <p>.</p>			<p>gestionen adopciones. Tampoco se permite que custodien esa información, y por tanto, nos referimos a las adopciones anteriores sobre las que se realiza ahora la búsqueda y se encuentran con este inconveniente.</p>
Honk Kong	<p>The Adoption Unit of the Social Welfare Department and the Accredited Bodies.</p>	<p>It depends on what kinds of information. Basically, background information of the birth parents, no identifying information, will be provided in the child study report.</p>	<p>The files on adoption are kept permanently.</p>	<p>Initially, information will be provided in written form. If further contact is required, with the consent of the parties involved, letter exchange, or actual meeting can be arranged if it deems suitable.</p>
Italie	<p>-the Commission for inter-country adoptions (Italian Central Authority)</p> <p>- the Juvenile Court of the district where the prospective adoptive parents are resident at the time of the child's entry in Italy (art. 37, Law n. 184/83).</p> <p>- In practice, also Italian accredited bodies keep all pieces of</p>	<p><u>Domestic adoption:</u> adoptive parents are informed on the biological family's history but not on the identity of the biological parents. According to our law, adoptive parents may be allowed to learn about the identity of biological parents, upon authorization by the Juvenile Court, only if serious and proven reasons exist (See art.28, paragraph 4 of the Law no 184/83).</p> <p><u>For inter-country adoption:</u> whenever there are informations about the child's background, included the identity of biological family, prospective adoptive parents are informed by the accredited body before accepting the matching Law no 184/83 art. 31 paragraph c, d.).</p>	<p>Italian legislation provides for the conservation of judicial and administrative acts in the archives of the local authorities for a variable period of time (at least ten years) followed by the delivery of these documents to the State Archives to ensure their permanent conservation.</p> <p>In particular, documents relating to intercountry adoptions are kept <u>indefinitely</u> in the archives of the Commission for inter-country adoptions</p>	-

	documentations concerning every adoption carried out.			
Mexique				
Mexique (Hidalgo)	<p>Varias entidades en el Estado de Hidalgo son responsables de conservar la información relativa a los orígenes:</p> <ul style="list-style-type: none"> -El DIF Hidalgo (sistema de Desarrollo Integral de la Familia) en su carácter de Autoridad central en materia de Adopción Internacional - los Oficiales del Registro del Estado Familiar en el Estado de Hidalgo - El Tribunal Superior de Justicia 	<p>Si, se les comunica a los padres acerca del origen de los menores, motivo de ingreso y antecedentes médicos en caso de contar con esta información</p>	<p>-Por lo que hace el Sistema DIF, la información se queda en el expediente el cual se resguarda en la Institución por cinco años, posteriormente se remite al almacén del Sistema en donde se resguarda por cinco años más, y posteriormente se destruye.</p> <p>-En el Tribunal Superior de Justicia y Oficial del Registro del Estado Familiar, es indefinido.</p>	<p>Se otorga información cuando el adoptado desee conocer sus antecedentes filiales, "siempre y cuando sea mayor de edad; si fuera menor de edad se requerirá el consentimiento de los adoptantes".</p>

<p>Mexique (Jalisco)</p>	<p>Son varias las entidades responsables, esto obedece a que en un proceso de adopción son varios los organismos que intervienen: -Para el caso de niños pupilos del Estados, será el Consejo Estatal de Familia y en su caso el hogar Cabañas quienes cuenten con antecedentes de la familia de origen de los adoptados - el Poder Judicial del Estado, ello en virtud que todo trámite de adopción se realiza ante la Corte - la Oficina del Registro Civil donde se llevó a cabo el nuevo registro de nacimiento en base a la sentencia de adopción. En los casos de adopción directas también conocidas como acuerdos entre particulares, no se tienen mayores datos que el nombre de la progenitora biológica.</p>	<p>En los casos de menores de edad pupilos del Estado si se comunica la información a los futuros padres adoptivos.</p>	<p>La ley no especifica un término de conservación, ergo, debe entenderse que la misma no se destruirá ya que no se sabe cuándo un adoptado querrá conocer sus antecedentes.</p>	<p>La petición se realizará por escrito y únicamente por el interesado, a ninguna otra persona se le dará acceso a la información.</p>
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<p>Mexique (Oaxaca)</p>	<p>En lo que toca al expediente administrativo, la Procuraduría para la Defensa del Menor la Mujer y la Familia del Estado de Oaxaca, a través de la Subprocuraduría de Adopciones.</p>	<p>Si esta información es requerida, si se proporciona.</p>	<p>La ley del sistema para el Desarrollo Integral de la Familia del estado de Oaxaca en su artículo 42 establece que una vez concluido el expediente se podrá mandar al archivo, el mismo será resguardado por cinco años.</p>	<p>Se puede decir que existen dos fuentes de acceso a la información sobre la identidad y los orígenes; una que ya fue citada y es por medio del Registro Civil y la otra es por medio del expediente administrativo, mismo al que no se refiere el Código Civil, por lo que el criterio de acceso a ellos depende del criterio y atendiendo al interés superior del niño en caso de que éste aún no alcance la mayoría de edad. Para el caso de que éste ya fuera mayor de edad y de acuerdo a la Ley de Transparencia y acceso a la información Pública para el Estado de Oaxaca, en su artículo 7° fracción VI, dispone que los sujetos obligados deberán permitir el acceso de los particulares a sus datos personales (siendo esta información confidencial).</p>
<p>Norvège</p>	<p>The Central Authority</p>	<p>In intercountry adoptions, yes.</p>	<p>Today the records have to be kept for 100 years.</p>	<p>-</p>
<p>Nouvelle-Zélande</p>	<p>-Child, Youth and Family (Ministry of Social Development) -New Zealand Family Courts</p>	<p>Yes, provided that has been mandated by the birth parents or overseas agency.</p>	<p>Indefinitely, it goes eventually into government Archives</p>	<p>Under the Adult Adoption Information Act, the Privacy Act, the Official Information Act and the Archives Act.</p>

<p>Pays Bas</p>	<p>In fact the Ministry of Justice but they leave this to the licensed adoption agencies. It is one of the demands of the ministry to these agencies. If they do not obey then they risk losing their license.</p>	<p>yes</p>	<p>The file has to be kept at least 30 years after arrival of the child in the Netherlands. At this moment because of the political pressure the Ministry of Justice is about to propose to the government that these files have to be kept 100 years. But this is still a proposal and no law yet.</p>	<p>For the concerned child: age 12. Next to the child the adoption parents have access.</p>
<p>Portugal</p>	<p>Pour les adoptions internationales c'est l'Autorité Centrale portugaise qui est responsable pour la conservation des dossiers.</p>	<p>Oui sauf si les parents biologiques ont expressément déclaré qu'ils voudraient garder leur anonymat relativement à la famille adoptante</p>	<p>Indéfiniment.</p>	<p>Pendant la minorité de l'enfant adopté, il appartient aux parents adoptifs de l'informer au sujet de ses origines et de sa situation d'enfant adopté. Les parents adoptifs reçoivent une préparation pour cette révélation et peuvent toujours demander l'appui des équipes d'adoption des organismes de sécurité sociale.</p> <p>Par ailleurs, comme précisé précédemment, le tribunal, à la demande de celui qui prouve un intérêt légitime et par des motifs importants et avec les limites fixées dans la décision, peut autoriser l'accès aux dossiers judiciaires et administratifs ainsi que l'expédition de copies. S'il n'y a pas un dossier judiciaire la requête doit être adressée au tribunal</p>

				<p>compétent en matière de famille et mineurs du siège de l'organisme de sécurité sociale.</p> <p>L'acte de naissance originaire, mentionnant la filiation biologique auquel il est émargé l'adoption, est conservé secret au bureau d'état civil. Cependant, pour l'organisation du dossier de mariage de l'enfant adopté, l'acte de naissance originaire est pris en compte pour vérification de l'existence d'empêchements au mariage fondés sur la parenté.</p>
République Dominicaine	<p>Conforme a lo establecido en el Art. 152, previamente citado, es el Tribunal de Niños, Niñas y Adolescentes. De igual forma, el Consejo Nacional para la Niñez y la Adolescencia (CONANI), que es el organismo encargado de llevar a cabo la fase administrativa de la adopción, conserva fotocopias de toda la</p>	Si	Por 30 años	<p>La modalidad para el acceso deberá ser presencial.</p>

	documentación correspondiente al proceso en sus archivos.			
Suède	<p>The information regarding the background of adopted children, which the prospective adopters receive, is stored in the archives of the <u>Local Social Welfare Boards</u>.</p> <p>The background information of an adopted person is also stored by the <u>authorized adoption association</u> which mediates the adoption. According to the Intercountry Adoption Intermediation Act (SFS 1997:192 Section 8b), an authorized association is liable to document the intermediation operation. The documentation shall show what decisions and actions have been implemented</p>	Yes	<p>The information stored in the archives of the Local Social Welfare Boards is saved forever.</p> <p>The documentation stored by the authorized adoption association shall be kept as long as it may be assumed to be of relevance for the person who has been intermediated for adoption through the association or for the persons closely related to him or her.</p>	<p>When an adopted person asks for information regarding his or her background, the Local Social Welfare Board should offer guidance and support.</p> <p>A person to whom the documents of an adoption association relate shall upon request be provided, as soon as possible, with the documents requested provided it may be assumed that no individual person will suffer thereby. If the adoption association considers that some document or some part of document should not be disclosed, the association shall immediately with a statement of his or her opinion hand over the issue to MIA for consideration.</p> <p>Not all adopted persons have come through an adoption association. The structure with adoption associations was implemented in 1980. Before that adoptions were private adoptions</p>

	<p>in matters and the actual circumstances and events of importance. If the association ceases its intermediation operation, the documentation concerning the intermediation operation shall be transferred to MIA for storage.</p>			<p>or mediated by the National Board for Health and Welfare. In most cases there should still be documentation stored by the Local Social Authorities. However for many adoptees who were adopted in the 1950-ies to 1970-ies to search for information can be a rather tricky quest. MIA can give advice and some assistance in locating documentation in the archives of the national Board for Health and Welfare, local social authorities, the Swedish Tax Agency, the Migration Board and Church registers.</p>
Suisse	<p>There is no centralized body to keep such information. Responsible for revealing such information is every authority or government body that holds it. Such information is hold notably by the cantonal authorities responsible for the adoption process (Art. 268 para. 1 SCC), by guardianship bodies (Art. 360 et seq. SCC) and</p>	<p>En ce qui concerne les adoptions internationales régies par la CLH-1993, les parents adoptifs ont accès aux informations contenues dans le dossier de l'enfant transmis par son Etat d'origine. Pour ce qui est des adoptions internationales non soumises à la CLH-1993, la réponse peut varier en fonction de la pratique de chaque Etat d'origine. Enfin, concernant les adoptions nationales en Suisse, il se pourrait que les parents adoptifs n'aient pas accès à ces données lors de l'adoption en fonction de la pratique de chaque canton.</p>	<p>Existence and content of applicable law may differ from one responsible authority to another. Though form and place of deposit may change in time, civil status registries have to be kept for indefinite time.</p> <p>The Geneva Law on public archives, for instance, doesn't allow the retention period of all those documents issued by public institutions or held in their files. The retention period of these documents depends on their particular state and the information contained.</p>	<p>The information may be provided verbally, written or by inspection.</p> <p>Again, practices differ according to the Cantons. Some cantonal or communal authorities offer administrative assistance to people concerned and carry out the procedure after their name so as to centralize all the information. In other Cantons, the adopted child must formally address only those authorities holding the information to access it.</p>

	<p>civil status authorities (Art. 44, 45, 49 SCC).</p> <p>Practices differ according to the Cantons. Mostly, the Youth Protection Service is the only one with the authority to assist minors who wish to begin a research asserting a legitimate interest.</p> <p>Major children address directly to the Civil Registry. In Geneva, more particularly, the Public Instruction, Culture and Sport Department has been designed (Art. 268 Sec. 3 of SCC) to that effect. The Department competencies are put into practice by the Youth Office (See Art. 1, 2 and 3 of the Rules for Foster Care, RAPEF). In addition, other institutions of the same Canton are authorized to hold information about the origins</p>			
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	(Adoption Central Authority of the Youth Office, Tutelary Tribunal, some private intermediaries).			
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