

**Ministry of Social Affairs,
Labor, Vocational Training
and Youth Rehabilitation
N0: 074 SKBY**

**PRAKAS
ON
THE PROCEDURES AND FORWARDING OF THE DOCUMENTS
FOR THE ADOPTION OF ORPHANED INFANT/CHILD ABROAD**

Minister of MOSALVY

- Having seen Constitution of the KOC,
- Having seen Royal Decree N0: NS/RKT/1198/72 of 30 November 1998 on the Appointment of the Royal Government of the KOC,
- Having seen Royal Decree N0: 02/NS/94 of 20 July 1994 which promulgating the Law on the Organization and Functioning of the Council of Ministers,
- Having seen Royal Kram N0: NS/RKM/0699/06 of 17 June 1999 which promulgating the Law on the Establishment of MOSALVY,
- Having seen Sub-decree N0: 87 ANKr.BK of 04 October 1999 on the Organization and Functioning of MOSALVY,
- Having seen Subdecree N0: 29 ANKr.BK of 14 March 2001 on the adoption of orphaned infant/Child abroad
- Pursuant to the need of the Ministry

Hereby Decides,

Article1.- This Prakas defines the procedures and the act of forwarding a dossier for Adoption of orphaned infant/child abroad for the internal functioning of MOSALVY.

Article2.- The adoption dossier transmitted by MOFAIC shall go to MOSALVY through administrative channel of General Dpt of Administration and Finance for incoming registration no later than 1 day and then forward it to General Dpt of Social Affairs and Youth Rehab so as to coordinate and send to the Dpt of Child Welfare for examination and preparation of formality no later than 04 days.

Article3.- The applicant shall select adoptive child from MOSALVY's list which is officially signed and recognized. The prospective adoptive parent shall be authorized by expertised entities to visit in person only the infant/child that he/she selected the name from the list. Final decision as to accept the infant/child or not is the right of the applicant.

Article4.- In case of refusing, the applicant may choose another name on the list for the second time and may visit in person as it was in the first time. Applicant shall not be permitted to visit orphaned infant/child in a center before he/she single out a name on the list. The visit of the infant/child in person shall last 1 day for the longest, save for the center located in an outlying province.

Article5.- After receiving the selected name agreed on by the applicant, Dpt of Child Welfare of the General Dpt of Social Affairs and Youth Rehab shall inform in writing the prov./mun DOSALVY or the NGO center to organize dossier and respond about the status of the infant/child. The duration for the preparation shall be 15 days for the longest.

Article6.- The dossier sent by prov./mun DOSALVY or any center run by NGO shall be examined and fulfilled the formalities by the Dpt of Child Welfare within 07 days and then send it up to the ministerial leaders through following hierarchy :

- Administration of the General Dpt of Adm and Finance no later than 1 day
- Under Secretary of State in charge of this affairs for 1 day
- Secretary of State in charge of this affairs for 2 days
- Minister examines and signs for 2 days

Article7.- In case when the dossier transmission is late unlikely to meet the requirement set out in the above article6, the Dpt of child Welfare of the General Dpt of Social Affairs and Youth Rehab is entitled to follow up the dossier and send it up to H.E-the Minister for examination and final decision.

Article8.- Notice on the Royal Government's approval shall go to MOSALVY through adm channel of General Dpt of Administration and Finance for incoming registration no later than 1 day and then forward it to General Dpt of Social Affairs and Youth Rehab so as to coordinate and send it further to the Dpt of Child Welfare for the preparation of the child transfer:

- to make Adoption Certificate which shall be signed by the MOSALVY ministerial leaders within 3 day period,
- to organize official ceremony for the transfer of the child to adoptive father and/or mother in the presence of the competent officers of MOSALVY as below:
 - General Director or Deputy General Director of the General Dpt of Social Affairs and Youth Rehab 01 prs
 - Chief or Deputy Chief of the Child Welfare Dpt or Rep. 01 prs
 - Chief or Rep. of Adoption Bureau

Shall not authorize to transfer the child/infant through any middle agent.

Article9.- General Director of the General Dpt of Adm and Finance, General Director of the General Dpt of Social Affairs and Youth Rehab, Chief of Child Welfare Dpt, Chief of prov./mun DOSALVY and Chiefs of NGOs concerned shall be tasked with the implementation of this Proclamation as of the date of signature.

Phnom Penh, 03 April 2001

Minister

ITH SAM HENG

C.C:

- Office of the Council of Ministers
- Ministry of Foreign Affairs and International Cooperation “ for information”
- Document-Chronicles