

PA0005/04/74652

12 February 2004

Mrs. Sharon Tong
Clerk to Bills Committee
Legislative Council Building
8 Jackson Road, Central, Hong Kong

Dear Mrs. Tong,

Re: Bills Committee on Adoption (Amendment) Bill 2003

I refer to your letter dated 20 January 2004 addressed to Mr. Patrick Moss, the Secretary General and I have been asked to send a reply on his behalf.

The Law Society's Family Law Committee has reviewed the provisions in the Adoption (Amendment) Bill 2003 together with the Legislative Council brief and attachments and has the following observations:-

A. Local Adoption

Members have agreed with all of the proposals highlighted in the legislative Council Brief, namely:

- Private arrangement for adoption by unrelated persons
- Court Orders for removal of Children from Hong Kong
- Mandatory Criminal Record Checks
- Step-parent Adoption
- Administrative Appeals Board
- Penalties
- Discriminatory provisions
- Religious persuasion
- Re-vesting the parents right
- Minimum consent period
- Notice to DSW
- Continuous Custody Requirement

- Root-tracing System and Veto Mechanism

The Family Law Committee would like to place on record that it would be appropriate for the relevant Bureaux involved in family matters namely the Home Affairs Bureau and the Health Welfare and Food Bureau to liaise on adopting a comprehensive review of legislation relating to children in order to avoid a piecemeal approach which is undesirable.

B. Intercountry Adoption

The Law Society agrees with the proposal to adopt the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption.

C. Bills Committee meeting on 18 February 2004

The Law Society will not be sending representatives to the meeting.

Yours sincerely,

Joyce Wong
Director of Practitioners Affairs
e-mail: dpa@hklawsoc.org.hk