

# Adoption of Children Ordinance 1938, Commonwealth of Australia

1938 – 1966

URL: <http://www.legislation.act.gov.au/ord/1938-2/default.asp>

## Details

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The Adoption of Children Ordinance 1938 (Act no. 2/1938) was Commonwealth legislation that regulated adoption of children in the ACT for the first time. This Ordinance was repealed by the Adoption of Children Act 1965, commencing on 18 October 1966.

Under the Adoption of Children Ordinance 1938, adoption required the consent of the child's parent or guardian, person with custody, or person liable to contribute to support. The law provided that the consent requirement may be dispensed with where a person has abandoned or deserted the infant; cannot be found; is incapable of giving consent; persistently neglected or refused to contribute to support of infant where liable; or where the court is satisfied that in all the circumstances it should be dispensed with.

The Child Welfare Act 1923 (NSW) which regulated adoption in NSW did not apply in the ACT.

## More info

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### Chronology

- **Adoption of Children Ordinance 1938, Commonwealth of Australia (1938 – 1966)**
  - Adoption of Children Act 1965, Australian Capital Territory (1966 - 1993)
    - Adoption Act 1993, Australian Capital Territory (1993 - current)

### Related Entries

#### Related Events

- [Inquiry into Commonwealth Contribution to Former Forced Adoption Policies and Practices, Commonwealth of Australia \(2011 - 2012\)](#)

#### Is amended by

- [Adoption of Children Ordinance 1940, Australian Capital Territory \(1940 - 1966\)](#)  
Date: 15 February 1940 - 8 October 1966
- [Adoption of Children Ordinance 1949, Australian Capital Territory \(1949 - 1966\)](#)  
Date: 29 September 1949 - 8 October 1966

#### Related Concepts

- [Adoption in the Australian Capital Territory \(1938 - current\)](#)
- [Law in the Australian Capital Territory](#)

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