

Adoption of Children Act Amendment Act 1971, Western Australia

1972 – 1995

URL: https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_a146012.html

Details

The Adoption of Children Act Amendment Act 1971 (Act no. 024 of 1971) came into operation on 1 July 1972.

The Adoption of Children Act Amendment Act included a number of changes to the Act and the Rules:

- A new section stated that the 'welfare and interest of the child shall be regarded as the paramount consideration' in adoption
- The desirability of 'husband and wife' adoptions was emphasised, but some of the restrictions imposed on single applicants were removed
- The criteria which would be used to judge the suitability of applicants were clarified
- The duties and responsibilities of the Director for child welfare were outlined, and included the Director to inform the court that an applicant was a suitable person to adopt
- To fit with other WA legislation, the age of majority was reduced to 18 years
- Adopted children were able to inherit in the same way as 'natural' children in the family
- Ministers and departmental staff were expressly exempted from any personal liability arising from carrying out their duties (in good faith) under the Act

In writing a report about the suitability of applicants to adopt children, the Director of child welfare was to take into account a number of factors, plus 'any other matter' or 'any special reasons' that were deemed relevant. An assessment was to be made of the applicant's:

- Age and health, including results of x-rays if these were ordered (it was a longstanding fear in WA that children might inadvertently be adopted by people with tuberculosis, and chest x-rays were often required)
- Assets, liabilities and financial standing
- Personal reputation
- Housing
- Ability to have children
- Size of family and family 'stability'
- 'Personal maturity and ability to give love and care to a child'

More info

Related Entries

Amends

- [Adoption of Children Act 1896, Western Australia \(1896 - 1995\)](#)

Related Concepts

- [Adoption in Western Australia \(c. 1896 - current\)](#)

Resources

- Western Australia. Department for Community Welfare, [Annual Report: Department for Community Welfare](#), 1973 - 1984. *Relevance*: 1973
 - [Intestacy Problem](#), *The West Australian*, 24 August 1937
 - [Western Australian Government Gazette No. 1](#), Western Australian Government Gazette Online Archive, 3 January 1973
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