

Adoption Tansania





United Republic of Tanzania
Ministry of Labour, Youth
Development and Sports

Department of Social Welfare

Adoption in Tanzania

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Adoption in Tanzania

Child Adoption in Tanzania is governed by the Adoption Ordinance (CAP 335) and the Adoption Rules of Court. The government body which regulates adoption in Tanzania is the Department of Social Welfare.

The purpose of this pamphlet is to give prospective adoptive parents an overview of the law and procedures relating to adoption in Tanzania. The contents of this pamphlet are for guidance purposes only.

Adoption Law and Procedure

What is adoption?

Adoption is a permanent legal method of building families. When a child is adopted, the rights of the birth parents and biologic family members of the child are permanently terminated and a permanent and legal bond is established between the child and the adoptive parents.

Who can adopt?

- Prospective adoptive parents must be resident in Tanzania.
- The prospective adoptive parent (or at least one of the prospective adoptive parents, if adopting as a married couple) must be 25 years old or older.
- Prospective adoptive parents must be at least 21 years older than the child.
- Single male prospective adoptive parents may not adopt a female child except in special circumstances. The child should be eligible for adoption and all consents from guardians and family members should be obtained.

How do we get started?

Before prospective adoptive parents can apply to adopt a child, they must first apply to the Department of Social Welfare to foster the child for a period of no less than three months. After the foster care period has been successfully completed, an adoption petition can be lodged.

Step One: The Initial Visit

Contact your District Social Welfare Office and speak to the District Social Welfare Officer who will provide you with an APPLICATION FORM FOR A CHILD FOR FOSTER CARE pursuant to Regulation 11(1) of the Children's Homes (regulation) Act No 4 of 1968. In areas where there is no District Social Welfare Office, applicants should visit the Regional Social Welfare Office.

Step Two: Foster Care Application

Complete the Application Form and provide your District Social Welfare Officer with the names and contact details of at least three referees who have known you for at least three years and one family member. Referees will be interviewed by the District Social Welfare Officer. Prospective adoptive parents who are from overseas should provide referee details to the District Social Welfare Officer who will liaise with International Social Services in the home country of the prospective adoptive parents in order to obtain reference letters from overseas.

Step Three: The Homestudy

Make arrangements with the District Social Welfare Officer to begin the Homestudy process. The Homestudy will usually consist of at least 4 interviews with the family including at least one visit to the family's home. The homestudy may also include evidence of the prospective adoptive parents' good physical, mental and emotional health as well as financial and marital (in the case of married couples) stability.

Step Four: Foster Care Approval

Once all of the paperwork set out at Steps One to Three is ready, the Foster Care Application, Homestudy and other relevant supporting documents will be sent by the District Social Welfare Officer to the Commissioner for Social Welfare for approval.

Step Five: Child Identification

When the Foster Care Application has been approved, the District Social Welfare Officer will identify children who are eligible for adoption and who meet the criteria of the prospective adoptive parents. Prospective adoptive parents and the District Social Welfare Officer will work together to identify a child who is eligible and is best suited for the prospective adoptive family.

Step Six: Certificate of Abandonment and Family Consents

The District Social Welfare Officer will liaise with the Police Department in order to confirm whether the child has any living relatives. In circumstances where no living relatives can be located, the Police Department will issue a Certificate of Abandonment. In circumstances where family members are located and consent to the adoption of the child, formal written consents must be obtained.

Step Seven: Foster Care Placement

Once a child has been identified and accepted by the prospective adoptive parents, the District Social Welfare Officer will place the identified child with the prospective adoptive parents for a foster care period of not less than three months. During the Foster Care period, the District Social Welfare Officer will continue to visit the child and prospective adoptive parents on a regular basis.

Step Eight: Application to Adopt

After the Foster Care period, the prospective adoptive parents will meet with the District Social Welfare Officer to discuss whether they wish to adopt the child and also whether the District Social Welfare Officer intends to approve

an application by the prospective parents to adopt. Provided that the District Social Welfare Officer approves then the District Social Welfare Officer will submit a recommendation and a report to the Commissioner of Social Welfare.

Step Nine: Commencement of Legal Process to Adopt

Contact an Advocate (lawyer) who is experienced in adoption procedures. The Law Society of Tanganyika or your embassy should be able to recommend an advocate or firm of advocates to you.

Step Ten: Legal Petition to Adopt and Court Order

Your advocate will assist you in lodging a petition to legally adopt your foster child and obtain a court order from the High Court. Close contact should be kept with the Social Welfare Department during this period as the Social Welfare Department will submit a report to the Court in its capacity as the court-appointed *Guardian ad Litem* of the child.

Step Eleven: Adoption Certificate and Passport

In addition to the High Court Adoption Order, your advocate should also assist you in obtaining an Adoption Certificate for your adopted child. Tanzanian citizens are advised to apply for a passport for their adopted child and non-Tanzanian citizens are advised to seek advice (preferably prior to an application to foster a child) from their Embassy or home country regarding citizenship and passport issues concerning their adopted child.

Estimated Costs of an adoption:

All services offered by the Department of Social Welfare are free of charge. Legal expenses (to be paid to the Advocate) range from US\$500 to US\$2,000, depending on the advocate you hire and the range of services you require.

This pamphlet was produced by:

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