

ORDER
OF THE MINISTER OF SOCIAL SECURITY AND LABOR OF THE REPUBLIC OF
LITHUANIA

**RE: AMENDMENTS TO THE ORDER OF THE MINISTER OF SOCIAL SECURITY AND
LABOR OF THE REPUBLIC OF LITHUANIA NO. A1-162 “RE: APPROVAL OF THE
DESCRIPTION OF PROCEDURE FOR AUTHORIZING THE INSTITUTIONS OF
FOREIGN STATES TO ACT IN PURSUANCE OF INTERCOUNTRY ADOPTION IN THE
REPUBLIC OF LITHUANIA” OF 3 JUNE 2005**

10 January 2012 No. A1-8
Vilnius

I hereby revise the Order of the Minister of Social Security and Labor of the Republic of Lithuania No. A1-162 “Re: Approval of the Description of procedure for authorizing the institutions of foreign states to act in pursuance of intercountry adoption in the Republic of Lithuania” of 3 June 2005 (Official Gazette, 2005, No. [73-2668](#), No. [144-5264](#); 2006, No. [82-3282](#); 2007, No. [18-689](#)):

1. I hereby set forth Clause 2.1 as follows:

“2.1. upon receipt of authorization to act in the field of intercountry adoption, an institution of foreign state or central adoption institution of host country may only submit the applications of citizens of the Republic of Lithuania (spouses) who are the permanent residents of a foreign state, spouses whereof one is a citizen of the Republic of Lithuania, as well as spouses who wish to adopt a child (children) pursuant to the Description of pretrial procedure for adopting children with special needs, approved by the Order of the Minister of Social Security and Labor No. A1-32 of 1 February 2007 (Official Gazette, 2007, No. [18-688](#));”.

2. I hereby set forth the Description of procedure for authorizing the institutions of foreign states to act in pursuance of intercountry adoption in the Republic of Lithuania, approved by the aforementioned order, as revised (enclosed).

3. I hereby set forth the form of Certificate, substantiating the authorization of an organization of foreign state to act in pursuance of intercountry adoption in the Republic of Lithuania, approved by the aforementioned order, as revised (enclosed).

4. I hereby establish that Clause 1 hereof shall come into effect on 1 April 2012.

MINISTER OF SOCIAL SECURITY AND LABOR

DONATAS JANKAUSKAS

APPROVED by Order No. A1-162 of the Minister of Social Security and Labor of the Republic of Lithuania of 3 June 2005 (Order No. A1-8 of the Minister of Social Security and Labor of the Republic of Lithuania of 10 January 2012 as revised)

DESCRIPTION OF PROCEDURE FOR AUTHORIZING THE INSTITUTIONS OF FOREIGN STATES TO ACT IN PURSUANCE OF INTERCOUNTRY ADOPTION IN THE REPUBLIC OF LITHUANIA

I. GENERAL PROVISIONS

1. The Description of procedure for authorizing the institutions of foreign states to act in pursuance of intercountry adoption in the Republic of Lithuania (hereinafter referred to as the Description of Procedure) governs the procedure for authorizing the institutions of foreign states to act in pursuance of intercountry adoption in the Republic of Lithuania; procedure for expiry and renewal of such authorization; procedure for suspension and annulment; procedure for issuing and registering the certificate, substantiating the authorization to act in pursuance of intercountry adoption in the Republic of Lithuania; as well as functions, rights, and duties of accredited institutions of foreign states, authorized to act in the Republic of Lithuania, and representatives thereof.

2. Accredited institutions of foreign states are authorized to act in pursuance of intercountry adoption in the Republic of Lithuania pursuant to the Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption (Official Gazette, 1997, No. [101-2550](#)) (hereinafter referred to as the Hague Convention), Civil Code of the Republic of Lithuania (Official Gazette, 2000, No. [74-2262](#)), Description of procedure for registry of adoption in the Republic of Lithuania, approved by the Resolution No. 1422 of the Government of the Republic of Lithuania dated 10 September 2002 (Official Gazette, 2002, No. [90-3856](#); 2009, No. [62-2486](#)) (hereinafter referred to as the Description of Procedure for Registry of Adoption), Regulations of the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labor, approved by the Resolution No. 1114 of the Government of the Republic of Lithuania dated 20 October 2005 (Official Gazette, 2005, No. [126-4501](#)), the present Description of Procedure, as well as other legal acts of the Republic of Lithuania and international legal acts.

3. The purpose of authorization to act in pursuance of intercountry adoption in the Republic of Lithuania is to establish the functions, rights, and duties of accredited institutions of foreign states, authorized to act in pursuance on intercountry adoption in the Republic of Lithuania, and representatives thereof, control the activities of such institutions, as well as only enable competent persons to act in the field of intercountry adoption of the Republic of Lithuania in view of their educational background, work experience, and ethical attitude, necessary for working in the field of intercountry adoption.

4. Main terms, used herein:

Intercountry adoption – a process, when a child, having permanent residence in one of the member states (home country), is or will be transferred to another member state (host country) in case, where he (she) is adopted in the native land by spouses or persons (person), having permanent residence in the host country, or where he (she) is transferred for intercountry adoption purposes to the host country or home country.

Host country – as defined in the Hague Convention.

Accredited institution of foreign state aiming at receiving authorization to act in pursuance of intercountry adoption in the Republic of Lithuania (hereinafter referred to as the Accredited Institution of Foreign State) – a non-profit institution, accredited by a competent institution of the host country, that meets the requirements, provided in Articles 10–11 of the Hague Convention, and acting in the field of intercountry adoption.

Authorized accredited institution of foreign state (hereinafter referred to as the Authorized Institution) – an accredited institution of foreign state, authorized to act in the Republic of Lithuania pursuant to Article 12 of the Hague Convention and the present Description of Procedure.

Representative of authorized institution (hereinafter referred to as the Authorized Representative) – a natural person or legal entity, with which the authorized institution has entered into employment or service contract.

II. AUTHORIZING TO ACT IN PURSUANCE OF INTERCOUNTRY ADOPTION IN THE REPUBLIC OF LITHUANIA

5. Accredited Institution of Foreign State shall furnish the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labor (hereinafter referred to as the Service) with:

- 5.1. foundation documents;
- 5.2. document of accreditation to act in the field of intercountry adoption, issued by the competent institution of the host country;
- 5.3. information on employees (number, functions) in charge of coordination of the program in the Republic of Lithuania;
- 5.4. details of a person in charge of coordination of the program in the Republic of Lithuania (educational background, experience, copies of identification documents);
- 5.5. reference letter of competent institution of the host country that has issued accreditation to act in the field of intercountry adoption;
- 5.6. completed application form on familiarity with the intercountry adoption procedures in the Republic of Lithuania and the host country (Appendix 1);
- 5.7. information on activities (other programs, implemented by the state, cooperated with in pursuance of intercountry adoption);
- 5.8. plan of expected activities in pursuance of intercountry adoption in the Republic of Lithuania;
- 5.9. completed form on services to be rendered to the adoptive parents and rates thereof (Appendix 2);
- 5.10. details of the Authorized Representative: a copy of identification document, certified in the manner prescribed by legal acts of the Republic of Lithuania, if a person is not a citizen of the Republic of Lithuania – a copy of temporary or permanent residence permit in the Republic of Lithuania or a permit, issued by the EC member state to a citizen to live in that state or have permanent residence in

the Republic of Lithuania, copies of documents certifying the educational background and work experience, certificate of previous convictions, issued by competent institution, resume, as well as reference letters to judge about moral and ethical attitude of a person that is necessary in working in the field of intercountry adoption;

5.11. valid cooperation or employment contract with the authorized representatives in Lithuania.

6. Any and all documents, submitted to the Service, except the ones indicated in Clauses 5.6 and 5.9–5.11 hereof, shall be legalized or apostilized, if not otherwise provided by the international treaties or agreements. The documents shall be submitted with the translation into Lithuania, certified in the manner prescribed by legal acts of the Republic of Lithuania.

7. If the Accredited Institution of Foreign State has not submitted all documents or details, indicated in Clause 5 hereof, or documents or details submitted do not meet the requirements, the Service shall immediately inform this institution of the same and establish the term of one month for elimination of defects. Should the Service fail to eliminate defects, it shall return the documents to the Accredited Institution of Foreign State and indicate the reasons of such return.

8. The Service shall not later than within 1 month as of the date of receipt of any and all documents as well as data, listed in Clause 5 hereof, assess the same and, together with the conclusion on suitability of the Accredited Institution of Foreign State for acting in the field of intercountry adoption in the Republic of Lithuania, submit to the commission, indicated in Clause 10 hereof. Conclusion on suitability of the Accredited Institution of Foreign State for acting in the field of intercountry adoption in the Republic of Lithuania shall be drawn in view of the number, age, and health of children, adopted from the Republic of Lithuania in the host country, as well as the number of the Authorized Institutions of a foreign state existing in the host country, acting in the Republic of Lithuania.

9. A copy of conclusion shall be sent by the Service to the Accredited Institution of Foreign State that aims at getting authorization to act in pursuance of intercountry adoption in the Republic of Lithuania.

10. Recommendation to grant or not to grant to the Accredited Institution of Foreign State the authorization to act in pursuance of intercountry adoption in the Republic of Lithuania shall be given by the commission, constituted by the order of the Minister of Social Security and Labor. The commission shall be comprised of three representatives of the Ministry of Social Security and Labor, whereof one shall be appointed as a chair of commission.

11. The meeting of commission shall be legal, if it is attended by all members thereof.

12. The chair of commission shall appoint the date, time, and venue of the meeting. He shall inform the Accredited Institution of Foreign State, aiming at getting authorization to act in pursuance of intercountry adoption in the Republic of Lithuania, as well as the Service of the same in writing at least one month before the meeting, and of renewal of authorization to act in pursuance of intercountry adoption in the Republic of Lithuania – at least 14 working days before the meeting.

13. The chair of commission, at least one working day before the meeting, shall furnish the members of commission with the documents of the Accredited Institution of Foreign State and conclusion of Service for familiarization.

14. The meeting of commission shall be attended by the representative of the Accredited Institution of Foreign State, aspiring after authorization to act in pursuance of intercountry adoption in the Republic of Lithuania, Authorized Representative, interpreter, where necessary, as well as representative of Service.

15. The commission shall assess the documents, submitted by the Accredited Institution of Foreign State and the Authorized Representative, ability to perform the assignments, and, in view of the conclusion of Service, give recommendation to grant or not to grant as well as in cases, established hereof, prolong, renew, or cancel the authorization for the Accredited Institution of Foreign State to act in pursuance of intercountry adoption in the Republic of Lithuania.

16. After giving the recommendation not to grant authorization to the Accredited Institution of Foreign State to act in pursuance of intercountry adoption in the Republic of Lithuania, the reasons why such recommendation has been given shall be listed.

17. The commission shall give recommendation by ordinary majority of votes of the members of commission.

18. Minutes shall be taken during the course of the meeting of commission. Minutes shall be signed by the chair and members of commission. The Service as well as the Authorized Representative shall be familiarized with the minutes upon acknowledgment of receipt.

19. In view of the commissions' recommendation, the decision to grant or not to grant the authorization to the Accredited Institution of Foreign State to act in pursuance of intercountry adoption in the Republic of Lithuania shall be made by the Director of Service not later than within 5 working days as of receipt of the commission's recommendation. The Director of Service shall have the right to make the decision irrespective of the commission's recommendation; however, such decision shall be reasoned. The chair of commission shall be notified of such decision in writing.

20. Based on the order to grant the authorization to the Accredited Institution of Foreign State to act in pursuance of intercountry adoption in the Republic of Lithuania, the Accredited Institution of Foreign State shall be issued a certificate, substantiating the authorization thereof to act in pursuance of intercountry adoption in the Republic of Lithuania, as per the form, approved by the Minister of Social Security and Labor.

21. The Accredited Institution of Foreign State, which has not been granted the authorization, shall have the right to repeatedly apply as concerning the authorization to act in pursuance of intercountry adoption in the Republic of Lithuania after disappearance of the reasons, as to which the authorization has not been granted, but not earlier than after 6 months.

III. FUNCTIONS, RIGHTS, AND DUTIES OF THE AUTHORIZED INSTITUTION AND AUTHORIZED REPRESENTATIVE

22. The Authorized Institution and the Authorized Representative shall perform the following functions:

22.1. inform future adoptive parents, wishing to adopt a child in Lithuania, of adoption procedures and requirements in the Republic of Lithuania, services rendered by the Authorized Institution, and expected rates for services, as well as provide professional consultations for them;

22.2. assist future adoptive parents to prepare the documents that are necessary for the family to be included in the list of citizens of the Republic of Lithuania having permanent residence abroad and foreigners wishing to adopt, and, making sure that the applicants are duly ready to adopt a child, prepare a letter of informative nature in accordance with Article 15 of the Hague Convention as well as all necessary documents;

22.3. ensure that future adoptive parents are duly ready and assessed as well as meet the requirements of legal acts of the Republic of Lithuania;

22.4. represent future adoptive parents during the course of adoption process and inform of the course of consideration of application thereof;

22.5. present in detail the information, prepared as per Article 16 a) of the Hague Convention, submitted by Service, to the future adoptive parents;

22.6. encourage future adoptive parents, where possible, to arrive to Lithuania before the legal proceedings to familiarize and communicate with a child, suggested for adoption;

22.7. prepare future adoptive parents for the first meeting with a child;

22.8. cooperate with Service and custodian (guardian) in preparing a particular child for the first meeting with future adoptive parents;

22.9. submit a document, substantiating that a particular child has been or will be given a permit to enter the host country and have permanent residence there;

22.10. continually exchange information with the Service on the course and means of adoption;

22.11. inform the Service of completion of adoption procedures after a child has arrived to the host country;

22.12. where it is requested to adopted a child with special needs, follow the provisions of the Description of pretrial procedure for adopting children with special needs, approved by the Order No. A1-32 of the Minister of Social Security and Labor dated 1 February 2007 (Official Gazette, 2007, No. [18-688](#));

22.13. assist future adoptive parents in assessing their potential to adopt a child with special needs, prepare them for the arrival of a child, and provide for the action plan that will help to easier integrate in a new environment;

22.14. render services or organize provision of services for adoptive parents after adoption;

22.15. inform the Service of the problems arising after adoption as well as coordinate the decisions relevant to a child, adopted from the Republic of Lithuania;

22.16. provide the Service with feedback on adopted children (over the first two years after adoption – every six months, over the next two years – once a year, after four years as of adoption – as requested by the Service), including the reports on integration of an adopted child in the family, living conditions, development, and health of the form, as approved by the order of the Director of Service, as well as visual material;

22.17. keep and provide the adoptive parents and the adopted child, in view of his age and maturity, and, if it does not conflict with his interests, information on his origin;

22.18. pursue that the adoptive parents enabled their adopted child to communicate with his biological brothers and sisters, if it does not conflict with his interests.

23. The Authorized institution shall in the due, honest, and timely manner perform the following duties:

23.1. observe the laws of the Republic of Lithuania and other provisions of Lithuanian as well as international legal acts;

23.2. provide accurate and exhaustive information on adoption procedures in Lithuania for the persons, who are interested in adopting children from the Republic of Lithuania;

23.3. in view of the recommendations of Service, only accept such number of applications of future adoptive parents, which would meet the needs of Lithuania, thereby aiming at protecting future adoptive parents from long waiting time;

23.4. not aspire to get illegal financial benefit or unreasonably high remuneration for the activities;

23.5. ensure that the Authorized Representative acted pursuant to the provisions hereof as well as other legal acts;

23.6. not later than one month in advance inform the Service of expected change of the Authorized Representative as well as submit the documents, indicated in Clauses 5.10–5.11 hereof;

23.7. annually not later than by 31 January provide the Service with the annual report on activities in the Republic of Lithuania (Appendix 3);

23.8. immediately inform the Service and the central institution of the host country of eventual cases of trafficking of children, violence against children, making dishonest financial profit, and such other cases of breach of legal acts.

24. The Authorized Representative shall perform the duties, prescribed to the Authorized Institution in Clause 23 hereof, as well as the following duties:

24.1. inform the Authorized Institution of any amendments to the legal acts of the Republic of Lithuania relevant to adoption;

24.2. assist future adoptive parents during their stay in the Republic of Lithuania as well as render services relevant to adoption process;

24.3. attend the meetings of commission, indicated in Clause 10 hereof;

24.4. attend the meetings on discussion of activities, organized by the Service.

25. The Authorized Institution shall have no right to assign the authorization to act in pursuance of intercountry adoption in the Republic of Lithuania to such other accredited institution of foreign state.

26. The Authorized Institution and the Authorized Representative, in pursuance of functions and duties, indicated herein, shall be entitled to get from the state institutions any information that is necessary for the activities.

IV. EXPIRATION AND RENEWAL OF AUTHORIZATION TO ACT IN PURSUANCE OF INTERCOUNTRY ADOPTION IN THE REPUBLIC OF LITHUANIA

27. The Accredited Institution of Foreign State shall be authorized to act in pursuance of intercountry adoption in the Republic of Lithuania for the period of 3 years or for the period of validity of the accreditation document to act in the field of intercountry adoption, issued by the competent institution of the host country, in case, if the period of validity of such document is less than three years.

28. The authorization of the Authorized Institution shall expire:

28.1. on the expiration of the term, indicated in Clause 27 hereof, if the term is not prolonged in the manner prescribed herein;

28.2. on the expiration of the accreditation document to act in the field of intercountry adoption, issued by the competent institution of the host country, and it is not renewed;

28.3. if the Authorized Institution renounces the authorization to act in pursuance of intercountry adoption in the Republic of Lithuania;

28.4. on cancellation of authorization of the Authorized Institution to act in pursuance of intercountry adoption in the Republic of Lithuania;

28.5. on termination of activities by the Authorized Institution.

29. Before the end of the term, indicated in Clause 27 hereof, the Authorized Institution, wishing to prolong the term of authorization to act in pursuance of intercountry adoption in the Republic of

Lithuania, shall not later than 2 months before the expiration of the term, indicated in Clause 27 hereof, provide the Service with a reasoned request to renew the authorization as well as documents and data, indicated in Clauses 5.2, 5.5 and 5.8–5.11 hereof.

30. If the period of validity of the document, indicated in Clause 5.2 hereof, coincides with the term of expiration of authorization to act in pursuance of intercountry adoption in the Republic of Lithuania, however, the Authorized Institution, upon receipt of the accreditation document to act in the field of intercountry adoption, issued by the competent institution of the host country, intends to continue the activities in Lithuania, it shall apply to the Service in the manner prescribed in Clause 29 hereof. The Authorized Institution shall also submit a written confirmation by the competent institution that there is no representation as to activities of the Authorized Institution and that the authorization will be renewed.

31. The Service, in view of the activities performed by the Authorized Institution, shall not later than 1 month before the term, indicated in Clause 27 hereof, provide the commission, indicated in Clause 10 hereof, with the conclusion on renewal of the authorization for the Accredited Institution to act in pursuance of intercountry adoption in the Republic of Lithuania. Where submitting the conclusion, it should indicate whether there were any complaints on the activities thereof received during the period of activities of the Authorized Institution.

32. The matter of prolongation of the term of authorization for the Authorized Institution to act in pursuance of intercountry adoption in the Republic of Lithuania shall be considered and decision made in the manner prescribed in Clauses 8–20 hereof.

33. The term of authorization of the Authorized Institution to act in pursuance of intercountry adoption in the Republic of Lithuania shall be prolonged for the period, provided in Clause 27 hereof.

34. After making the decision not to prolong the term of authorization for the Authorized Institution to act in pursuance of intercountry adoption in the Republic of Lithuania, the Accredited Institution of Foreign State shall have the right to repeatedly apply for authorization to act in pursuance of intercountry adoption in the Republic of Lithuania in the manner prescribed by the present Description of Procedure after disappearance of the reasons, as to which the authorization has not been renewed, but not earlier than after 6 months.

35. The Authorized Institution, wishing to renounce the authorization to act in pursuance of intercountry adoption in the Republic of Lithuania or terminate the activities, shall inform the Service of the same not later than 6 months in advance, submitting the plan of completion of commenced intercountry adoption procedures in the Republic of Lithuania.

V. SUSPENSION AND CANCELLATION OF AUTHORIZATION TO ACT IN PURSUANCE OF INTERCOUNTRY ADOPTION PROCEDURES

36. The authorization for the Authorized Institution to act in pursuance of intercountry adoption in the Republic of Lithuania shall be suspended by the order of the Director of Service, indicating the reasons, in the following cases:

36.1. upon determining that the Authorized Institution, where submitting the documents and data, listed in Clause 5 hereof, indicated false information;

36.2. if the Authorized Institution and (or) the Authorized Representative fails to perform or unduly performs the functions, provided in Clause 22 hereof, and (or) duties, established in Clauses 23 and 24 hereof;

36.3. if the case, indicated in Clause 30 hereof, the Authorized Institution prior to the expiration of authorization to act in pursuance of intercountry adoption in the Republic of Lithuania fails to submit the accreditation document to act in the field of intercountry adoption, issued by the competent institution of the host country;

36.4. upon receipt of information on expected change of the Authorized Representative in the manner prescribed in Clause 23.6 hereof;

36.5. under such other circumstances, preventing due performance of activities of the Authorized Institution.

37. The authorization for the Authorized Institution to act in pursuance of intercountry adoption in the Republic of Lithuania shall be suspended prior to adoption of the order of the Director of Service on cancellation or renewal of authorization for the Institution to act in pursuance of intercountry adoption in the Republic of Lithuania.

38. After suspension of authorization for the Authorized Institution on the grounds, established by Clauses 36.1–36.2 and 36.5 hereof, the Service shall request that the Authorized Institution gives reasoned explanations within 1 month as of suspension of authorization to act or on the grounds, established by Clause 36.3 hereof – within 2 weeks submits the accreditation document to act in the field of intercountry adoption, issued by the competent institution of the host country.

39. If the authorization for the Authorized Institution to act in pursuance of intercountry adoption in the Republic of Lithuania is suspended pursuant to the grounds, indicated in Clause 36.4 hereof, the suitability of the Authorized Institution for acting in pursuance of intercountry adoption in the Republic of Lithuania given a new authorized representative shall be assessed in the manner prescribed in Clauses 8–20 hereof.

40. The Director of Service, in view of explanations and documents, indicated in Clause 38 hereof, shall make the decision to renew, and upon suspension of authorization on the grounds, established in Clause 36.3 hereof, to prolong the authorization for the Authorized Institution to act in pursuance of intercountry adoption in the Republic of Lithuania or apply to the commission, indicated in Clause 10 hereof, as to recommendations for cancellation of such authorization.

41. The Director of Service, having made the decision, indicated in Clause 40 hereof, to apply to the commission, indicated in Clause 10 hereof, for cancellation of authorization, shall not later than within 1 month as of the date of receipt of explanations, indicated in Clause 38 hereof, furnish such commission with the conclusion on cancellation of authorization for the Authorized Institution to act in pursuance of intercountry adoption in the Republic of Lithuania.

42. The commission shall examine the material, submitted by the Service, and hear the explanations of the representative of the Authorized Institution and the Authorized Representative as concerning the grounds for suspending the authorization for the Institution of Foreign State to act, as indicated in Clauses 36.1–36.3 and 36.5 hereof.

43. The commission shall give recommendation to either cancel or renew the authorization for the Authorized Institution to act in pursuance of intercountry adoption in the Republic of Lithuania in the manner prescribed in Clauses 15–18 hereof in view of explanations of the representative of the Authorized Institution and the Authorized Representative.

44. On receipt of the commission's recommendation, the Director of Service shall make the decision to either cancel or renew the authorization for the Authorized Institution to act in pursuance of intercountry adoption in the Republic of Lithuania in the manner prescribed in Clause 19 hereof. The same decision that cancels the authorization to act in pursuance of intercountry adoption in the

Republic of Lithuania shall serve to bind the Institution of Foreign State to return the certificate, substantiating its authorization to act in pursuance of intercountry adoption in the Republic of Lithuania.

45. The Service shall immediately inform the competent institution of the host country of cancellation of authorization to act in pursuance of intercountry adoption in the Republic of Lithuania and agree that the Accredited Institution of Foreign State, for which the authorization to act in pursuance of intercountry adoption in the Republic of Lithuania were cancelled, commenced the completion of intercountry adoption procedures in the Republic of Lithuania.

46. The Accredited Institution of Foreign State, for which the authorization to act in pursuance of intercountry adoption in the Republic of Lithuania were cancelled, shall have the right to apply for authorization to act in pursuance of intercountry adoption in the Republic of Lithuania in the manner prescribed by the present Description of Procedure not earlier than after 3 years as of such decision-making.

47. By the decision of the Director of Service, the authorization of the Authorized Institution to act in pursuance of intercountry adoption in the Republic of Lithuania shall be renewed before the expiration of authorization, granted to the Accredited Institution of Foreign State by the Director of Service.

VI. PROCEDURE FOR ISSUING AND REGISTERING THE CERTIFICATE, SUBSTANTIATING THE AUTHORIZATION TO ACT IN PURSUANCE OF INTERCOUNTRY ADOPTION IN THE REPUBLIC OF LITHUANIA

48. Certificates of authorization to act in pursuance of intercountry adoption in the Republic of Lithuania shall be issued to the accredited institutions of foreign state by the Service.

49. The certificates shall be registered in the registers of certificates, substantiating the authorization for the accredited institution of foreign state to act in pursuance of intercountry adoption in the Republic of Lithuania, which is kept with the Service.

50. The Authorized Representative of the Authorized Institution, upon receipt of the certificate, shall sign in the register, indicated in Clause 49 hereof.

VII. FINAL PROVISIONS

51. The Service shall submit the details of the Authorized Institution to the Central Institution of the host country, and the data, provided in Article 13 of the Hague Convention – to the Permanent Bureau of the Hague Conference on Private International Law.

52. The Service shall publish the information on the authorized institutions on the website of the Service.

53. Disputes relevant to decision-making, as indicated herein, shall be heard in the manner prescribed by the laws of the Republic of Lithuania.

54. The documents of the Authorized Institution shall be kept pursuant to the laws on the Republic of Lithuania.

Appendix 1 to the Description of procedure for authorizing the accredited institutions of foreign states to act in pursuance of intercountry adoption in the Republic of Lithuania

APPLICATION FORM

INTERCOUNTRY ADOPTION PROCEDURES IN THE REPUBLIC OF LITHUANIA AND HOST COUNTRY

I. INFORMATION ON APPLYING INSTITUTION

1. Name of accredited institution of foreign state

2. Central office address:

II. INTERCOUNTRY ADOPTION PROCEDURE IN HOST COUNTRY

3. What legal acts govern adoption in the host country? Has the host country ratified the Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption?

4. Information on children available for adoption:

4.1. child's age, whether a child of lawful age can be adopted;

4.2. authority of biological parents of a child (parents' consent, restriction of authority of parents, parents are deceased, unknown, declared legally incapable, the whereabouts of parents are unknown, etc.);

4.3. health of a child.

5. Information on a person, entitled to adoption:

5.1. age;

5.2. health;

5.3. family status (spouses, single persons, one of spouses, two unmarried persons, two spouses of one sex, etc.);

5.4. other circumstances (previous convictions, material status, educational background, etc.).

6. Procedure for checking the readiness of persons, wishing to adopt a child, for adoption:

6.1. whether a unanimous procedure for preparing foster parents is approved in the state. If yes, please, give a brief presentation;

6.2. who is competent to carry out the assessment of readiness of the family for adoption;

6.3. what are the stages of preparation for adoption (courses, group meetings, tests, etc.);

6.4. how long does the preparation of the family take place from submission of application to receipt of documents at the Service (every single stage). What are the reasons that could delay the preparation for adoption;

6.5. is an accredited organization entitled to affect the family assessment and revise the same.

7. What is the procedure for recognizing the adoption, performed abroad, in the host country?

8. Who is competent to issue a permit for an adopted child to enter the host country and have permanent residence there and when is it done.

9. What institution in the host country may be issued a permit to act in the field of intercountry adoption (please, list main requirements):

- 9.1. _____;
- 9.2. _____;
- 9.3. _____;
- 9.4. _____;
- 9.5. _____.

10. Who is competent to issue a permit to the institution to act in the field of intercountry adoption?

11. For what period in the host country the institution is issued a permit to act in the field of intercountry adoption.

12. Who controls the activities, performed by the institution, and in what way?

13. What are the types (closed or open) of adoption in the host country?

III. INTERCOUNTRY ADOPTION PROCEDURE IN THE REPUBLIC OF LITHUANIA

14. What legal acts govern adoption in the Republic of Lithuania?

15. Information on children available for adoption:

15.1. child's age, whether a child of lawful age can be adopted;

15.2. authority of biological parents of a child (parents' consent, restriction of authority of parents, parents are deceased, unknown, declared legally incapable, the whereabouts of parents are unknown, etc.);

15.3. child's consent.

16. Do the biological parents of a child have a right to revoke consent to an adoption or apply to court for annulment of restriction of the parents' authority until adoption of a child.

17. Information on a person, entitled to adoption:

17.1. age;

17.2. health;

17.3. family status (spouses, single persons, one of spouses, two unmarried persons, two spouses of one sex, etc.);

17.4. other circumstances (previous convictions, material status, educational background, etc.).

18. What documents of an adoptive parent shall be submitted by the representing institution, wishing to enter such adoptive parent in the records of persons, wishing to adopt a child in Lithuania.

19. What requirements are raised for the documents, submitted by the family?

20. Who is entitled to offer the children available for adoption to the family, entered in the records of persons, wishing to adopt a child in Lithuania?

21. What criteria are followed to select the children for the family? What right of option does the family have?

22. Does the family have to arrive to get acquainted with a child, offered for adoption?

23. Who makes the final decision for adoption?

24. What family documents have to be updated prior to bringing the case to court?

25. What personal data of a child to be adopted may be changed by the family (name, surname, date of birth, place of birth, nationality)?

26. Is it mandatory for the foster parents to attend the hearing on adoption?

27. When does the judgment for adoption come into effect?

28. Can an adopted child leave the Republic of Lithuania together with the family prior to the judgment for adoption has come into effect?

29. What documents shall be submitted for an adopted child to be able to leave the Republic of Lithuania?

30. Does the adoption in Lithuania revoke mutual personal and property rights as well as duties of parents and children as well as their original relatives and establish for foster parents as well as their relatives and adopted children as well as their offspring mutual personal and property rights as well as duties as for the original relatives.

(Position of the applicant)

(Signature)

(Full name)

(Date)

Appendix 2 to the Description of procedure for authorizing the accredited institutions of foreign states to act in pursuance of intercountry adoption in the Republic of Lithuania

(Form of the list of services to be rendered to adoptive parents and rates thereof)

(name of list maker)

LIST OF SERVICES TO BE RENDERED TO ADOPTIVE PARENTS AND RATES THEREOF

(date)

Expenses	Amount, in litas	Notes
1. EXPENSES IN THE HOST COUNTRY (These expenses may include the following administrative fees: registration fee, fee for legal services, psychosocial assessment, immigration procedures and certificates, etc.)		
1.1. membership fee (if required)		
1.2. administration and coordination fee		
1.3. program development fee		
1.4. telecommunication expenses		
1.5. fee for initiation of adoption case (if required)		
1.6. other expenses (please, specify)		
2. PREPARATION OF FAMILY DOCUMENTS		
2.1. fee for obtaining various certificates (birth certificate, marriage certificate, medical certificate, certificate of previous convictions, etc.)		
2.2. fee for psychosocial assessment (organization of training, family assessment)		
2.3. fee for preparing the conclusion of psychosocial assessment		

Expenses	Amount, in litas	Notes
2.4. fee for approval of the case		
2.5. notary's (document legalization) fee		
2.6. immigration fee		
2.7. document translation expenses		
2.8. other expenses (please, specify)		
3. EXPENSES IN LITHUANIA (These expenses include total expenses in Lithuania, except the family travel and accommodation expenses)		
3.1. authorized representative's costs: 3.1.1. wages 3.1.2. remuneration for other services (please, specify for what services)		
3.2. fees for legal services: 3.2.1. notary's services 3.2.2. lawyer's services 3.2.3. stamp duty 3.2.4. other expenses (please, specify)		
3.3. fees for the medical staff for the child's health assessment		
3.4. preparation of the child's documents		
3.5. translator's / interpreter's services		
3.6. office upkeep costs		
3.7. document translation expenses (as per characters)		
4. TRAVEL EXPENSES (These expenses include future foster parents' travel to Lithuania expenses)		
4.1. flight expenses, accommodation expenses, hotel expenses		
4.2. domestic travel expenses (accompanying the family, translation / interpretation, subcontractors' expenses, etc.)		
4.3. other expenses (please, specify)		
5. POST-ADOPTION SERVICE EXPENSES (These expenses include expenses for finalizing the adoption case)		
5.1. translation of the judgment		
5.2. preparation of feedback for Lithuania		
5.3. translation of feedback		

Expenses	Amount, in litas	Notes
5.4. charity		
5.5. other expenses (please, specify)		

(Position of the applicant)

(Signature)

(Full name)

Appendix 3 to the Description of procedure for authorizing the accredited institutions of foreign states to act in pursuance of intercountry adoption in the Republic of Lithuania

(Form of annual report on activities of the authorized institution in the Republic of Lithuania)

(name of authorized accredited institution of foreign state)

**REPORT ON ACTIVITIES IN PURSUANCE OF INTERCOUNTRY ADOPTION IN THE
REPUBLIC OF LITHUANIA FOR THE YEAR ENDED _____**

_____ **No.** _____

(date)

1. Brief information on the accredited institution of foreign state:

Start date of activities _____

End date of authorization _____

Full name of the authorized representative _____

Further information that the institution deems to be necessary

2. Entering and deleting families, represented by the authorized institution, from the List of citizens of the Republic of Lithuania, having permanent residence abroad, and foreigners:

2.1. Details of **families, entered** into the List of citizens of the Republic of Lithuania, having permanent residence abroad, spouses, whereof one is a citizen of the Republic of Lithuania and another – a foreigner, and foreigners, wishing to adopt, as well as details of children, who they wish to adopt.

Families	Date of entry	Age of family		Details of children to be adopted			
		man	woman	age	number of children	sex	health
Families of foreigners							
Mixed families							
Families of the Lithuanian origin							

2.2. **Families, entered** into the List of citizens of the Republic of Lithuania, having permanent residence abroad, spouses, whereof one is a citizen of the Republic of Lithuania and another – a foreigner, and foreigners. Please, indicate the number of families and reasons for refusal to enter families into the list.

2.3. **Families, deleted** from the List of citizens of the Republic of Lithuania, having permanent residence abroad, spouses, whereof one is a citizen of the Republic of Lithuania and another – a foreigner, and foreigners (except the families that have adopted children in the Republic of Lithuania). Please, indicate the number of families and reasons for deletion.

3. Pretrial adoption procedure:

3.1. Families that were given offers for adoption.

Item No.	Date of offer	Names of adoptive parents	Age		Children offered				Reasons for refusal ¹
			man	woman	full name	age	sex	health	

3.2. Families that have adopted children. Data shall be given on children, as concerning intercountry adoption whereof the judgment has come into effect.

¹ Indicate the reasons for refusal.

Item No.	Date of effect of decision on adoption	Name of foster parents	Age		Adopted children				
			man	woman	full name	age	sex	health	Special needs ²

3.3. Families that were given the offer to adopt a child in pursuance of pretrial procedures for adopting children with special needs.

Item No.	Name of adoptive parents	Family entered or not entered into the list.	Special needs of a child.	Code of child
		Yes / No	Yes / No	

4. Pretrial procedure for adopting children with special needs:

4.1. Performance of pretrial procedure for adopting children with special needs:

4.1.1. problems that are faced in pursuance of this procedure. If the procedure is not performed, please, indicate the reasons.

² Indicate special needs of a child.

4.1.2. further relevant information.

4.2. Suggestions for improving the performance of procedures.

5. Feedback on adopted children

5.1. Children, who feedback reports were submitted on.

Item No.	Full name of a child		Name of foster parents	Date of adoption	Date of submission of report	Period, for which the report was submitted
	before adoption	after adoption				

5.2. Obstacles that are faced when collecting feedback.

5.3. Brief information on adaptation of children in the families of foster parents.

6. Details of persons, who together with the authorized representative in the Republic of Lithuania participate in pursuance of or assist in performance of intercountry adoption:

Such persons might be lawyers, assistants to lawyers, psychologists, translators / interpreters, and such other persons. If they charge for their services, please, indicate the prices of services.

Item No.	Full name	Title	Services	Service price (in Litas)

7. Rates of services rendered, payment, income, and expenses:

7.1. Services rendered and rates thereof, which are not indicated in Appendix 2 “List of services rendered to the adoptive parents and rates thereof”.³

New service rendered	Service price (in Litas)	Notes
	In total	

³ Information on new services and rates is given in accordance with Appendix 2 to the Description of procedure.

7.2. Payment for services rendered:

7.2.1. _____ shall pay to the representative for the services

(authorized institution of foreign state or family)

rendered in the Republic of Lithuania;

7.2.2. _____ representative pays taxes in Lithuania;

(yes / no)

7.2.3. taxes paid for the last year _____ LTL.

8. Other activities, performed by the authorized institution of foreign state, in the Republic of Lithuania.

Title

Signature

Full name

Form, approved by the Order No. A1-162 of the Minister of Social Security and Labor of the Republic of Lithuania of 3 June 2005 (Order No. A1-8 of the Minister of Social Security and Labor of the Republic of Lithuania of 10 January 2012 as revised)

STATE CHILD RIGHTS PROTECTION AND ADOPTION SERVICE

UNDER THE MINISTRY OF SOCIAL SECURITY AND LABOR

CERTIFICATE

**OF ACCREDITED INSTITUTION OF FOREIGN STATE, AUTHORIZED TO ACT
IN PURSUANCE OF INTERCOUNTRY ADOPTION IN THE REPUBLIC OF
LITHUANIA**

No. _____

Vilnius

This is to certify that

_____ (name of competent institution of
host country)

accredited institution of foreign state

_____,
(name of accredited institution of foreign
state)

central head office at

(address)

is authorized to act in pursuance of intercountry adoption in the Republic of Lithuania.

Certificate is valid until _____ 20____

Certificate is issued on _____ 20____

Director _____
(signature) (full name)

(SEAL)