



Conditions for associations authorized under the Intercountry Adoption Intermediation Act (1997:192)

The Swedish Intercountry Adoptions Authority (MIA) has the task of establishing high quality in intercountry adoption activities in Sweden.

MIA is to take account of the UN Convention on the Rights of the Child and to monitor, in particular, that the work of Swedish authorized associations on the intermediation of international adoptions complies with the law and the principle of the best interests of the child as expressed in the Convention on the Rights of the Child and in the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and is conducted in an ethically acceptable way in other respects.

Associations that have an authorization from MIA shall intermediate adoptions in a professional and judicious manner, on a non-profit basis and with the best interests of the child as their foremost guiding principle.

Name of the association

The name of the association, both in Swedish and in translation, shall show that the association is an adoption association.

Competence

The association shall be directed and staffed by persons qualified by their ethical standards and by their training or experience to work in the field of intercountry adoptions. There shall be psychosocial, legal and financial expertise in the association.

Information

When information about a child is disclosed, the integrity of the child shall be protected. The association shall supply information clearly showing how an adoption is carried out abroad and in Sweden, what the rules are for a person applying for intercountry adoption intermediation through the association and what legal effect an adoption decision from a particular country has in Sweden and abroad. The information shall include information about all of the association's fees for applicants and estimated costs of travel, living costs, etc. for applicants. The distribution of the costs for which the association charges fees abroad shall be reported in and distributed among the same items as shown for costs abroad in annex 1 to these conditions. The costs for which the association charges a fee in Sweden shall be specified as far as possible. Costs for travel to and from another country shall be reported under costs in Sweden.

Register

The association shall keep a register of persons applying for intercountry adoption intermediation.

The applicants shall be registered at a comparable point in time, for example in the order in which their applications or, where relevant, their application fees are received by the association.

The register shall be kept in such a way that unauthorized persons cannot access it.

Documentation

The association shall document its intermediation activities. All documentation shall be carried out in the light of the provisions of Section 8 b of the Intercountry Adoption Intermediation Act.

The association shall comply with the following in its documentation of its intermediation work:

- The documentation of the intermediation work shall be done by arranging and archiving created and received documents.
- The processing of matters concerning individuals shall be documented. Information not directly relating to an individual adoption matter, for example information about the intermediation contact an association has in a certain country, shall also be documented.
- The documentation shall contain sufficient, material and correct information and also information about who has made a particular note and when the note was made.
- Documentation about each country shall be held separately and should be organised by intermediation contacts.
- Information belonging to each intermediation matter shall be documented and held separately.
- The documents shall be stored in such a way that unauthorized persons do not have access to them.

Applicants' fees

In conjunction with the association's decision about intermediation, the association may invoice up to half of the estimated adoption fee. The remaining amount may not be invoiced until the applicants have agreed to adopt a specific child.

Decisions concerning intercountry adoption intermediation

The association may only intermediate adoption for persons who have obtained consent under Chapter 6 Section 12 of the Social Services Act (2001:453) to receive a foreign child into their home with a view to adoption.

The association shall notify the applicants of its decision concerning adoption intermediation.

If the association has decided not to provide intercountry adoption intermediation for applicants in a particular case, the applicants shall be informed of their possibility of having the decision reviewed by MIA.

The adoption procedure

As soon as a certain child has been proposed for adoption, the association shall notify the applicants of this and supply them with the supporting information needed for their decision and to enable the social welfare committee to consider whether the adoption procedure shall be allowed to continue.

The association has an intermediation obligation. Adoptions shall be intermediated to applicants who have the consent of their social welfare committee in their queue order. In certain cases there may be reasons to make exceptions from the obligation to intermediate. One case when there is reason to make an exception is when an association has the task of searching for suitable parents for a particular child. Then the association shall choose the person or persons judged to be most suitable as parents of the child in question irrespective of their waiting time with the association.

The association is responsible for the applicants receiving the requisite documents from abroad in order to be able, where applicable, to complete the adoption in Sweden.

The association shall call upon the applicants to complete the adoption at the earliest possible opportunity and to inform the child's country of origin of the completion of the adoption.

The association shall make sure that reports concerning the child's development are sent to the relevant parties to the extent prescribed by the authorities in the country of origin or otherwise agreed on.

Cooperation with other countries

Before applying for authorization for a new country, the association must have visited that country.

All countries for which the association is authorized shall be visited by the association during the authorization period.

The association shall consult with MIA before making a written agreement with an intermediation contact abroad.

New contacts in a country for which the association is authorized shall be reported to MIA.

The association shall cooperate with any other association authorized for the same country.

As stated in Section 8 a of the Intercountry Adoption Intermediation Act, the association shall promptly notify MIA of changes that may be of importance to its intermediation activities.

Accounting and reporting

The association's financial year shall be the calendar year.

For the auditing of its accounts, the association shall engage a public accountant approved or authorized by the Supervisory Board of Public Accountants.

Before 1 June every year the association shall send to MIA:

- annual accounts including an annual report
- minutes of its annual general meeting
- a financial report by country, annex 1 to these conditions
- a report of adoption fees and the other costs for adoptive parents, annex 2 to these conditions.

The annual accounts shall be arranged in accordance with MIA's instructions for financial reporting, see annex 3 to these conditions.

The association shall supply monthly information to MIA about the children who have arrived in Sweden through its intermediation.

The association's planned development cooperation, aid or any other kind of support to a recipient abroad shall be reported, before being started, to MIA on the form "Report of development cooperation, aid and support abroad".

These conditions were adopted by the Swedish Intercountry Adoptions Authority, MIA, on 29 April 2015 to be linked to awards of authorization pursuant to Section 7 of the Intercountry Adoption Intermediation Act (1997:192). These conditions replace the conditions adopted by MIA on the 14 April 2011. However, the latter conditions still apply to authorizations already granted, but no longer than until those authorizations have been withdrawn or the authorization period has expired.

Annex 1 to these conditions: The association's total costs for activities in the country

Annex 2 to these conditions: Adoption fees and other costs for adoptive parents

Annex 3 to these conditions: Instructions for financial reporting
