

# Application for an order to annul a Convention adoption or Convention adoption order or for an overseas adoption or determination under section 91 to cease to be valid

## Section 89 Adoption and Children Act 2002

Name of court	
Case no.	
Date received by the court	
Date issued	
Fee charged/Remission ID	

### Notes to applicants

- Before filling in this form, please read the guidance notes on completing the form.
- Please complete every Part. If you are not sure of the answer to any question, or you do not think that it applies to you, please say so.
- If there is not enough room on the form for your reply, you may continue on a separate sheet. Put the child's full name, the number of the Part and the paragraph reference at the top of the continuation sheet.
- Please use black ink when filling in the form.

### Part 1 About you

See Note 1

#### First applicant

a) Title

- Mr     Mrs     Miss  
 Ms     Other \_\_\_\_\_

b) My name is

First name(s) in full

Last name

c) My address is

d) My telephone number is

e) My relationship to the child is

#### Second applicant

a) Title

- Mr     Mrs     Miss  
 Ms     Other \_\_\_\_\_

b) My name is

First name(s) in full

Last name

c) My address is

d) My telephone number is

e) My relationship to the child is

See Note 2

See Note 2

See Note 3

f) My solicitor in these proceedings is

Name of solicitor			
Name of firm			
Address (including postcode)			
Telephone no.		Fax no.	
DX no.			
Fee account no.			
E-mail address			

## Part 2 About the child

See Note 4

a) The name of the child is

First name(s) in full

Last name

b) The child is a

Boy

Girl

c) The child was born on

## About other orders or proceedings that affect the child

See Note 5

d)  To the best of my/our knowledge, no proceedings relating to the child (other than the Convention adoption, Convention adoption order or other overseas adoption or determination under section 91 of the Adoption and Children Act 2002 entered in Part 4 of this application) have been completed or commenced in any court

or

The following proceedings relating to the child have been completed/commenced (in addition to the Convention adoption, Convention adoption order or other overseas adoption or determination by an overseas authority under section 91 of the Adoption and Children Act 2002 entered in Part 4 of this application)

Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number (or serial number)

### Cases concerning a related child

e)  To the best of my/our knowledge, no proceedings relating to a full, half or step brother or sister of the child have been completed or commenced in any court

or

The following proceedings relating to a full, half or step brother or sister of the child have been completed/commenced (please give details below and, if you were a party to any proceedings that have been completed, **attach a copy of the final order**)

Relationship to child (eg. sister, half-brother)	Type of order made (or applied for)	Date of order (or date of next hearing)	Name of court	Case number (or serial number)

### Part 3 About the child's adopters

The name(s) and address(es) of the child's adopter(s) is/are:

See Note 6

#### First adoptive parent

a) First name(s) in full

Last name

b) Address is (if deceased, please write 'Deceased' in the address box)

#### Second adoptive parent

c) First name(s) in full

Last name

d) Address is (if deceased, please write 'Deceased' in the address box)

## Part 4 About this application

See Note 7

a) I/we apply for annulment of the

- Convention adoption       Convention adoption order

made by (give name of court or authority that made the order)

made on (date)

on the ground that the adoption is contrary to public policy.

See Note 7

- I/we confirm that the [person adopted is] [adopter(s) are] habitually resident in England and Wales immediately prior to the making of this application.

See Note 8

### A copy of the Convention adoption or Convention adoption order is attached

b) I/we apply for an order that the [overseas adoption] [determination under section 91 of the Adoption and Children Act 2002]

made on (date)

cease to be valid on the ground that:

- the adoption or determination is contrary to public policy  
or  
 that the authority which purported to authorise the adoption or make the determination was not competent to entertain the case

See Note 7

### A copy of the overseas adoption or determination under section 91 of the Adoption and Children Act 2002 is attached

c) I/we apply for an order deciding the extent, if any, to which a determination under section 91 has been affected by a subsequent determination

See Note 7

### A copy of the determination under section 91 is attached

d) The reasons for this application are:

See Note 9

## Part 5 Statement of truth

### First applicant

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

\*[I believe] [The first applicant believes] that the facts stated in this application are true.

\*I am duly authorised by the first applicant to sign this statement.

Print full name

Signed  Date

\*[First applicant] [First applicant's solicitor] [First applicant's litigation friend]

\*delete as appropriate

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### Second applicant

Proceedings for contempt of court may be brought against a person who makes or causes to be made, a false statement in a document verified by a statement of truth.

\*[I believe] [The second applicant believes] that the facts stated in this application are true.

\*I am duly authorised by the second applicant to sign this statement.

Print full name

Signed  Date

\*[Second applicant] [Second applicant's solicitor] [Second applicant's litigation friend]

\*delete as appropriate

## If you attend the court for a hearing

1. Do you/either of you have a disability for which you require special assistance or special facilities?

See Note 10

Yes       No

If Yes, please say what your needs are below  
(the court staff will get in touch with you about your requirements)

2. Do you/either of you want to use the services of an interpreter?

Yes       No

If Yes, please specify which language  
(court staff will get in touch with you about your requirements)

## What to do now

Once you have completed and signed this form, you should take or send the form **and three copies** to the High Court, together with the court fee\* and the following documents:

- a copy of the Convention adoption, Convention adoption order or other overseas adoption order or determination under section 91 you are asking the court to annul or declare invalid;
- a copy of any other determinations under section 91;
- if you were a party to the proceedings, a copy of any final order relating to the child that has effect;
- if you were a party to the proceedings, a copy of any final order relating to a full, half or step brother or sister of the child that has effect;
- a copy of any court order giving you permission to apply for the Convention adoption, Convention adoption order or other overseas order to be annulled.

\*If you are not sure about the court fee payable for your application, or you think that you may be exempt from paying all or part of the fee, you should contact the court for information.

You may need to pay a fee with your application. You should read leaflet EX50 Civil and family court fees to find out what fee, if any, you need to pay. This leaflet is available from your local court or online at [hmctsformfinder.justice.gov.uk](http://hmctsformfinder.justice.gov.uk)

You may be exempt from paying all or part of the fee. The combined booklet and application form 'EX160A Court Fees - Do you have to pay them' gives more information. This leaflet is available from your local court or online at [hmctsformfinder.justice.gov.uk](http://hmctsformfinder.justice.gov.uk)