



Adopting a child in Tanzania is governed by The Law of the Child Act of 2009. The Act, however, has not defined the term adoption. Legally speaking, the term adoption may be defined as the creation of a parent-child relationship between individuals who are not biologically related. Once a child is adopted, a permanent legal bond is created between the child and the adoptive parents while the rights of the birth parents and biological family members are terminated.

Before one can proceed with adopting a child in Tanzania, the law has set out a number of requirements for a person to adopt. Section 56 of the Law of the Child Act provides for the following prerequisites:

WHO CAN ADOPT?

- One of the prospective adoptive parents should be above twenty-five years of age and at least twenty-one years older than the child.
- Where the prospective adoptive parent is a relative of the child and is above the age of twenty-five.
- In case of an application by one of the spouses, the other party has consented to the adoption.
- A single woman where the applicant is a citizen of Tanzania, and with due regard to the best interest of the child.
- Single male prospective adoptive parents may not adopt a female child except in special circumstances.
- Prospective parents must be residing in Tanzania.
- A non-citizen must be resident in Tanzania for three consecutive years.

THE ADOPTION PROCESS

1. The District Social Welfare Office

When the process of adopting a child in Tanzania begins, the District Social Welfare Office will provide the applicant with an Application to Foster Form which must be completed before moving on to the next step.

2. Referees

Once the application form is completed the applicant(s) will then provide the District Social Welfare Officer with the names and contact details of three referees. The referees must be people who have known the applicant for at least three years, and they can include friends or family members. As part of the process of adopting a child in Tanzania, the referees have



to be interviewed by the District Social Welfare Officer.

3. **Home-study**

The Home study will include a number of interviews- usually four- and a home visit by the District Social Welfare Officer. The purpose of the home-study is to have a look at the prospective parents' mental, physical and emotional health as well as financial and marital (in the case of married couples) stability.

4. **Foster Care Approval and Child Identification**

Once all the paperwork for adopting is complete, the Foster Care Application., home-study and any other relevant documents will be sent to the Commissioner for Social Welfare for approval. After approval, the District Social Welfare Officer will identify children who are eligible for adoption, which children are in need of a home, and any health issues of the child that may need to be considered. In the end, the 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.

5. **Abandonment Certificate and Family Consent**

The District Social Welfare Officer will work together 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. This can only be done when a child is 6 months old, and the chances of adopting a child in Tanzania younger than this is very slim. In circumstances where family members are located and consent to the adoption of the child, formally written consents must be obtained.

6. **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.

7. **Application to Adopt**

After the three months, an official request to adopt the child must be written by the prospective adoptive parents. If the Social Welfare Officer approves the request, then the District Social Welfare Officer will submit a recommendation and a report to the



commissioner of Social Welfare.

8. **Petition to Adopt**

A petition will be lodged by an assigned advocate to legally adopt the foster child and obtain a court order from the High Court as provided for under section 55 of the Law of the Child Act. During this period the Social Welfare Department will submit a report to the Court in its capacity as the court-appointed Guardian ad Litem of the child.

9. **Adoption Certificate**

In addition to the High Court Adoption Order, which is provided for under section 59 of the Law of the Child Act, the assigned advocate must also obtain an Adoption Certificate for the 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.