

# COUNTRY PROFILES THAILAND

## Contact information of Central Authority :

Name of office : Child Adoption Center, Department of Social Development and Welfare

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If your State has appointed more than one Central Authority, please provide contact information for each of these Central Authorities :

## 1. Role of Authorities and Bodies in Adoption

### 1.1 Central Authority

Describe briefly the functions of the Central Authority (ies) (e.g., see Arts 6-9; and Arts 14-21 if accredited bodies are not used).

The Child Adoption Center , Department of Social Development and Welfare (DSDW) is appointed to be the Central Authority of Thailand and the competent authority as well in regard to the intercountry adoption. The functions of CA are as follows :

(a) facilitate, follow and expedite proceedings with a view to obtaining the adoption ;

(b) promote the development of adoption counseling and post-adoption services in their States;

(c) provide each other with general evaluation reports about experience with intercountry adoption;

(d) reply, in so far as is permitted by the law of their State, to justified requests from other Central Authorities or public authorities for information about a particular adoption situation.

### 1.2 Public authorities and competent authorities

Describe briefly the role of any public authorities and competent authorities including courts (e.g., see Arts 4,5,9 and 22).

**Additionally, the roles of competent authority of the State of origin are**

**(a) have established that the child is adoptable;**  
**(b) have determined, after possibilities for placement of the child within the State of origin have been given due consideration, that an intercountry adoption is in the child's best interests;**

**(c) have ensured that**  
**(1) the person, institutions and authorities whose consent is necessary for adoption, have been counseled as may be necessary and duly informed of the effects of their consent, in particular whether or not an adoption will result in the termination of the legal relationship between the child and his or her family of origin,**

**(2) such persons, institutions and authorities have given their consent freely, in the required legal form, and expressed or evidenced in writing,**

**(3) the consents have not been induced by payment of compensation of any kind and have not been withdrawn, and**

**(4) the consent of the mother, where required, has been given only after the birth of the child; and (d) have ensured, having regard to the age and degree of maturity of the child, that**

**(1) he or she has been counseled and duly informed of the effects of the adoption and of his or her consent to the adoption, where such consent is required,**

**(2) consideration has been given to the child's wishes and opinions,**

**(3) the child's consent to the adoption, where such consent is required, had been given freely, in the required legal form, and expressed or evidenced in writing, and**

**(4) such consent has not been induced by payment or compensation of any kind.**

### **1.3 Bodies / Persons involved in the adoption process**

a) Under Article 13 (national accredited bodies):

If your State has accredited its own adoption bodies, please indicate the number and describe their role.

**There are four accredited bodies in Thailand which are non-profit organizations and established by the competent authority of the state of accreditation. They are directed and staffed by persons qualified by their ethical standards and by training or experience to work in the field of intercountry adoption and subjected to supervision by competent authorities of that State as to its composition, operations and financial situation.**

b) Under Article 12 (authorized foreign accredited bodies) :

i. If your State has authorized any foreign accredited bodies to work with, or work in, your State please indicate the number and describe their role.

The Child Adoption of Thailand works with 50 Foreign accredited bodies. Those Accredited bodies have to provide us documents as follows.

4.1 A Home Study Report made by the Competent Authority which should be included of the applicants' physical and mental health, family status, assets, liabilities and financial standing, personal reputation, conditions of residence and surrounding, size of family maturity and ability to give love and care to the child, motivation and any special reasons related to the welfare and interest of the child, parental relationship and obligation with the children born out of previous marriages (if applicable), and other matters pertinent to the applicants

4.2 A statement of approval made by the Competent Authority or the responsible authority as the case may be, confirming that the applicants are qualified for adoption under the concerned legislation in their country and are in all respects suitable to be the adoptive parents of a foreign child.

4.3 A Statement made by the Competent Authority agreeing to supervise the pre-adoption placement of a child in case such placement is granted to the applicants and to provide three bi-monthly progress reports to DSDW. The pre-adoption placement period is a probationary period of not less than six months.

In addition, The accredited bodies have to arrange adoption preparation courses for the applicants before submitting their dossiers to the Child Adoption center.

ii. Is the Permanent Bureau informed of the names and contact details of the foreign accredited bodies authorized to work with, or work in, your State?

**No.**

c) Under Article 22(2) (approved (non-accredited) persons):

Please indicate if your State permits the activity of approved (non-accredited) persons or whether your State has made a declaration against the involvement in your intercountry adoptions of such persons (as mentioned in Art. 22(4)).

**No.**

#### **1.4 Accreditation and authorization**

Did your State complete the Questionnaire of 2009 on accredited bodies? If so, the Permanent Bureau will provide the link to your response on its website.

**No.**

##### **1.4.1 Accreditation (Arts 10-11)<sup>1</sup>**

If your State has accredited its own adoption bodies :

a) Are they involved with national adoptions or intercountry adoptions or both?

**Both**

b) What is the name of the authority / body responsible for accreditation of national adoption bodies?

**The Director-General of Department of Social Development and Welfare (DSDW)**

c) Describe briefly the process of granting accreditation to national bodies and the most important accreditation criteria. Provide a link to more detailed information.

**The national bodies must be non-profit objectives aiming at intercountry adoption which they will find prospective adoptive parents for their children. They must be directed and staffed by persons qualified by their ethical standards and by training or experience to work in the field of intercountry adoption. They shall be subject to supervision by DSDW as to its composition, cooperation and financial situation.**

#### **1.4.2 Authorisation (Art. 12)<sup>2</sup>**

a) Provide details of the authority / body responsible for authorization of foreign accredited bodies to work with, or work in, your State.

##### **DSDW**

b) Does your State use any special criteria or conditions to decide on a request for authorization? Please provide a copy of the criteria or a link to more detailed information

- **Non profit objectives**
- **meet the requirements of integrity, professional competence, experience and accountability.**
- **qualified by their ethical standards and by training or experience to work in the field of intercountry adoption.**

- **Post Adoption service program provided**

- **Preparation course program provided**

c) If your State does not use special criteria to make a decision, on what basis are decisions of authorization made?

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d) Describe briefly the process of authorization of foreign accredited bodies.

**They have to submit a request with documents of their information which are objective, administration, budget and adoption fee and so on to DSDW through the Child Adoption Centre, Bangkok, the Director-General of DSDW.**

e) Describe the tasks entrusted to the foreign accredited bodies.

The accredited bodies are responsible for finding prospective adoptive families and then prepare the report about the families' background family, medical history, social environment, reasons for adoption, as well as the characteristics of the children for whom they would be qualified to care. and written confirmation to supervise the pre-adoption placement for at least six months Then submit to the Central authority in the receiving state. Their obligation on post adoption service program are required.

f) Is it mandatory for the foreign accredited bodies to have a "representative"? What functions does that person perform?

**No, it's not.**

## **2. CHILDREN PROPOSED FOR ADOPTION**

a) In your State, what is the average profile of the child in need of intercountry adoption (e.g., age, sex, state of health)?

There are children under 1 year available for adoption up to 14 years in both genders. Some of them are special needs children available for adoption which are handicapped and have health problems. b) If your State places any limits on the number of Prospective Adoptive Parents files accepted from receiving States, on what basis are those limits decided?

There are quota system for numbers of applications for more than 20 countries which are partners of Thailand. The numbers of quotas are varied and depending on the numbers of children who were adopted in each year and numbers of adoption files at the Child Adoption Center. Additionally, how good practice they have on intercountry adoption including the period of the relationships between two contracting states.

### **2.1 Adoptability of a child (Art. 4a))**

a) Which authority is responsible for establishing that a child is adoptable?

**Department of Social Development and Welfare (DSDW) and the Child Adoption Board.**

b) What are the conditions or criteria to establish that a child is adoptable?

**Certain legal criteria**

**1. the parents' consent for adoption**

**2. The investigation on child's background is terminated because the children's parents were untraceable and then the child is legally available for adoption.**

**3. The court's consent for adoption**

c) Describe any procedures directed at establishing whether or not a child is adoptable, such as the search for the birth family and use of a central register of adoptable children.

In case that a child is abandoned in the public place without any documents informing his birth family, DSDW will trace the child's parents through publications and check with the Royal Thai Police for notifications of missing children.

In case that a child is abandoned with documents of the names of birth parents, i.e. birth certificate or the child's health book, the search for parents will be undertaken by checking with the police and checking with the central register of population.

**2.2 Best interests and subsidiarity principles (Art. 4 b)**

Which authority determines, after considering the subsidiarity principle, that an intercountry adoption is in the child's best interests? How is that decision reached (e.g. , by using certain legal criteria) and at what stage of the procedure?

**The Child Adoption Board of Thailand**

**2.3 Counselling and consent (Art. 4 c) and d))**

a) Describe the procedure for counseling and informing the birth mother / family about the consequences of the adoption and obtaining their consent.

The social worker will inform the birth mother / family regarding DSDW's welfare services (accommodation and financial support etc) that could be provided to them. However, if the child's mother still insists to relinquish the child for adoption, the social worker will inform her that she will lose her parental right before giving her consent for adoption.

d) have ensured, having regard to the age and degree of maturity of the child, that

1) he or she has been counseled and duly informed of the effects of the adoption and of his or her consent to the adoption, where such consent is required,

2) consideration has been given to the child's wishes and opinions,

3) the child's consent to the adoption, where such consent is required, has been given freely, in the required legal form, and expressed or evidenced in writing, and

4) such consent has not been induced by payment or compensation of any kind.

## **2.4 Children with special needs**

a) Describe what is meant by "children with special needs" in your State.

The child who is older than 4 years old, has serious healthy problem or handicapped needs intensive care and is difficult to find the adoptive parents.

b) What, if any, procedures do you have to expedite the adoption of children with special needs?

The Central Authority (CA) sends the background of history of the special needs children to the adoption agencies in other countries to find the prospective adoptive parents for the children. The history of 1 child maybe sent to two adoption agencies.

## **2.5 Preparation of the child**

a) If there is a procedure for the preparation of the child for the adoption, please provide details.

The preparation of the child for the adoption for older child

1. Foreign language skills. i.e. English, the child will learn about basic vocabularies, sentences and communication) using in daily life.

2. Foreign volunteers looking after children at Babies Homes to help then Getting used to foreign physical appearance.

3. Taking children to the airport for experience.

4. Providing children to experiment in having foreign food i.e. McDonald and KFC

5. Health check-up at the hospital

6. Development Assessment

7. Skills Development

b) At what stage (s) is the preparation done? Who does it?

After the child is mated with PAPS. The official of the Babies and Children's Homes do the preparation of the child

Social skill, communication or learning skills, strong and fine body muscles and the official of the Babies and Children's Homes will do this.

### 3. PROSPECTIVE ADOPTIVE PARENTS (PAPS)

#### 3.1 Eligibility criteria for foreign PAPS

##### a) Profile of PAPS

-Married couples /Yes. /If yes, are any conditions imposed (e.g., length of marriage)?

**not less than 2 years**

-Unmarried couples of registered partnership /No./If yes, are any conditions imposed (e.g., length of the relationship)?

-Single person - Woman /Yes. /If yes, are any conditions imposed?

**allow to adopt to only special children**

- Man /No. /If yes, are any conditions imposed?

Same sex couples /No. /If yes, are any conditions imposed?

##### b) Age requirements

Minimum age /Yes. /If yes, please specify **not less than 25 years**  
Maximum age /No. /If yes, please specify

Difference (in years) required between the PAPS and the child:  
/Yes. /If yes, please specify  
**at least 15 year older**

**c) Other criteria**

Couples with children (biological or adopted) /Yes. /If yes, are any conditions imposed?

**If there are more than 3 child in the family, it must be considered by child Adoption Board to consider their qualification**

Infertility certificate /Yes.

Other /Yes. /If yes, please specify **criminal record check and psychosocial check**

**3.2 Preparation and counseling of PAPS**

Does your State require that PAPS in the receiving State have preparation and / or counseling about intercountry adoption? **Yes.**

**4. DOCUMENTS REQUIRED TO SUBMIT AN APPLICATION TO ADOPT**

a) To which authority / body is the PAPS adoption file submitted?

**Child Adoption Center or Central Authority**

b) Please indicate whether the following documents are required :

√An application from for adoption completed by the PAPS

√A statement of "approval to adopt" issued by a competent authority

√Report on the PAPS including the "Home study" and other personal evaluations (Art. 15)

√Copies of passports of PAPS or other personal identification documents

- √Copies of birth certificates of PAPS and of other children residing with them
- √A copy of the marriage certificate (if married couple), divorce certificate (if either or both of the PAPS is divorced) or death certificate of the spouse (If one of the PAPS is widowed)
- √Health certificates
- √Evidence of the financial circumstances of the family
- √Employment certificate
- √Proof of no criminal record

Please specify any other documents that are required :

c) If applicants apply through an accredited body, are the following documents required?

×Power of attorney issued by the family to the accredited body (e.g., a contract signed by an accredited body and the PAPS)

√ A document issued by a competent authority of the receiving State and certifying that the accredited body may engage in intercountry adoption

#### **4.1 Language(s) in which the documents must be submitted**

Please specify **English or Thai**

#### **4.2 Legalization / Authentication**

a) Which documents need to be legalized?

**all of that**

b) Is your State a party to the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalization for Foreign Public Documents (Hauge Apostille Convention)?

**No.**

## **5. THE ADOPTION PROCEDURE**

### **5.1 Report on the child (Art. 16(1) a))**

a) Who prepares it?

**Child Adoption Center**

b) What information is or should be include?

**Identity, adoptability , background, social environment , family history, medical history**

c) What documents does it contain?

**Background of the child to be adopted**

d) Is there a standard form used by your State for the report?

**Yes.**

e) Does your State use the "Model Form-Medical Report on the Child" and the "Supplement to the general medical report on the child" (see Guide to Good Practice No 1 -Annex 7, available on Hague Conference website)?

**Yes, if it is required**

f) After the matching is accepted, do the PAPS receive regular information about the child and his / her development during the adoption procedure? If yes, who is responsible for providing the information? **Child Adoption Center.**

**Only some cases required which provide by Child Adoption Center and the accredited body.**

### **5.2 PAPS report (Art. 15 (2))**

a) For how long is the report valid in your State?

**2 years**

b) Who receives the PAPS request (including "home study" , report and other documents)?

**Child Adoption Center**

### **5.3 Matching of the child and the PAPS (Art. 16(1) d) and (2))**

a) Who is responsible for the matching of the child and the PAPS?

**The Matching Panel**

b) Is preference given to PAPS who have a close connection with your State (e.g., citizens who have migrated to a receiving State)?

**No.**

c) Who notifies the receiving State of the matching?

**Child Adoption Center (CAC)**

#### **5.4 Acceptance of the match (Arts 17a) and b))**

a) How much time is allowed for the PAPS to decide to accept the match?

**3 months, CAC will cooperate with competent authority in receiving state to confirm the acceptance.**

b) Does your State require the matching to be approved by the Central Authority of the receiving State and on what conditions?

**The Central authority and the accredited bodies are acceptable.**

#### **5.5 Agreement under Article 17 c)**

a) Which is the competent authority / body that agrees whether the adoption may proceed?

**Child Adoption Centre. (CAC)**

b) When is this agreement given? For example, when the referral is sent? When the PAPS notify their acceptance?

**1) After the Child Adoption Board's approval for PAPS' qualification and child's background, the referral will be sent by CAC.**

**2) PAPS can notify the acceptance letter via their CA**

**3) The agreement is given by CAC**

#### **5.6 Travel of the PAPS**

a) What, if any, requirements are imposed on the travel of PAPS to your State? If there are no restrictions, how does your State ensure that the prohibition on contact in Article 29 is respected?

**They can travel to Thailand only after being notifying by CAC that the Board give an approval of their adoption case.**

**They must arrive Thailand for more than 10 day prior to the date of appointment with the Child Adoption Board meeting.**

b) Is it mandatory for one or both the PAPS to travel in person to your State to complete the adoption?

**In the case where the applicant has a spouse, the applicant and his/her spouse shall receive the child for probationary placement in person except where authorized by the Director-General as submitted by the Child Adoption Board in the following cases:**

a) the child has legally traveled to the country where the applicant has domicile or is resident for a period of not less than six months;

b) the applicant has previously been granted an approval to register a child for adoption, and in this subsequent application, the applicant is unable to receive the child for probationary placement due to a reasonable necessity, and for which a letter was sent to the Director-General together with an expression of intent to cover the expenses of the competent official and the child in escorting such child to the country of such applicant's domicile or residence.

d) When PAPS have to travel to your State, please specify :

i. Number of trips required to complete the adoption procedure:

**one trip to receive the child for probationary placement six months.**

ii. How long they should stay for each trip? **2-3 weeks**

iii. At what stage (s) in the adoption process? -

iv. Other conditions: -

## **5.7 Entrustment of child to PAPS (Art. 17) and adoption decree/order**

a) Please describe the procedure, if any, to prepare the child for the first meeting with the adoptive parents?

**Welcome Album is used for preparing the child**

b) After the procedures in Article 17 are completed, what are the arrangements for the physical entrustment of the child to the PAPS?

**They can meet the child and pick them up at the Babies Home.**

c) Is the adoption order/decreed made in your State or in the receiving State?

**The Child Adoption Board makes an adoption order in Thailand.**

d) If made in your State, for how long is the child placed in the care of the PAPS before the final adoption order/decreed is made? Is it permanent or temporary care, full-time or part time care?

**Legal requirement for six months probationary placement (temporary care) and the Board makes an adoption order if the reports prove satisfactory.**

e) If made in the receiving State, what procedures does your State require for the entrustment of the child and the completion of the adoption?

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## **5.8 Transfer of child to receiving State (Arts 5 c) and 18)**

Are there any procedures in your State concerning the transfer of the child?

- 1. Meeting with a social worker at CAC**
- 2. Informing the orphanage for allowing the applicants to receive the child**
- 3. Collecting the child at the orphanage**
- 4. Meeting with the Child Adoption Board**
- 5. The pre-adoption placement starting since the applicants meet with the Child Adoption Board.**

## **5.9 Certificate under Article 23**

a) What is the competent authority for issuing the certificate under Article 23 in cases where the adoption order/decreed is issued in your State?

### **The Child Adoption Center (CAC).**

b) Have the details of the competent authority been sent to the Convention's depositary<sup>3</sup>(as required by Art. 23(2)) or to the Permanent Bureau?

**Yes.**

c) Does your State use the "Recommended model form-Certificate of conformity of intercountry adoption" (see Guide to Good Practice No 1-Annex 7, available on the Hague Conference website)?

**Yes.**

d) Describe the procedure for issuing the certificate. For example, is a copy given automatically to the PAPS? Is a copy sent to the Central Authority of the receiving State? How long does it take to issue the certificate?

**1. After receiving a copy of adoption registration done at the Royal Thai Embassy/ Consulate or at the District Office in Thailand, CAC will issue the certificate to the Central Authority of the receiving State.**

**2. It takes one-two months**

### **5.10 Duration of adoption procedure**

Indicate the average time taken for the different stages of the procedure, beginning with the decision that the child is adoptable.

**- Once the Board approves that the child is adoptable, CAC will send the child's background to the receiving country. If the child's referral is acceptable, CAC will process the case to D.G. of DSDW for an approval of six months probationary placement and submit to the Minister of Social Development and Human Security for a permission to take the child out of the Kingdom. The average time taken as such are approximately six months when PAPS travel to Thailand to receive the child.**

## **6. ADOPTION OF A RELATIVE CHILD (INTRA-FAMILY ADOPTION)**

a) Explain what is meant by "relative child" in your State.

The child who is relate to the applicant who is a blood brother or sister, half-blood brother or sister, great grandfather or great grandmother, grandfather, grandmother, uncle, aunt. The requirement for a probationary placement of a child shall not apply to the adoption case as such.

## 7. POST-ADOPTION MATTERS

### 7.1 Post-adoption reports

a) Describe the requirements of your State for post-adoption reports:

- **Child adoption Board's decision**

- **follow up for every 5 years.**

- **please kindly keep us informed if there is any change during this period of time.**

i. Frequency (how many per year?):

ii. Period (until what age of child?): **when the child reach maturity**

iii. Language : **English**

iv. Who should write it? **adoptive parents**

v. Other requirements: -

b) Is your State satisfied with the response of receiving States to your requirements for post-adoption reports? Please provide comments.

**Yes.**

### 7.2 Preservation and availability of information (Art. 30)

a) Which authority is responsible for preserving the information concerning the child's origins

(Art. 30(1))?

**Child Adoption Center and the Children's Home**

b) Where are the records kept and for how long?

**The records must be filing and can't be destroyed**

c) In your State, does the law permit the adopted person to have access to this information?

If yes, is there any age or other restriction?

**There is legislation on that, but the child should be mature enough to access his birth parents information and to seek his/her root.**

d) Are the biological parents or the adoptive parents permitted to have access to information about the adoption (see Art. 9 a) and c))?

**Yes, the birth parents and adoptive family are permitted with both side agreements**

e) What, if any, assistance does the Central Authority or another body give to the adopted person or the biological or adoptive parents to obtain access to that information? Is there a special procedure for accessing this information?

**Child Adoption Center will facilitate them to access the relevant information about the background and so on by ensuring that they all have received counseling and are well prepared.**

f) What if any, assistance is given to adopted persons to search for their origins?

**There is the Follow-up section under supervision of Child Adoption Center to help them to trace their parents or relatives.**

## **8. COSTS OF INTERCOUNTRY ADOPTION IN YOUR STATE**

a) Are adoption costs or fees controlled by law and/or regulated by a public authority in your State?

If yes, please provide a link to this information.

**There is no regulation about adoption costs but it's a requirement that the adoptive families have to pay for passport, photo and medical fees.**

b) Is there a standard or fixed fee charged by the Central Authority or accredited body for the adoption? What services are covered by his fee?

**No.**

c) Is there a fixed amount required for a mandatory contribution? What is this contribution used for? Who receives it?

**No.**

d) Is it mandatory for the receiving State (Central Authority or accredited bodies) to undertake humanitarian projects in your State as a condition of engaging in intercountry adoption? Do you supervise these projects?

**No.**

e) Does your State impose any other type of fee or cost on the foreign accredited bodies to work with, or work in, your State? Please provide details.

**No.**

f) What is the normal range of costs for an adoption (i.e., the minimum to the maximum cost)?

**There was no charge for adoption, The applicants need to pay for the child's passport and other extra medical check.**

g) Does your State permit PAPS to make donations to an orphanage or institution?

If yes, at what stage of the adoption procedure?

**Yes , after they get approval to receive the child.**

h) Other costs: Please complete the Table of Costs at Annex 1.

## **9. IMPROPER FINANCIAL GAIN (ARTS 8 AND 32)**

a) Which authority is responsible for preventing improper financial gain as required by the Convention?

**The Child Adoption Center, Department of Social Development and Welfare (DSDW).**

b) What measures are taken to prevent improper financial gain?

**The Child Adoption Board's decision requiring the officials to check and investigate applicants / the child's mother by interviewing and making testimony in regard to their consent for adoption.**

c) adoption? If so, were the prosecutions successful?

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## **10. NATIONAL LEGISLATION**

Identify the legislation in your State on international adoption and provide (if available) a link to the text of the legislation.



- Are your statistics on a publicly available website? If yes, please provide the link. If not, how can you provide access to your statistics?

**No. We are working on it to provide statistics on our website ( [www.adoption.dsdw.go.th](http://www.adoption.dsdw.go.th) )**

- Please complete the "Annual adoption statistics for states of origin" form (Prel. Doc. No 5) for the last five years. In the future, States will be asked to complete this form on an annual basis.

#### **14. USEFUL ELECTRONIC LINKS**

Provide electronic links to important and useful information about adoption and intercountry adoption in your State.

[www.adoption.dsdw.go.th](http://www.adoption.dsdw.go.th)

## **Annex 1**

### **States of origin costs in the field of intercountry adoption**

**Please provide details of following :**

#### **1. Expenses incurred in the State of origin**

This category includes all the expenses incurred in the State of origin except the PAPS' accommodation and transport costs. These are: ✓

×Administration and co-ordination costs;

✓Legal costs (notary, lawyer, Legalization Division, Consular Affairs, court and motion costs);

✓Doctor's fees for the child's medical record;

✓Translation costs;

×Costs of the child's maintenance;

×Costs for updating of record;

✓ Other costs: **Please specify. Passport or travel documents for the child.**

please specify. **Transportation Fee.**

#### **2. Contributions to humanitarian aid projects or donations**

×Contribution may be made for humanitarian-aid projects and/or donations to orphanages or other public or private institutions connected with child protection.

× They may also be imposed by the accredited bodies themselves;

×Mandatory contribution to government/ Central Authority;

×Mandatory contribution to child welfare home/public or private institution;

×Other contribution:

please specify;

√Donation. **Depends on the PAPS.**