BILATERAL

MEMORANDUM OF UNDERSTANDING BETWEEN THE MINISTRY OF SOCIAL SERVICES AND DEVELOPMENT OF THE PHILIPPINES AND THE DEPARTMENT OF NATIONAL HEALTH AND WELFARE OF CANADA ON FOREIGN ADO...

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The Ministry of Social Services and Development of the Republic of the Philippines and the Department of National Health and Welfare of Canada through its Adoption Desk:

Upholding the provisions of the U8niversal Declaration of the Rights of the child approved by the United Nations General Assembly on November 20,1959;

Abiding by a common bond of public service and a common dedication to achieve the social, emotional, moral, physical and economic well-being for children;

Regarding the welfare and interest of the child as the paramount consideration;

Considering the child as one of the most important assets of a nation;

Convinced that every effort should be exerted to promote his welfare and enhance his opportunities for a useful and happy family life;

Declaring that every child has the right to a wholesome family life that will provide him with love, care and understanding, guidance and counseling and moral and material security and that dependent or abandoned children shall be provided with the nearest substitute for a home;

Have agreed as follows:

Article 1

This Memorandum of Understanding applies only to the adoption of Filipino children in Canada in cooperation with the Adoption Desk, Department of National Health and Welfare, Canada acting on behalf of those provincial/territorial Departments of Social Services which have agreed to the establishment of Understanding and its implementation

Article 2

Foreign Adoption shall be considered only when the child cannot be adopted in Philippines.

Article 3

The Minister of the Ministry of Social Services and Development shall have sole authority to approve placements of Filipino children in Canada.

Article 4

A Canadian citizen or person with landed immigrant status who wishes to adopt a Filipino child shall submit himself to the normal process of application in Canada for the adoption of a child from abroad.

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Article 5

The following conditions shall be observed in compliance with the adoption program of the Philippines:

a)

An applicant must be of legal age consistent with the legislation of both countries and in full possession of his/her civil rights and in position to support and care for his/her dependents in keeping with the means, both material and otherwise of the family.

b)

An applicant shall present certification that he is qualified to adopt in his own country and is of good conduct with no criminal record such as crime involving moral turpitude

Article 6

The Adoption Desk, in cooperation with the provinces/ territories and the Ministry of Social Services and Development shall jointly arrange for the exchange of staff from all the levels of involvement in the International Adoption Program for a minimum period of time to provide opportunity for staff development, when indicated and agreed upon by officials of the Ministry of Social Services and Development and Officials of the Adoption Desk.

Article 7

The Adoption Desk and participating provinces/territories shall inform the Ministry of Social Services and Development of any research project to be undertaken in Canada involving Filipino children, the results of which shall be transmitted to the Ministry for reference purposes involving modifications of policies and procedures and for the enrichment of existing child welfare programs and services and services.

Article 8

The Annex to this Understanding shall constitute an integral part of this Agreement.

Article 9

This Memorandum of Understanding shall take effect on the last of the dates on which the present Memorandum is approved by the Minister of the Ministry of Social Services and Development of the Philippines and the Minister of the Department of National Health and Welfare of Canada and shall constitute an administrative arrangement between the Ministry of Social Services and Development of the Philippines and the Department of National Health and Welfare in Canada.

(SGD.) Min. SYLVIA P. MONTES

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(SGD.) MONIQUE BEGIN

Ministry of Social Services and Development

Department of National Health and Welfare

WITNESSED BY:

(SGD.) Hon. JOSE I. PLANA

Hon. BENNO T. PFIANZ

Ministry of Foreign Affairs

Canadian Embassy

Entry into Force: September 13, 1982

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