

Dominican Republic Adoption Law

TITLE V FILIACTION THROUGH ADOPTION CHAPTER I GENERAL PROVISIONS ON ADOPTION

Art. 111.- NATURE. Adoption is a legal institution of public order and social interest that allows the creation, by a judgment rendered for such a purpose, of a voluntary parent-child relationship among individuals who are not related by birth.

Art. 112.- SOCIAL AND HUMAN CHARACTER. Adoption is a mechanism of family integration and protection created for children and adolescents, taking into consideration their best interest, the process of which must be conducted under the constant vigilance of the State.

Art. 113.- EXCEPTIONALITY. Adoption should only be considered for exceptional cases and under such circumstances as are determined in this Code.

Art. 114.- STATE RESPONSIBILITY. The State has the obligation to create the necessary mechanisms to prevent the indiscriminate use of adoption. For this purpose, administrative processes should be channeled through the Adoptions Department of the National Council for Children and Adolescents (Consejo Nacional para la Niñez y la Adolescencia —CONANI), and they need to be reviewed by the Children and Adolescents' Court (Tribunal de Niños, Niñas y Adolescentes).

CHAPTER II TYPES OF ADOPTION

Art. 115.- GENERAL. All adoptions are privileged. A privileged adoption may be national or international, depending on whether the adoptive parents are Dominicans residing in this country, or foreign nationals.

Art. 116.- PRIVILEGED ADOPTION. Through privileged adoption, an adoptee will cease belonging to his/her natural family, and all ties with the members of such family are severed, leaving such relationships without legal effects except as regards the legal impediments for marriage. The adoptive child has the same rights and obligations as the biological children in the adoptive family. Privileged adoptions are irrevocable.

CHAPTER III DOMESTIC PRIVILEGED ADOPTION SECTION I SUBSTANTIVE CONDITIONS FOR PRIVILEGED ADOPTION SUBSECTION I WHO MAY ADOPT OR BE ADOPTED

Art. 117.- WHO MAY ADOPT. Regardless of their marital status, individuals over 30 years of age may become adoptive parents, provided that they have the physical, moral, social and sexual integrity that would enable them to offer a child or adolescent a home that would ensure his/her integral well-being. The same qualities shall be required of those wishing to adopt together. The age limit for adopting is 60 years. Exceptionally, a person exceeding such age may adopt under the following circumstances:

a) When, prior to applying for adoption, he/she has been in charge of raising, caring for, and protecting the child or adolescent.

b) In the case of relatives wishing to adopt a child or adolescent, when his or her parents have been divested by a decision of the court of the custody of such child or adolescent.

Art. 118.- WHO MAY PETITION FOR ADOPTION. The following people may petition for adoption:

a) Dominican couples who have been married for three (3) years; and foreign couples who have been married for five (5) years;

b) Dominican couples, consisting of a man and a woman, with at least five (5) years of known and uninterrupted union;

c) Single individuals who are or have been in charge of raising, caring for, and educating a child or adolescent;

d) The widow or widower if, during the deceased spouse's life, both spouses had initiated the adoption proceedings;

e) A divorced or separated spouse, when the adoption proceedings were already in place at the time of such divorce or separation.

f) The spouse or member of a consensual couple may adopt the other spouse's child;

g) The grandparents, aunts and uncles, and adult brothers or sisters may adopt their grandchildren, nieces and nephews, and younger siblings, whose father or mother or both parents are deceased, if the adoptive petitioners guarantee the adoptee's integral well-being.

Art. 119.- UNWED PERSON. When an unwed person files a petition to adopt, the appropriate authorities should particularly and thoroughly consider the applicant's motivation, in order to prevent a distortion of the spirit of adoption, and to propitiate, to the fullest extent possible, the optimal physical, psychological, social and sexual development of the prospective adoptee.

Art. 120.- EXISTENCE OF BIOLOGICAL CHILDREN. The existence of the applicant's biological children shall be no obstacle for adopting. However, when such children are 12 years of age or older, they should express their opinion about the intended adoption at a personal appearance before a Judge at the Children and Adolescents Court, or at the Consulate of the country of residence of said biological children, where such opinion shall be received and put on record in a document to be submitted to the competent adoption authorities. Exceptionally, under circumstances deemed appropriate by the judge, they may express in writing their points of view regarding such adoption.

SUBSECTION II CONDITIONS REGARDING ADOPTEES

Art. 121.- ADOPTEES' AGE. In order to be eligible for adoption, a person should be under 18 years of age at the time when the petition for adoption is submitted.

Art. 122.- CANDIDATES FOR ADOPTION. The following persons may be adopted:

a) Orphan children and adolescents with both parents deceased;

b) Children or adolescents in State custody, or whose parents are unknown;

c) Children or adolescents whose father and mother have lost parental authority by a court judgment;

d) Children or adolescents whose parents consent to their being adopted.

Paragraph.- No person shall be subject to more than one adoption.

Art. 123.- AGE DIFFERENCE BETWEEN ADOPTERS AND ADOPTEDS. There should be an age difference of not less than 15 years between an adoptive parent and his/her adoptee. Such age difference should be compatible with a parent/child relationship, and shall not be required when an adoption is made in favor of the other spouse's child, with prior consent by the mother or the father—if the latter has acknowledged said child.

SECTION II FORMALITIES REQUIRED FOR PRIVILEGED ADOPTIONS

Art.124.- PARENTAL CONSENT. The father and the mother are required to consent, validly and voluntarily, to their children's privileged adoption.

Art. 125.- FORMS OF CONSENT. In the cases provided, parental consent shall be given in the adoption document or by means of a separate authenticated instrument signed before a notary public, or before the Justice of the Peace of the domicile or residence of the child's parents or guardians, or before the diplomatic or consular agents abroad.

Art. 126.- INDIVIDUALS ENTITLED TO CONSENT. The following persons are entitled to consent:

a) Parents who are married or who have a consensual union: In the event of the adoption of children, declared or acknowledged, the father and mother should give their consent for the adoption of a child whose filiation has been established;

b) Father or mother incapable of expressing consent: If one parent is deceased or incapable of expressing his/her will, the other parent's consent shall suffice. If both parents are deceased or incapable of expressing their will due to absence, disappearance, or mental defect, the consent for adoption should be given by the child's legal representative or ad-hoc guardian;

c) Separated or divorced parents: If the parents are separated or divorced, the consent of both parents shall be necessary. In the event of disagreement between both parents as to the child's adoption, the Civil Chamber of the Children's and Adolescents' Court shall be competent to decide whether the adoption is appropriate or not with the sole consent of the parent who has custody of the child;

d) Consent in the case of a parent divested of authority: The status of child or adolescent whose parents have lost their authority shall be established by the declaration of loss of authority upon presentation of the court judgment stipulating such loss. Consent shall be given by the legal representative, upon advice of the Family Council;

e) Children of Unknown Parents: In the case of a child of unknown parents, consent shall be given by the President of the National Council for Children and Adolescents (Consejo Nacional para la Niñez y la Adolescencia [CONANI]), in its capacity as ad-hoc guardian.

Paragraph I.- The status of child or adolescent of unknown filiation shall be established by the judgment declaring abandonment rendered by the Children's Court of the location where the child or adolescent was found.

Paragraph II- Adoptees over twelve (12) years of age need to personally agree to their own adoption. In all adoption proceedings, the child or adolescent should be heard, taking into consideration his/her age and maturity.

Art. 127.- CONSENT OF ADOPTING SPOUSES. Neither one of the spouses may adopt without the other spouse's consent, except in the case of separation or presumed absence or disappearance.

SECTION III PROCEEDINGS FOR PRIVILEGED ADOPTION

Art. 128.- PHASES OF PROCEEDINGS. Adoption is a legal institution whose proceedings are administrative and jurisdictional in nature. Its proceedings consist of two phases: administrative-protective and administrative-jurisdictional.

SUBSECTION I ADMINISTRATIVE PHASE OF PRIVILEGED ADOPTION

Art. 129.- ADMINISTRATIVE AUTHORITY IN CHARGE. The Adoptions Department of the National Council for Children and Adolescents (Consejo Nacional para la Niñez y la Adolescencia [CONANI]) is in charge of the administrative protective phase. There are two procedures to be followed in the administrative protective phase, depending on whether it is a matter of voluntary surrender or if previously there has been a declaration of abandonment or loss of parental authority.

Art. 130.- VOLUNTARY SURRENDER. A parent who has decided to give his/her child up for adoption should inform the National Council for Children and Adolescents (Consejo Nacional para la Niñez y la Adolescencia [CONANI]) of his/her decision, justifying the reasons therefor, so that the said institution may choose an adoptive family for the child from all those having submitted and application for adoption thereto.

Paragraph.- If the National Council for Children and Adolescents (Consejo Nacional para la Niñez y la Adolescencia [CONANI]) receives the child or adolescent, it shall be responsible for his/her protection until the adoptive family is selected.

Art. 131.- CONSENT FOR VOLUNTARY SURRENDER. The surrender of a child for adoption shall be made by means of an authenticated instrument subscribed by the biological parents and the President of the National Council for Children and Adolescents (CONANI), pursuant to all legal requirements.

Art. 132.- ADOPTION DUE TO UNKNOWN FILIATION. An adoption due to unknown filiation should be preceded by a declaration of abandonment, duly ordered by the Court of First Instance of Children and Adolescents, pursuant to the terms of this Code, at the request of the National Council for Children and Adolescents (CONANI), which shall submit to the court the results of the investigation of abandonment of the child or adolescent. Once the court has rendered its administrative judgment, it shall remit it to the Department of Adoptions of the National Council for Children and Adolescents (CONANI), in order for said institution to formalize the adoption.

Art. 133.- AN ADOPTION PRECEDED BY A DECLARATION OF LOSS OF PARENTAL AUTHORITY. In the case of children and adolescents whose parents have been divested of parental authority by a judgment of the Children and Adolescents Court, the Adoption Department of the National Council for Children and Adolescents (CONANI) shall promote their adoption in the extended family, or shall assign them a family from those who have filed an application with such institution.

Art. 134.- TRIAL PERIOD. Prior to filing a petition for adoption, the adoptive petitioners should live with the prospective adoptee for such period of time as is established in this Code, taking into consideration the circumstances in each case.

Paragraph I.- In the case of adoptive parents domiciled or residing abroad, the period of time for living together with the adoptee in this country should be at least sixty (60) days when the adoptee is under twelve (12) years of age, and thirty (30) days when the adoptee is twelve or older.

Paragraph II.- However, the concerned party, for reasons of force majeure, or taking into consideration the circumstances of the case, may petition a judge to reduce the trial period, provided that an institution from the adoptive parents' country of origin guarantees the adoptee's safety, as well as the observance of the conditions for the trial period. In the case of a child, under no circumstances may such period be less than thirty (30) days.

Art.135.- PLACEMENT OF ADOPTABLE CHILDREN AND ADOLESCENTS IN FAMILIES. The National Council for Children and Adolescents shall place children and adolescents in families qualifying for adoption according to the following criteria:

- a) Upon completion of the requirements herein established, preference shall be given to applications for adoption submitted by Dominican adoptive petitioners over those submitted by foreigners;
- b) The order of submission of every application for adoption shall be taken into account. To control the order of files, every application shall be given a number when received;
- c) Characteristics of Children and Adolescents. The main criterion is finding a family for the prospective adoptee, avoiding those that would not be in the child's best interests;
- d) Preference shall be given to applications for adoption submitted by Dominican citizens, and failing those, to citizens from countries having ratified or adhered to the Hague Convention on Adoption. In this case, the adoption shall be subject to the clauses established therein.

Art. 136.-COMMISSION FOR PLACING CHILDREN AND ADOLESCENTS WITH ADOPTIVE FAMILIES. The placement of prospective adoptees shall be the responsibility of the Adoptions Department of the National Council for Children and Adolescents (CONANI), a psychologist working for said Council, the person in charge of the Center for prospective adoptive children, if that is the case, and two psychologists from two non-governmental organizations working in the area of family or children and adolescents' rights.

Paragraph.- The Commission shall meet once a month, or as often as needed in order to make the appropriate placement, always according to the criteria established in the foregoing article.

Art. 137.-CERTIFICATION OF FULFILLMENT OF PLACEMENT CRITERIA. Once a family has been assigned to a child or adolescent, the Commission shall draw up a document certifying that the placement criteria established in article 135 have been met. Such document shall not be valid unless it is signed by two-thirds of the Commission members.

Paragraph.- Any conflict that may arise shall be settled by the Judge of the Children and Adolescents' Court, upon petition by an interested party.

Art. 138.- ISSUANCE OF CERTIFICATE OF SUITABILITY. Upon finishing the administrative procedures at the Adoptions Department of the National Council for Children and Adolescents (CONANI), the said institution shall issue a certificate of suitability to allow the adoptive petitioners to file a petition for review before the appropriate jurisdiction.

Paragraph.- The National Council for Children and Adolescents (CONANI) should issue such certificate of suitability within a period of time not exceeding two months after the end of the trial period. Failure to comply with this term is considered to be a serious dereliction of duty by the person or persons in charge of such issuance.

SUBSECTION II ADMINISTRATIVE JURISDICTIONAL PHASE OF PRIVILEGED ADOPTION

Art. 139.- WHO MAY APPLY FOR ADOPTION. An adoption review request may only be submitted by those desiring to be declared as adoptive parents, or by their representative, before the Children and Adolescents' Court of the domicile of the individual or entity having custody of the adoptee.

Art. 140.- DOCUMENTS EVIDENCING SUITABILITY . The request for review of an adoption executed by the adoptive parent(s) should be submitted personally or through a representative, together with the following documents:

- a) Bio-Psychosocial Study of Adoptive petitioner(s);
- b) Consent for adoption, duly legalized;
- c) Birth records of the prospective adopters and adoptee;

- d) Certificate of marriage, or act witnessed by a notary certifying the extra-matrimonial life of the adoptive petitioners, without lessening other requirements prescribed by this Code;
- e) A copy of the declaration of loss of parental authority, or authorization for adoption, as the case may be;
- f) Certificate of suitability, effective for a period not longer than six months, issued by the Adoptions Department of the National Council for Children and Adolescents;
- g) A certification issued by a civic, community, or religious entity regarding the physical, mental, social and moral suitability of the adoptive petitioners ;
- h) Certification of compliance with trial period, issued by the National Council for Children and Adolescents;
- i) Certificate of compliance with children and adolescents placement criteria, issued by the Committee for Placing Children and Adolescents in adoptive families;
- j) Certification of No Criminal Record, and certificate of no delinquency of adoptive petitioners, issued by a competent authority;
- k) Health certificate of adoptive petitioners;
- l) Special power of attorney given to the lawyer of the prospective adoptive parents, duly legalized by the Office of the Attorney General of the Dominican Republic;
- m) Copy of the identification cards or passports of the adoptive petitioners and the biological parents;
- n) Deed of no objection of the adoptive petitioners' children over twelve (12) years of age, if any.

Art. 141.- APPLICATION FOR ADOPTION. The adoption review petition shall be submitted to the Civil Chamber of the Children and Adolescents' Court, together with the documents described above.

Paragraph I.- Within three days after the submission of the application, the court shall send the file to the Defender of Children and Adolescents, who shall render an opinion within five (5) days after having received it .

Paragraph II.- Upon the expiration of the above-mentioned terms, the Judge of the Children and Adolescents' Court shall render a judgment approving or refusing the application, within the next ten days.

Art. 142.- INSUFFICIENCY OF PROBATORY DOCUMENTS. If the judge deems that the documents probative of suitability contained in the file are insufficient as established in article 140, he/she shall grant the party concerned a period of ten (10) days to complete the file. At the expiration of such term, the Judge of the Children and Adolescents' Court shall make a decision within the next ten (10) days.

Art. 143.- ADVERSARIAL PETITION FOR ADOPTION. In the event that the petition for adoption is impugned, the proceeding shall become adversarial, and the Judge of the Children and Adolescents' Court shall fix a date for hearing the case.

Paragraph I.- Those entitled to attack a petition for adoption are the father or the mother and, in their absence, relatives up to a fourth degree of relation, following a Succession order, and the National Council for Children and Adolescents (CONANI).

Paragraph II.- The judgment resulting from the litigation referred to in this article may be appealed before the Children and Adolescents' Court.

Art. 144.- DEATH OF ONE OF THE ADOPTIVE PARENTS. In the case of a joint adoption, if one of the adoptive petitioners dies before a judgment has been rendered, the process shall continue with the surviving parent, if he/she wishes to pursue it.

Paragraph.- If the petition for adoption is made by only one person and he/she dies before a judgment is rendered, the process shall continue with all legal effects and according to the expressed wishes of the deceased and with due regards to the interest of the child or adolescent.

Art. 145.- SEPARATION OR DIVORCE OF THE ADOPTIVE PARENTS. If the adoptive parents divorce or are separated, the court shall apply to the adoptive children the rules of custody and visitation established in this Code.

Art. 146.- THE ADOPTEE'S FAMILY COUNCIL. The adoptee's Family Council shall be established as provided in the Civil Code.

Art. 147.- REQUIREMENTS FOR ADOPTEES' LEAVING THE COUNTRY. In order for an adopted child or adolescent to be allowed to leave the country, whether with foreigners or Dominican nationals, the judgment validating the adoption should be duly registered and legalized at the Office of the Attorney General of the Republic, at the State Department of Foreign Affairs, and at the Consulate of the adoptive parents' country of origin. The emigration authorities shall demand an authentic copy of the adoption judgment, with proof of the enforceability thereof.

SUBSECTION II PRIVILEGED ADOPTION JUDGMENTS AND PUBLICATION THEREOF

Art. 148.- CONTENTS. Adoption judgments shall include the reasons considered, even in the case of adoptions of a jurisdictional-administrative nature, and they should be written in clear and precise terms.

Art. 149.- TRANSCRIPTION OF JUDGMENT. Only the conclusive provisions of the adoption judgment need to be transcribed in the adoptions registry of the Office of the City Clerk where the certification of birth of the child or adolescent is made. Such transcription should be made within thirty (30) days from the date when the adoption judgment has become final and irrevocable.

Paragraph.- Such transcription shall include the day, time and place of birth, the sex of the child or adolescent, his/her names as resulting from the adoption judgment, and the adoptive parents' given names and surnames, date and place of birth, occupation, and domicile. In such transcription, no mention shall be made of the adoptee's biological family.

Art. 150.- REQUEST AND ISSUANCE OF COPIES. A transcript of the adoption judgment shall replace the adoptee's birth record. When issuing copies of the birth certificate of an adopted child or adolescent, or when referring to any such child or adolescent in any document issued by them, city clerks shall make no mention of this circumstance or of the biological family, and they may only make reference to the surnames of the adoptive parents.

Art. 151.- MARGINAL ANNOTATIONS. When transcribing an adoption judgment in the adoptions record book, the city clerk shall write the word "adoption" on the top margin of the book containing the adoptee's original record of birth. Such record may only become effective again if the adoption judgment is revoked.

Art. 152.-NON-RELEASE OF DOCUMENTS. All documents and administrative or jurisdictional acts regarding the adoption process shall be preserved for a period of thirty (30) years at a Children and Adolescents' Court. Copies thereof may be issued only at the request of the adoptive parents or the adoptee, when he/she becomes of age, and at the request of the Defender of Children and Adolescents.

Paragraph I.- An officer or employee who allows access to or issues copies of such documents to persons not authorized in this article shall incur excess of power and shall be removed from office and condemned to a penalty of one (1) to three (3) minimum wages as established officially.

Paragraph II.- The Children and Adolescents' Court shall have jurisdiction to judge this offense.

Art. 153.- LIFTING OF NON-RELEASE ORDER. The Children and Adolescents' Appellate Court for the first-degree court that validated the adoption shall order the lifting of the non-release order when there is serious justification therefor, or when the exceptional remedy of civil revision has been admitted.

Art. 154.- AN ADOPTEE'S RIGHT TO KNOW HIS/HER FAMILY TIES. Without prejudice of the provisions of the preceding article, all adoptees have the right to know their origin and the nature of their family ties. The adoptive parents shall determine the appropriate time to provide them with such information.

Art. 155.- NOTIFICATION OF THE REVIEW JUDGMENT. The judgment validating the act of adoption shall be notified to the biological father and mother, or to the people in charge who consented to it, at the request of the Judge of the Children and Adolescents' Court.

Art. 156.- SUSPENSION OF PROCEEDINGS. At the request of a party concerned, and with justified cause, the Children and Adolescents' Court may order the suspension of the adoption process for a non-extendable period of three (3) months.

Art. 157.- IRREVOCABILITY OF PRIVILEGED ADOPTION. A privileged adoption judgment entails certain rights, and is irrevocable from the time when it is pronounced to be final.

Art. 158.- EFFECT OF ADOPTION JUDGMENT. The adoption review judgment shall produce all the effects that create rights and obligations inherent to the parent-child relationship. It shall contain the information necessary for its registration at the civil registry to constitute a birth certificate to replace the original one, which shall be annulled. The names of the birth parents, if known, shall be omitted in the adoption decree. Specifically, adoption produces the following effects:

a) It severs the original family ties. Privileged adoption terminates the adoptee's original family ties regarding all civil effects, excepting marriage impediments;

b) It creates a parent-child relationship. Through adoption, the adoptee and his/her family acquire the rights and obligations inherent to the parent-child relationship, with all personal, patrimonial and succession prerogatives and consequences;

c) Marriage Impediment. Marriage is prohibited between:

1. An adoptive parent and his/her ascendants and the adoptee and his/her descendants;
2. An adoptee and the adoptive parent's spouse, and reciprocally between an adoptive parent and the adoptee's spouse;
3. The adoptive children of the same adoptive parent;
4. An adoptee and the adoptive parent's surviving child.

d) Succession Rights. An adoptee acquires all the rights of children in the capacity as heir, and is entitled to inherit from family members both directly and collaterally;

e) Surname. The adoptive child acquires the adoptive parents' surname;

f) Authority. Parental authority and the effects thereof are transferred from the birth parents to the adoptive parents.

Art. 159.- EFFECT BETWEEN THE PARTIES AND THIRD PARTIES. Adoption produces an effect between the parties and is opposable to third parties from the time the judgment is transcribed at the appropriate Civil Registrar's Office.

**SUBSECTION IV
ANNULMENT OF ADOPTION**

Art. 160.- ANNULMENT OF THE ADOPTION DECREE. A petition of annulment may be filed regarding an adoption, when there are proven irregularities as to the substance or the procedure established in this Code.

Art. 161.- WHO MAY SUBMIT A PETITION FOR ANNULMENT. After a review judgment has been rendered, an adoption may be annulled at the request of the adoptee or his/her biological parents, the National Council for Children and Adolescents (CONANI), or the Defender of Children and Adolescents.

Art. 162.- COMPETENT COURT OF LAW. The civil chamber of the Children and Adolescents Court is competent to rule about the petition of annulment of the adoption review judgment.

Paragraph .- The judgment resulting from the petition of annulment of adoption referred to herein may be appealed before the Children and Adolescents' Court.

Art. 163.- TERMS. The terms available for requesting an annulment, to appeal, and to request a revision shall be those provided by common law.

**CHAPTER IV
INTERNATIONAL ADOPTION
SECTION I
GENERALITIES ON INTERNATIONAL ADOPTION**

Art. 164.- DEFINITION AND NATURE. An adoption is deemed to be international when the adoptive parents and the adoptive child are citizens of different countries or their habitual places of residence or domicile are in different countries.

Paragraph.- Adoptions by foreigners who at the time of applying for adoption have resided in this country for more than three (3) years or are married to a Dominican national shall be governed by the provisions prescribed by this Code for privileged adoptions by Dominicans.

Art. 165.- CONDITIONS FOR ADOPTING. The adoptive parents of a Dominican child or adolescent should be individuals of different sex, joined in matrimony, complying with all legal requirements established herein for privileged adoptions.

Paragraph I.- A Dominican may adopt or be adopted by a foreigner. When a couple petitioning for adoption has children over 12 years of age, the provisions of article 120 shall apply.

Paragraph II.- All international adoptions conducted in the Dominican Republic shall be governed by the provisions contained in this Code, the Children's Rights Convention, and the Hague Convention on Adoption.

Art. 166.- DOCUMENTS PROBATORY OF SUITABILITY SUBMITTED BY FOREIGN NATIONALS. If the adoptive petitioners are foreign nationals or Dominicans residing abroad, they should also submit the following documents:

- a) A certification duly issued by the competente authority, stating their commitment to complete the adoption process of the child or adolescent until his/her nationalization in the adoptive parents' country of residence;
- b) Authorization or visa issued by the government of the adoptive parents' country of residence, to enable the adopted child or adolescent to enter such country;
- c) In addition to the required documents to prove suitability for adoption, as specified in article 140, the competent administrative authority may require from the country of the foreign adoptive petitioner or the country of residence of a Dominican adoptive petitioner such other documents as may be deemed necessary to these ends.

Paragraph.- When the above-mentioned documents are written in a language other than Spanish, they shall be translated by an official translator and shall be duly legalized, observing all pertinent formalities.

Art. 167.- ADVICE. The Adoptions Office of the National Council for Children and Adolescents (CONANI) may require the advice of public or private persons or competent professionals, in order to guarantee the follow-up of children and adolescents adopted by foreigners.

SECTION II COMPETENCE

Art. 168.- COMPETENCE OF THE CHILDREN AND ADOLESCENTS' COURTS. The Civil Chamber of the Children and Adolescents' Court of the adoptee's place of residence, or of the domicile of the person or entity having custody of the adoptee, shall be competent to grant international adoptions, upon such conditions as are established for privileged adoptions.

Art. 169.- REPEAL. Any provision that, in the matter of adoption, is contrary to the provisions contained in this Code is hereby repealed.