A child may need a new family either because they are an orphan or because their parents appear unfit to care for them. Also, the term 'foster family' might be defined differently across EU countries.

Any type of placement of a child in a foster home with one or more individuals, or in institutional care – an orphanage or a children's home – in another EU country falls under the scope of the Brussels IIa Regulation.

A court or authority planning to place a child with a foster family or in an institution in another EU country has to consult that country’s authorities before ordering the placement. To establish what kind of consultation is necessary, the Regulation refers to national law: If such a placement were to require the public authority of the State where the child is being placed to intervene if it were an internal case there, the consent of the receiving State’s authorities would need to be obtained for a similar cross-border placement prior to ordering the placement. If the public authority is not required to intervene in a similar domestic case in the State where the child is being placed, then its authorities only have to be informed of the placement.

Each EU country’s national law and procedure defines the term ‘foster family’, particularly if it covers relatives.

Please select the relevant country’s flag to obtain detailed national information.

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