A child may need a new family either because he/she is an orphan or because their parents appear unfit to care for them.

A court or authority planning to place a child in another EU country has to obtain the consent of that country’s authorities before ordering or arranging the placement. To establish when consultation is necessary, the Regulation refers to national law: it is not needed where the child is to be placed with a parent; each EU country’s national law and procedure may specify that their consent is not required for placements within their own territory with certain categories of close relatives in addition to parents.

The request for consent should include at least a report on the child together with the reasons for the proposed placement or provision of care, the expected duration of the placement, information on any contemplated funding. This must be supplemented by any other information which the requested Member State might consider pertinent such as any envisaged supervision of the measure, arrangements for contact with the parents, other relatives, or other persons with whom the child has a close relationship, or the reasons why such contact is not contemplated.

Each EU country’s national law and procedure governs the procedure for obtaining consent for the placement.

The Practice Guide for the application of the Brussels Iib Regulation can be found on this page: EJN’s publications

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

Last update: 03/04/2024

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Cross-border placement of a child including foster family - Belgium

1. Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?

The request must be made to the Belgian Central Authority. The Central Authority will forward the request to the competent authority of the relevant Belgian Community.

The request must be drawn up in the language of the Belgian Community of destination (German, French or Dutch). Requesting States should check with the Belgian Central Authority beforehand in which language the request has to be made.

Consent is given by the competent authority of the Belgian Community concerned.

The Belgian Central Authority’s contact details are as follows:

Federal Department of Justice (Service Public Fédéral Justice / Federale Overheidsdienst Justitie)
Directorate-General for Legislation and Fundamental Rights and Freedoms (Direction générale de la Législation et des Libertés et Droits fondamentaux / Directoraat-generaal Wetgeving en Fundamentele Rechten en Vrijheden)
International Civil Cooperation (Service de Coopération internationale civile / Dienst Internationale rechtshulp in burgerlijke zaken)

Boulevard de Waterloo 115
B-1000 Bruxelles/Brussel
Tel.: + 32 (2) 542 65 11
Email: dh1996@just.fgov.be

2. Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

French Community (Fédération Wallonie-Bruxelles)

The content of the request is as follows:

the identity of the child (surname, first name(s), date of birth, nationality);
relevant information on the administrative status of the child in its country of origin, particularly with regard to its social rights: the child’s healthcare insurance and family allowance;
identity of the holders of parental responsibility (surname, first name(s), date of birth, nationality, address);
information on the (natural or legal) person exercising parental authority, if different from the above;
information on the foster family (surname, first name(s), date of birth, nationality, address);

details concerning the proposed placement: the authority responsible for arranging the placement, the relevant court ruling, the preparatory documents drawn up by the competent Youth Support Service (Service d’aide à la jeunesse), the intended duration of the placement and planned follow-up measures, and funding arrangements;
a social report (rapport social) stating the grounds for the placement, measures taken previously in the country of origin, the situation as it currently stands, the young person’s background story and, where applicable, information on the child’s specific needs (in terms of education and healthcare (psychology, speech therapy, etc.).);
where applicable, a statement of reasons as to why a placement abroad is urgent;
where applicable, the steps taken by the requesting Member State to prepare the placement.

Deadlines:
In accordance with Article 82(4) of Council Regulation (EU) 2019/1111 of 25 June 2019, except where exceptional circumstances make this impossible, the decision granting or refusing consent is transmitted to the requesting Central Authority no later than 3 months following the receipt of the request. This is an indicative deadline (délai d’ordre).

Procedural arrangements:
The applicable procedure is that provided for in Article 82 of Council Regulation (EU) 2019/1111 of 25 June 2019.
Except in cases where the child is to be placed with one of its parents, the Central Authority of the requesting Member State must send the Belgian Central Authority a request for consent consisting of a report on the child, the reasons for the proposed placement of, or the provision of care to, the child in the French Community (Fédération Wallonie-Bruxelles), information on any contemplated funding and any other information it considers relevant, such as the expected duration of the placement.

The request and any additional documents must be accompanied by a translation into French.

The French Community (Fédération Wallonie-Bruxelles) collects any information or documents needed to process the requesting Member State’s request, taking due account of its subject matter, with a view to preparing the cross-border placement and facilitating coordination as required. The investigations conducted by the social administrative authorities will enable it to take a subsequent decision on whether to grant or refuse consent for the proposed placement of the child on its territory.

The decision to grant or refuse consent is transmitted by the contact person for the French Community (Fédération Wallonie-Bruxelles) to the Belgian Central Authority, which ensures that the matter is followed up with the requesting Member State.

An agreement in principle on the placement is given by an authority. Then, once the placement decision has been handed down abroad, a further decision must be taken by the local officials who will make practical arrangements for the placement of the child in question with the relevant family or institution. There are therefore two successive ‘agreements’ that need to be reached before the child can be placed.

Under Article 39(1)(f) of Council Regulation (EU) 2019/1111 of 25 June 2019, the recognition of a decision in matters of parental responsibility is refused if the procedure laid down in Article 82 has not been complied with, as well as if the decision was given without a child who is capable of forming his or her own views having been given an opportunity to express his or her views in accordance with Article 21, except where there were serious grounds, taking into account, in particular, the urgency of the case (Article 39(2)(b)).

The requested Member State and the requesting Member State respect the confidential nature of the information they exchange with each other via their respective Central Authorities. The information in question cannot be used for any purpose other than that for which it was collected or transmitted.

**Flemish Community (Vlaamse Gemeenschap)**

The content of the request is as follows:

- identity of the child (surname, first name(s), date of birth, nationality);
- relevant information on the administrative status of the child in its country of origin, particularly with regard to sickness insurance;
- identity of the parents (surname, first name(s), date of birth, nationality, address);
- information on the (natural or legal) person exercising parental authority, if different from the above;
- information on the foster family (surname, first name(s), date of birth, nationality, address).

Details concerning the proposed placement: the authority responsible for arranging the placement, the relevant court ruling, the preparatory documents drawn up by the competent youth protection service, the intended duration of the placement and planned follow-up measures, and funding/reimbursement arrangements;

- whether the file will be transferred in its entirety or merely guidelines;
- a social report stating the reasons for the placement, measures taken previously in the country of origin, the current situation, the young person’s background story and, where applicable, information on the child’s specific needs (in terms of education); where applicable, a statement of reasons why a placement abroad is urgent.

The applicable rules of procedure are as follows:

An agreement in principle on the placement and a decision on the financing of the placement is given by an authority. Once the decision to place abroad has been taken, a further decision must be taken by the local officials who will make practical arrangements for the placement of the child in question with the relevant family or institution. There are therefore two successive ‘agreements’ that need to be reached before the child can be placed.

**German-speaking Community (Deutschsprachige Gemeinschaft)**

The content of the request is as follows:

- identity of the child (surname, first name(s), date of birth, nationality);
- relevant information on the administrative status of the child in its country of origin, particularly with regard to healthcare insurance;
- identity of the parents or legal guardian(s) (surname, first name(s), date of birth, nationality, address);
- a social report stating: the reasons for the placement, measures taken previously in the country of origin, the current situation, the young person’s background story and, where applicable, a statement of reasons why a placement abroad is urgent;
- the contact details of the competent authority in the country of origin (name, address, telephone number);
- the contact details of the foster family / foster institution (name, address, telephone number);
- details concerning the proposed placement: objective of the placement, information on verification of the placement (When did child protection services pay a visit? How regularly do child protection services plan to pay visits? If no personal visit has yet been made, when is one scheduled?), intended place of schooling (in the event of specific educational needs, the relevant documents are required, unless schooling is envisaged to take place in Belgium), duration of the placement and planned follow-up measures, and information on funding arrangements.

Procedural arrangements:

The authorities verify the conditions for the recognition of stationary accommodation in accordance with the relevant legal bases of Belgium’s German-speaking Community.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

No

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

No

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**Cross-border placement of a child including foster family – Czechia**

1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?
The authority competent to consent to child placement for the purpose of the procedure under Council Regulation (EU) No 2019/1111 is the Czech Republic’s central authority within the meaning of that Regulation, i.e. the Office for International Legal Protection of Children (Úřad pro mezinárodněprávní ochranu dětí), pursuant to Section 35(2)(k) of Act No 359/1999 on social and legal protection of children, as amended.

2 Please describe the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placements of children within your territory.

If informed about a child and asked to provide an opinion, the Office always examines the family history in the Czech Republic to ascertain whether there are any relatives or persons close to the child in the Czech Republic able and willing to take care of him/her and it assesses them through the authority responsible for the social and legal protection of children. Where there are no relatives or close persons available, the possibility to place the child in foster care (or, in an extreme case, in a residential institution) is examined as well. Where a child can be suitably placed in the Czech Republic, the Office notifies the requesting authority (the court, the central authority, the foreign authority responsible for the social and legal protection of children etc.), as well as the embassy (where appropriate) and proposes a solution. In administrative proceedings, the Office also gives its consent to a specific placement of a child.

Where a foreign authority decides on the placement of a child in the Czech Republic it is necessary to agree on the transfer and transport of the child. Where the child cannot be brought by its current carers or picked up abroad by its future carers, it is possible for the transport of the child to be arranged in cooperation with the embassy and the Czech authority responsible for the social and legal protection of children (application of Section 36 of Act No 359/1999 on social and legal protection of children, as amended).

A transfer process that is the least onerous for the child, as well as an acclimatisation regime, need to be discussed when negotiating with the foreign partner (the central authority, the foreign authority responsible for the social and legal protection of children, the foreign foster parent or relative from whose care the child is transferred). The way the child is transferred is discussed by the Office with the competent foreign body in advance.

The child must be in possession of a travel document (passport or an emergency travel document) and, where possible, a birth certificate (if born in a state other than the Czech Republic), the court decision including the certificate referred to in Article 36 of the Brussels II ter Regulation or another document attesting to the possibility to recognise the court decision, medical documentation, including a vaccination card and insurance card, and a school attendance certificate.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

No

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

No

Last update: 09/12/2022

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### Cross-border placement of a child including foster family - Germany

**1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?**

Consent must be given by the youth welfare office (Landesjugendamt) responsible for the Land in which placement is planned. Germany has 16 federal states and 17 youth welfare offices (one for each Land, with two in the Land of North Rhine-Westphalia. A list of addresses can be found at [http://www.baglijae.de/](http://www.baglijae.de/)). If no specific proposal has been made with regard to where a placement is to be made, the determining factor will be the youth welfare office area deemed by the German central authority to have the closest connection. Alternatively, the Land of Berlin has competence (Section 45 of the Act to implement certain legal instruments in the field of international family law (Gesetz zur Aus- und Durchführung bestimmter Rechtsinstrumente auf dem Gebiet des internationalen Familienrechts) – International Family Law Act – IntFamRVG).

<table>
<thead>
<tr>
<th>Land</th>
<th>Address</th>
<th>Telephone number, fax number, email address, website</th>
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</thead>
<tbody>
<tr>
<td>Baden-Württemberg</td>
<td>Kommunalverband für Jugend und Soziales Baden-Württemberg Dezernat Jugend - Landesjugendamt Lindenspürstraße 39 70176 Stuttgart</td>
<td>Head: Gerald Häcker Tel. +49 7116375401 Fax +49 7116375449 Email: <a href="mailto:gerald.haecker@kvjs.de">gerald.haecker@kvjs.de</a> <a href="http://www.kvjs.de/">http://www.kvjs.de/</a></td>
</tr>
<tr>
<td>Bavaria</td>
<td>Zentrum Bayern Familie und Soziales Bayerisches Landesjugendamt Marsstraße 46 80335 Munich</td>
<td>Head: Hans Reinfelder Tel. +49 89126104 Fax +49 8912612412 Email: <a href="mailto:grenzueberschreitendeUnterbringung-blja@zbfs.bayern.de">grenzueberschreitendeUnterbringung-blja@zbfs.bayern.de</a> <a href="http://www.blja.bayern.de/">http://www.blja.bayern.de/</a></td>
</tr>
<tr>
<td>Berlin</td>
<td>Senatsverwaltung für Bildung, Jugend und Wissenschaft Jugend und Familie, Landesjugendamt Bernhard-Weiß-Staße 6 10178 Berlin</td>
<td>Head: To be announced Regular representative within federal association (BAG): Dr Sabine Skutta Tel. +49 30902275580 Fax +49 30902275011 Email: <a href="mailto:sabine.skutta@senbjf.berlin.de">sabine.skutta@senbjf.berlin.de</a> <a href="http://www.berlin.de/sen/bjw">http://www.berlin.de/sen/bjw</a></td>
</tr>
<tr>
<td>Brandenburg</td>
<td>Ministerium für Bildung, Jugend und Sport des Landes Brandenburg Abteilung Kinder, Jugend und Sport Heinrich-Mann-Alle 107, 14473 Potsdam</td>
<td>Head: Volker-Gerd Westphal Tel. +49 3318683700 Fax +49 33127548490 Email: <a href="mailto:volker-gerd.westphal@mbjs.brandenburg.de">volker-gerd.westphal@mbjs.brandenburg.de</a> <a href="http://www.mbjs.brandenburg.de/">http://www.mbjs.brandenburg.de/</a></td>
</tr>
<tr>
<td>Bremen</td>
<td>Die Senatorin für Soziales, Jugend, Frauen, Integration und Sport Landesjugendamt</td>
<td>Head: Christiane Schrader Tel. +49 4213610 Fax +49 4214964401</td>
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<tr>
<td>Bundesländer</td>
<td>Adresse</td>
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<tr>
<td>Hamburg</td>
<td>Bahnhofsplatz 29 28195 Bremen</td>
<td><img src="https://www.soziales.bremen.de/jugend-familie-1473" alt="christiane.schrader@soziales.bremen.de" /></td>
</tr>
<tr>
<td></td>
<td>Behörde für Arbeit, Soziales, Familie und Integration</td>
<td>Head: Gabriele Scholz [(+49 40 40427961745)]</td>
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<tr>
<td></td>
<td>Amt für Familie</td>
<td>Email: [(+49 40427961745)]</td>
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<tr>
<td></td>
<td>Überregionale Förderung und Beratung/ Landesjugendamt</td>
<td>Fax +49 40427961745</td>
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<tr>
<td></td>
<td>FS 4</td>
<td>Representative: Henriette Brandt [(+49 40428635019)]</td>
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<tr>
<td></td>
<td>Adolph-Schöpfeler-Straße 5 22083 Hamburg</td>
<td>Tel +49 40427963377</td>
</tr>
<tr>
<td>Hessen</td>
<td>Hessisches Ministerium für Soziales und Integration</td>
<td>Email: [(+49 3712408110)]</td>
</tr>
<tr>
<td></td>
<td>Abteilung IIb - Jugendgremienarbeit</td>
<td>Head: Cornelia Lange [(+49 61132193248)] or 3249</td>
</tr>
<tr>
<td></td>
<td>Sonnenberger Straße 2/2a 65193 Wiesbaden</td>
<td>Fax +49 61118173260</td>
</tr>
<tr>
<td>Mecklenburg-Western Pomerania</td>
<td>Kommunaler Sozialverband</td>
<td>Email: <a href="http://www.landesjugendamt.saarland.de/">cornelia.lange@hsm.hessen.de</a></td>
</tr>
<tr>
<td></td>
<td>Mecklenburg-Vorpommern</td>
<td>Head: Nils Voderberg [(+49 38539689940)]</td>
</tr>
<tr>
<td></td>
<td>Landesjugendamt</td>
<td>Fax +49 38539689919</td>
</tr>
<tr>
<td></td>
<td>Verbandsdirektor</td>
<td>Email: [(+49 38539689919)]</td>
</tr>
<tr>
<td></td>
<td>Am Grünen Tal 19 19063 Schwerin</td>
<td>Head: Iris Egger-Otholt [(+49 51189701303)]</td>
</tr>
<tr>
<td>Lower Saxony</td>
<td>Niedersächsisches Landesamt für Soziales, Jugend und Familie</td>
<td>Fax +49 51189701330</td>
</tr>
<tr>
<td></td>
<td>Außenstelle Hannover</td>
<td>Email: [(+49 51189701330)]</td>
</tr>
<tr>
<td></td>
<td>Fachgruppe Kinder, Jugend und Familie</td>
<td>Head: Silke Niepel [(+49 4911987071303)]</td>
</tr>
<tr>
<td></td>
<td>Schifffarben 30-32 30175 Hannover</td>
<td>Fax +49 51189701330</td>
</tr>
<tr>
<td>North Rhine-Westphalia (Rhineland)</td>
<td>Landschaftsverband Rheinland</td>
<td>Head: To be announced [(+49 2218094002)]</td>
</tr>
<tr>
<td></td>
<td>Dezernat Kinder, Jugend und Familie</td>
<td>Fax +49 2218094009</td>
</tr>
<tr>
<td></td>
<td>LVR-Landesjugendamt</td>
<td>Email: [(+49 2218094009)]</td>
</tr>
<tr>
<td></td>
<td>Kennedy-Ufer 2 50679 Köln</td>
<td>Head: Birgit Westers [(+49 25159101)]</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fax +49 251591275</td>
</tr>
<tr>
<td>North Rhine-Westphalia (Westphalia-Lippe)</td>
<td>Landschaftsverband Westfalen-Lippe</td>
<td>Email: [(+49 251591275)]</td>
</tr>
<tr>
<td></td>
<td>LWL-Dezernat Jugend und Schule</td>
<td>Head: Iris Egger-Otholt [(+49 6131967289)]</td>
</tr>
<tr>
<td></td>
<td>Warendorfer Straße 25 48145 Münster</td>
<td>Fax +49 6131967365</td>
</tr>
<tr>
<td>Rheinland-Palatinate</td>
<td>Landesamt für Soziales, Jugend und Versorgung Rheinland-Pfalz</td>
<td>Email: [(+49 6131967289)]</td>
</tr>
<tr>
<td></td>
<td>Landesjugendamt</td>
<td>Head: Hubert Meusel [(+49 6815012057)]</td>
</tr>
<tr>
<td></td>
<td>Rheinallee 97-101 55118 Mainz</td>
<td>Fax +49 6815013416</td>
</tr>
<tr>
<td>Saarland</td>
<td>Ministerium für Soziales, Gesundheit, Frauen und Familie</td>
<td>Email: [(+49 6815012057)]</td>
</tr>
<tr>
<td></td>
<td>C 5 - Kinder- und Jugendhilfe, Landesjugendamt</td>
<td>Fax +49 6815013416</td>
</tr>
<tr>
<td></td>
<td>Franz-Josef-Röder-Straße 23 86119 Saarbrücken</td>
<td>Email: <a href="http://www.landesjugendamt.saarland.de/">h.meusel@soziales.saarland.de</a></td>
</tr>
<tr>
<td>Saxony</td>
<td>Sächsisches Staatsministerium für Soziales und Verbraucherschutz</td>
<td>Head: Enrico Birkner [(+49 37124081101)]</td>
</tr>
<tr>
<td></td>
<td>Landesjugendamt</td>
<td>Email: [(+49 37124081101)]</td>
</tr>
<tr>
<td></td>
<td>Carolstraße 7a 09111 Chemnitz</td>
<td>Head: Antje Specht [(+49 3455141625/1855)]</td>
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<td></td>
<td>Landesverwaltungsamt</td>
<td>Email: <a href="http://www.lajesamt.saarland.de/">enrico.birkner@jia.sms.sachsen.de</a></td>
</tr>
</tbody>
</table>
2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

The application for consent relating to placement of a minor from another EU Member State (with the exception of Denmark) is sent via the central authority of the other EU Member State to the Federal Office of Justice (Bundesamt für Justiz) in Germany, which then forwards the application to the competent German youth welfare office.

The German youth welfare office that has local competence should generally grant the request in accordance with Section 46(1) IntFamRVG if

1. carrying out the intended placement in Germany is in the best interests of the child, in particular because they have a particular connection to Germany;
2. the authority in the child’s country of origin has submitted a report and, if necessary, medical certificates or assessments setting out the reasons for the intended placement;
3. the child has been heard as part of the proceedings in the child’s country of origin, unless a hearing seemed inappropriate in view of the age or maturity of the child. A hearing that is appropriate to the child’s age and stage of development and deals with the subject of placement in Germany is generally deemed to be necessary from the age of 3 years;
4. the appropriate institution or foster family has given its consent and there are no reasons not to proceed with the placement;
5. an approval required under the law on aliens has been granted or promised; and
6. arrangements have been made regarding the assumption of costs (including sufficient health insurance).

The youth welfare office must have the intended granting of consent approved by the family court (Familiengericht) at the seat of the higher regional court (Oberlandesgericht) within whose jurisdiction the child is to be placed before notifying the requesting foreign authority of the consent (Section 47(1), first sentence, IntFamRVG).

After the approval has been granted or refused, the competent German youth welfare office informs the requesting foreign authority, the German central authority and the institution or foster family where the child is to be placed of the reasoned, final decision (Section 46(5) IntFamRVG).

The following information and evidence are required:

- name, address and telephone number of the competent foreign authority placing the child
- name, date of birth and nationality of the child (copy of identity card or birth certificate)
- (intended) duration of placement
- reasons/basis in expert opinion for placement in general and placement in Germany in particular (including any previous decisions by a court)
- information on the child’s state of health (if available: medical certificates/assessments)
- name, address and telephone number of the receiving foster institution/foster family in Germany
- agreement of the foster institution/foster family to placement of the child
- if available: determination of suitability for fostering/foster licence of the receiving foster family or operating licence of the receiving institution in accordance with German law
- contact details of the person(s) with custody
- evidence that the child has been heard as part of the proceedings in the child’s country of origin, unless a hearing seems inappropriate in view of the age or maturity of the child
- evidence of clarification of who will assume the costs
- evidence of the child’s health/liability insurance

All information and evidence must be translated into German.

The right to request further information and/or documents in an individual case is reserved.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

No.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

We know of no such arrangements.

We are aware of an agreement between the youth welfare office of the Rhineland regional authority (Landschaftsverband) and the Government of the German-speaking community in Belgium.

Last update: 31/07/2023

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2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

Consent is obtained by submitting a request to the Social Insurance Board, and in particular by furnishing the following information and documents:

1) the name, date of birth, nationality and mother tongue of the child;
2) an assessment of any assistance requirements the child has, including information on the child’s physical, health-related, psychological, emotional, cognitive, educational and economic status;
3) the circumstances giving rise to the placement and the reasons for the placement in Estonia;
4) the expected duration of the placement;
5) a summary of the child’s opinion or, where the opinion of the child has not been established, a statement of the reasons why this has not been done;
6) information on ongoing proceedings concerning the child;
7) information about the legal representative of the child who is to be placed;
8) the name, date of birth, nationality and mother tongue of the person with whom the child is to be placed, and their contact details;
9) an overview of the welfare support measures that the child will need after being placed in Estonia;
10) an overview of how the child’s contact with his or her parents and other relatives, or with other persons close to the child, has been arranged;
11) information on funding for the child’s placement;
12) court decisions concerning parental responsibility in respect of the child to be placed;
13) other relevant documentation.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

There has been no separate decision. If the child needs to be placed with a close relative, the child’s welfare and placement needs must still be assessed and justified in this context. Consent is not required for the placement of a child with the other parent if they have custody rights.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

Not at this stage.

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### Cross-border placement of a child including foster family - Greece

1. **Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?**

   The authority competent to receive requests from EU Member States to place a child in an institution, child protection facility or foster family in Greece is the Private International Law Department (Tkima Idiotikou Dikaioú) of the Ministry of Justice (Ypourgeio Dikaiosynias), which has been designated as the Central Authority. Applications for the placement of children in Greece are approved by the Public Prosecutor of the Juvenile Division of the Athens Public Prosecutor’s Office and their alternate.

2. **Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.**

   Together with the request to authorise the placement of a child, the applicant authority must send the following information, with an official translation into Greek, to the Central Authority of Greece. These are:

   - (a) the forename, surname and nationality of the parent, the date, place of birth and place of residence of the child, and social security number, if any;
   - (b) the name, date, place of birth and place of residence of the person exercising parental authority or custody of the child, their telephone number and e-mail address, social security number, if any, and their consent to the placement. If no declaration of consent is attached, the reason why it is not required must be stated;
   - (c) a certificate or other equivalent document issued by the competent authority showing the child’s criminal record status. In the absence of such a certificate or other equivalent document, an attestation by a competent authority should be provided;
   - (d) a detailed report on the child’s condition and personality, the necessity and reasons for the placement and the proposed duration of the placement (start and end date) written by a social worker or a juvenile supervisor or another official from the responsible authority of the child’s last place of residence or stay before the placement;
   - (e) the child’s health insurance certificate (iatrofamakeftiki) issued by a public social security institution and a certificate of the child’s state of health, issued within the last three months before the child is sent and indicating, in particular, their vaccination status, any pharmaceutical treatment, any transmissible disease, and any previous hospitalisation for any reason;
   - (f) proposals for the child’s contact with parents or other relatives and their full details;
   - (g) full documentation from the competent authority of the child’s last place of residence regarding special educational needs, if any;
   - (h) a written declaration by the natural or legal person who has custody of the child or by another competent body to undertake to cover all the child’s placement and subsistence costs. Such declaration must constitute an express acknowledgement of debt and contain the full details of the declarant, their home address and tax identification number or social security number, if these are provided for under the relevant legislation of the Member State in which the claimant is domiciled or, in the case of a legal person, its registered office;
   - (i) decisions of courts or other authorities concerning the child, if any;
   - (j) if a placement is proposed to a particular foster family, the full identity and address of its adult members and their tax or social security numbers, where available, must be provided.

   The Greek Central Authority is responsible for informing the applicant authority if there are any shortcomings in the above documents and data. The request for approval of placement and the accompanying documents must then be sent to the Public Prosecutor of the Juvenile Division of the Athens Public Prosecutor’s Office. The Public Prosecutor appoints a supervisor from the Athens Juvenile Supervisor Service, who gathers information on the availability, as appropriate, of child protection institutions or facilities, and whether they have the required approvals and are overseen by the Greek authorities. The report that the Juvenile Supervisor submits to the Public Prosecutor of the Juvenile Division must include, in addition to the above information, a proposal for the most appropriate child protection institution or facility for the placement of the child concerned. A similar report is submitted by the Juvenile Supervisor in cases where the request by the foreign authority concerns the placement of a child in a foster family in Greece.

   The Public Prosecutor of the Juvenile Division of the Public Prosecutor’s Office of the Athens Court of First Instance approves or rejects the request for the placement of a child within two months of the request and the accompanying documents being submitted by the Private International Law Department of the Ministry of Justice.

3. **Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?**

   There is no exception to the required consent for cross-border placements where the child is to be placed with close relatives.

4. **Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?**

   There are no such agreements.

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### Cross-border placement of a child including foster family - Spain

1. **Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?**

   Prior authorisation is the responsibility of the Ministry of Justice, as the Spanish central authority.

   The Ministry of Justice, as the Spanish central authority, is the body responsible for receiving applications for cross-border placement of minors from an EU member country or a country party to the 1996 Hague Convention. Such applications must be sent by the central authority of the requesting country to obtain the necessary authorisation from the competent Spanish authorities before a child can be placed in a family.

   There are no exceptions to this general rule.

2. **Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.**

The Ministry of Justice, as the Spanish central authority, is the body responsible for receiving applications for cross-border placement of minors from an EU member country or a country party to the 1996 Hague Convention. Such applications must be sent by the central authority of the requesting country to obtain the necessary authorisation from the competent Spanish authorities before a child can be placed in a family.

The Ministry of Justice checks that the application contains the information required under Spanish law and meets the requirements laid down in Spanish legislation, and forwards it to the autonomous community administration responsible for approval. Once the administration has assessed the application, it sends its decision to the Spanish central authority, which forwards it to the central authority of the requesting country.

Applications for placement must be made in writing and be accompanied by the documents the Spanish central authority requires to assess whether the placement is in the minor’s interests and whether the family concerned is suitable for the purpose. Under all circumstances, and in addition to what is required under the applicable international rules, the following must be provided: a report on the child or adolescent, the reasons for the proposed placement, an indication of the duration of the placement, and a statement on what provision exists for monitoring. Appropriate documentary evidence must be provided of the family situation, the prospective foster parents’ ability to bring up children, their capacity for providing appropriately for the various needs of the minor (s) concerned, the extent to which their motivation matches the nature and purpose of the placement, and their willingness to help achieve the objectives of the child’s individual care plan and any family reintegration programme, so as to encourage a relationship between the young person concerned and their family of origin.

Once the competent administration has assessed the application, it sends its decision to the Spanish central authority, which forwards it to the central authority of the requesting country. Only if the decision is favourable will the competent authorities of that country issue a judgment ordering a placement in Spain, notify all the parties concerned, and apply directly to the Spanish court with jurisdiction in the region concerned for the decision to be recognised and enforced in Spain.

The maximum period for processing and responding to applications is 3 months.

Applications for placement and the accompanying documents must be accompanied by a certified translation into Spanish.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

No. In Spain consent is always necessary.

In Spain, the concept of a foster family encompasses the extended family, without any limits, and thus any member of the extended family who can look after the child under the conditions required by law (Article 20 bis of Law 1/1996 of 15 January 1996 on the legal protection of minors).

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

No.

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Applications may be sent either by post to 13, Place de Vendôme, 75041 Paris Cedex 01, or electronically to saei.dpjj@justice.gouv.fr.

2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

The competent central authority of the requested State must submit an application for approval to the European and International Affairs Section of the Directorate for Youth Protection and Juvenile Justice (DPJJ) is responsible for applications for placement in France and for giving its approval.

The application must include the following information, together with a French translation:

- Full civil status of the child (with a copy of the civil status document);
- Summary of the individual and family situation of the child (decisions of the judicial authorities and reports and notes from welfare services);
- Statement of the reasons for the proposed placement, taking into account the best interests of the child;
- Identity and contact details of persons exercising parental responsibility and record of their consent to the placement project;
- Consent of the minor to the proposed placement (a copy of the minutes of the hearing or of the records of the hearing, if such has taken place);
- Summary of the steps taken to prepare the placement;
- Approval of the institution or foster family;
- Arrangements for the placement (duration, location, identification of the host, organisation of rights to correspondence, outings, visitation and stays);
- Organisation of placement follow-up and handling of potential incidents;
- Financing of the placement.

After receiving this information, the SAEI takes the following steps:

- In the event of a request for placement on the basis of a judicial decision, it consults the Public Prosecutor, who will refer the matter to the competent children’s court judge for an opinion;
- In the event of an intended placement in institutional care, it checks the authorisation issued by the departmental council to the establishment for the duration of the placement;
- In the event of an intended placement with an approved foster family, it checks the validity of the approval with the relevant departmental council;
- In the event of a placement with a family member, information on the persons living at the family member’s home is forwarded to the head of the relevant departmental council. If the information provided is sufficient, a check is carried out with the relevant incident reporting unit. If not, the SAEI will submit a request for evaluation to the departmental council within a specified time limit.

Following receipt of the request, the SAEI issues a decision on approval or non-approval within no more than three months.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

France has not notified the Commission of the categories of close relatives, in addition to parents, for whom approval is not required.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

France does not currently apply any agreement or arrangement to simplify the procedure for applications for cross-border placement.
2) the reasons for the proposed placement or provision of care;
- information on contact between the child and his or her parents and relatives;
- information on the child's specific needs, including a medical report if the child is suffering from a medical condition and any special educational needs;
- information on the child's physical, psychological and social development;
- the reasons for requesting the intervention of the Social Welfare Services and a summary of the measures taken by the requesting authority;
- the identification details of the child, his or her parents and relatives and where they are located;

1) Report on the child, containing:
- the identification details of the child, his or her parents and relatives and where they are located;
- the reasons for requesting the intervention of the Social Welfare Services and a summary of the measures taken by the requesting authority;
- information on the child's physical, psychological and social development;
- information on the child's specific needs, including a medical report if the child is suffering from a medical condition and any special educational needs;
- the child's opinion (if applicable) and the parents';
- information on contact between the child and his or her parents and relatives;
- the reasons for the proposed placement or provision of care;
- the expected duration of the placement;

All requests must be addressed to the Central Authority of the Republic of Cyprus, which is the Ministry of Justice and Public Order. Together with the request for consent for the placement of a child, the requesting authority must send the following information, with an official translation into Greek:

1. The competent authority which must give its prior approval before the cross-border placement of a child is the Social Welfare Services of the Deputy Ministry of Social Welfare, whose contact details are as follows:

Address: Leoforos Prodromou 63, 2063 Strovolos, Nikosia
Tel.: +357 22406602 / +357 22406655
email: central.sws@dmsw.gov.cy, htapanidou@dmsw.gov.cy, PTrifilli@dmsw.gov.cy

Languages: Greek and English

2. Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

The Ministry of Labour, Pension System, Family and Social Policy, being the Central Authority for actions pursuant to Council Regulation (EU) 2019/1111, established the five-member Commission for establishing compliance with the conditions for the cross-border placement of children and examining individual requests for the granting of prior consent for the cross-border placement of a child within the territory of the Republic of Croatia. The Commission meets to take individual decisions on the basis of requests received.

A request is submitted, accompanied by a comprehensive report on the child with the opinion and conclusion of the expert team on cross-border placement, including medical documentation and the reasons for the cross-border placement, the name of the service provider with which placement is sought, details of the planned start and end date of the placement, a declaration by the service provider agreeing to provide the service to the child and to bear all the child’s travel (arrival and departure) and subsistence costs, health insurance and education costs, a declaration by the child giving consent for the cross-border placement and confirming that he or she is aware of the placement programme, a declaration by the requesting State guaranteeing that the representative of the service provider will be authorised to represent the child for the purpose of registering his or her temporary stay, as well as to take any action necessary to protect the child, details of the authority of the requesting State which is competent to take decisions on placement, court decisions issued in respect of the child (e.g. decisions on parental custody of the child, etc.) and other documentation the requesting State deems relevant for carrying out this procedure.

Documents are provided in the original in the language of the requesting State, accompanied by a translation into Croatian. The procedure is urgent, so the Commission makes a determination immediately after having examined the request and the supporting documents. On the basis of that determination, the Ministry of Labour, Pension System, Family and Social Policy adopts a final decision to grant or deny a request for prior consent for cross-border placement within the territory of the Republic of Croatia.

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4) arrangements for contact with parents, other relatives or other persons with whom the child has a close connection or the reasons why such contact is not recommended;
5) any planned supervision of the measure;
6) a written declaration by the natural or legal person with custody of the child or other competent body bearing all the costs of the child's placement and accommodation;
7) decisions of courts or other authorities concerning the child, if any;
8) any other relevant information.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?
There is no exception to the requirement for consent to cross-border placements where the child is to be placed with close relatives. Consent is required in all cases.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?
There are no such agreements or arrangements.

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Cross-border placement of a child including foster family - Latvia

1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?
Before ordering a cross-border placement of a child, the competent family court (bāriņtiesa) having jurisdiction over the territory where the child is being placed must be consulted and its consent must be obtained.

2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.
The Ministry of Justice of Latvia is the central contact point handling the placement orders and forwarding them to a competent authority in Latvia which issues placement decisions.

List of required documents:
1. Information about the child’s legal status and copies of all relevant court decisions, and a Latvian translation thereof;
2. Information about the reasons for the removal of the child from the family, and a Latvian translation thereof;
3. Copy of the child’s birth certificate;
4. Information about the child’s needs (health condition, education, emotional needs, and the languages which can be used to communicate with the child), and a Latvian translation thereof;
5. A school or preschool attendance certificate and medical records (medical examinations, vaccinations and diagnoses), and a Latvian translation thereof;
6. Information about the person or family the child is being placed with.
7. If the placement is for a fixed period of time for social rehabilitation or adjustment, proof is required that the requesting country will bear the costs, in addition to the legal guardian’s consent to the placement and a summary of the case (case history, current social and family situation, description of problems and resources, social worker’s conclusions and projections, objectives achieved and brief assessment).
8. If the person with whom the child is to be placed does not have the status of foster family, guardian or host family granted by the Latvian competent authority, the requesting Member State must submit an assessment of the person’s suitability to take a child into their care, as well as a statement confirming that the person is not under surveillance by the law enforcement authorities for possible violations of children’s rights or criminal offences, which could have an influence on their ability to care for the child.
9. Information on the arrangements for contact with the parents, other relatives, or other persons with whom the child has a close relationship, or the reasons why such contact is not contemplated.
10. The Latvian competent authority reserves the right to request additional information should the need arise.

*Where a foreign authority has not named any particular individual in Latvia to place the child with, given the significance of ties to Latvia for the child, a family court will help to find a suitable guardian or foster family in Latvia.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?
As a rule, within the Latvian regulatory framework, consent is required for the placement of a child with any of the child’s relatives or persons with whom the child has a close relationship. An exception is, however, made with regard to the duration of the placement. Namely, in accordance with Article 45 of the Law on the protection of children’s rights parents may place a child in another person’s care in Latvia for a period not exceeding three months. In such a circumstance, one of the parents needs to draw up a power of attorney, specifying to what extent the parents grant the other person the power to represent their child’s best interests.

This condition applies solely to children under parental care and to cases where the child is placed in the care of another person for no more than three months.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

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Cross-border placement of a child including foster family - Luxembourg

1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?
The central authority designated under Article 103 of Council Regulation (EU) 2019/1111 of 25 June 2019 is also the competent authority for the prior approval of the placement of a child in Luxembourg:

The State Public Prosecutor (Procureur Général d’Etat)
2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

The procedure laid down in Article 82 of Council Regulation (EU) 2019/1111 of 25 June 2019 applies. The Central Authority of the requesting Member State must transmit to the Luxembourg Central Authority a request for consent which includes a report on the child together with the reasons for the proposed placement in Luxembourg, and any other information it considers relevant, such as the expected duration of the placement. The request and any additional documents must be accompanied by a translation into French, German or English.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

No.

In implementation of Regulation (EU) 2019/1111, the same system applies to the placement of a child in Luxembourg in foster care (famille d'accueil) or in the home of a trustworthy person (personne digne de confiance) and requires prior consultation and approval by the Luxembourg Central Authority.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

No.

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Cross-border placement of a child including foster family - Hungary

1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?

The guardianship authority competent for the place of residence of the prospective guardian in Hungary decides whether, on the basis of a preliminary examination, consent can be given for the appointment of the person in question as guardian.

2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

For the placement of a child habitually resident abroad with a guardian in Hungary, the guardianship authority competent for the place of residence of the prospective guardian examines, at the request of the Ministry for the Interior (Belügyminisztérium) following an enquiry from the central guardianship authority of the requesting foreign state, whether consent can be given for the appointment of the person in question as guardian.

At the request of the Ministry of the Interior as the Hungarian central authority, the guardianship authority takes the measures specified in the law to assess the suitability of the prospective guardian. It performs or obtains a background check on the residence of the prospective guardian. It examines whether the person in question is legally entitled to act as a guardian. On the basis of an assessment of the prospective guardian’s income, it determines whether the care of the child in Hungary imposes a heavy burden on social services. If necessary, it requests information from the family and child welfare services on any feature of the parenting skills of the person in question which would make it inadvisable to appoint them as guardian. The guardianship authority interviews the guardian regarding their future plans and, where appropriate, assesses whether the child will have access to kindergarten and school education. If the child is being placed with relatives, it is also recommended to assess their relationship with the child, and whether that relative has cared for the child previously. The guardianship authority uses the information above to determine whether consent can be granted. Once the decision to grant consent has been taken, it is forwarded to the foreign central authority with the assistance of the Hungarian central authority.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

As Hungary has not made a declaration under Article 82(2) of the Regulation, consent to the placement of a child in Hungary is always required where the child is not placed with the parent.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

No, it does not.

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Cross-border placement of a child including foster family - Malta

1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?

In accordance with Article 41 of the Minor Protection (Alternative Care) Act, Chapter 602 of the Laws of Malta, the Social Care Standards Authority (SCSA) is the designated Central Authority responsible for fostering. As per Article 42(d) of the same Act, one of the functions of the Central Authority is that of receiving requests from foreign persons who are approved as foster carers in another country or from accredited agencies, and to forward such requests to the Foundation for Social Welfare Services’ (FSWS) Director Alternative Care (Children and Youths). Under Article 36A of the same Act, the Director Alternative Care (Children and Youths) has a number of functions and responsibilities, including matching foster carers with minors who are to be placed under foster care and ascertaining that every placement under foster care is in the best interest of the minor. Foster care may only take place following a written agreement between the Director Alternative Care (Children and Youths) and the foster carer.
2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

To register a cross-border placement in Malta, the Central Authority of the requesting State must request the consent of the Central Authority for Malta (SCSA). An application must be requested and submitted to the SCSA. The procedure is as follows:

i. The Central Authority for Malta should receive a duly completed application form accompanied by the requested documentation (mentioned below). This application should be submitted by the Central Authority of the requesting State. All requested documentation should be sent in Maltese or English only.

ii. Once the application form has been received, the Central Authority for Malta establishes what type of placement is under consideration.

iii. The Central Authority for Malta sends the application and documentation to the relevant Maltese competent authorities, for example in cases of cross-border fostering such documentation would be sent to the Directorate Alternative Care. In all cases, the competent authorities assess applications on the basis of their expertise, and due consideration is given to the following aspects of placement: educational/pedagogical, legal support, psychosocial/psychiatric and child safety/protection.

iv. The Central Authority for Malta will then be in a position to communicate the decision of the Maltese competent authorities regarding the cross-border placement of the child to the Central Authority of the requesting State. Placement may not commence until the Central Authority for Malta has given its consent after consultation with the Director Alternative Care. The central authority of the requesting State then communicates the start date for the cross-border placement to the Central Authority for Malta.

Below is a list of documents to be submitted with the application:

- a copy of the national identity card/passport of the mother, father, and children;
- the birth certificate of the child(ren);
- a declaration of care and custody; and
- any other documentation deemed necessary.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

No. All cross-border fostering placements have to be registered with the Central Authority and consent should be sought as per the procedure set out in the reply to question 2.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

No. The procedure is as described in the reply to question 2. It is an efficient procedure, with the aim not to prolong any decisions, whilst ensuring the best interest of the minors involved.

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Cross-border placement of a child including foster family - Netherlands

1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?

The placement in the Netherlands of a child from another Member State requires the Central Authority's approval. For this purpose, the Central Authority consults a foster care provider to examine the suitability of the foster parents with whom the child is to be placed.

2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

If the court or other authority in another Member State is considering placing a child in the Netherlands, a reasoned request must be sent to the Central Authority. This request must include a report on the child. The Central Authority subsequently consults a foster care provider to examine the suitability of the foster parents with whom the child is to be placed. At the Central Authority's request, the Council for the Protection of Children (Raad voor de Kinderbescherming) examines whether a declaration of no objection may be issued.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

No, there are no exceptions to the requirement of prior authorisation. All placements with persons other than one of the child’s parents must follow the approval procedure.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

No.

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Cross-border placement of a child including foster family - Austria

1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?

Under national law, various scenarios are possible:

a) Relocation abroad: If two people are entrusted with custody, they must also, in principle, determine the place of residence by mutual agreement. This principle of mutual agreement applies without restrictions, i.e. also in the case of a minor moving within Austria, especially if the move involves a significant change in their life. Moreover, particularly in the case of a transfer of place of residence abroad, the parent wishing to move abroad will require the consent of the other parent or the approval of the Court. The Court must take into account both the minor’s welfare and the interests of the parents.

If one parent has been entrusted with primary custody by a Court decision or by an agreement, he/she has the sole right to determine the place of residence, in accordance with the wording of Section 162(2) of the Austrian General Civil Code (Allgemeines bürgerliches Gesetzbuch, ABGB). Consequently, no consent is required for a move within Austria.
However, under current case-law in such cases – especially when a minor moving residence is a major event – the parent with primary custody must also inform the other parent and take the minor’s welfare into account. Moreover, a change in the place of residence should not significantly affect the exercise of custody by the other parent. This restriction applies in particular to a move abroad.

The same applies to foster parents who have custody; however, this rarely happens in practice, as custody usually remains with the youth welfare authority (Kinder- und Jugendhilfeträger).

b) Placement in institutional care or with foster parents: A placement with the consent of the custody holder(s) (in general, the parents) only needs to be in line with the national provisions of the applicable laws on the protection of children and adolescents and does not require a Court order. A placement without the consent of the custody holder(s) is nonetheless subject to judicial review by the Court, as an emergency measure under Section 211 ABGB.

c) Placement in another Member State: Where a court or a competent authority (within the meaning of the first sentence of Article 2(2) Brussels IIb) contemplates the placement of a minor (i.e. a person under 18, pursuant to sentence 6 of Article 2(2) Brussels IIb) in another Member State, it must first obtain the consent of the competent authority in that other Member State pursuant to Article 82(1) Brussels IIb. The placement will only be ordered or arranged after the competent authority of the requested Member State has consented to the placement (Article 5 Brussels IIb). The requirement of prior consent is a natural consequence of the aforementioned EU legal provisions.

Requests for consent are therefore generally to be transmitted via the Central Authority of the requesting Member State to the Central Authority of the requested Member State where the minor is to be placed (Article 82(1) Brussels IIb). The procedure for obtaining consent in each case is governed by the national laws of the Member State in question.

As long as it is not a case where no consent is required (see point 3) or where no different administrative arrangements have been made (see point 4), requests for consent must be transmitted via the Central Authority to the youth welfare authority (see point 2).

Austria has nine provinces that act as youth welfare authorities through various bodies, e.g. the Office of the Provincial Government (Amt der Landesregierung), Municipal Authority (Magistrat), District Authority (Bezirkshauptmannschaft). Consent for cross-border placements is granted by the youth welfare authorities of the area in which the placement will take place.

### Province of Burgenland

- **Address:** Amt der Burgenländischen Landesregierung (Office of the Provincial Government of Burgenland)
  - Abteilung 6 - Soziales und Gesundheit (Department 6 - Social Affairs and Health)
  - Kinder- und Jugendhilfe (Youth Welfare)
  - Europaplatz 1
  - 7000 Eisenstadt, Austria
- **Contact Person:** Daniel Novak
  - daniel.novak@bgld.gv.at

### Province of Carinthia

- **Address:** Amt der Kärntner Landesregierung (Office of the Provincial Government of Carinthia)
  - Abteilung 4 – Soziale Sicherheit (Department 4 - Social Security)
  - Mießtaler Straße 1
  - 9021 Klagenfurt, Austria
- **Contact Person:** Dr. Peter Rozsa
  - peter.rozsa@noel.gv.at

### Province of Lower Austria

- **Address:** Amt der Niederösterreichischen Landesregierung (Office of the Provincial Government of Lower Austria)
  - Gruppe Gesundheit und Soziales (Health and Social Affairs)
  - Abteilung Jugendwohlfahrt (Youth Welfare Department)
  - Landhausplatz 1
  - 3109 St. Pölten
- **Contact Person:** Astrid Mitter-Stöhr
  - astrid.mitter-stoehr@ooe.gv.at

### Province of Upper Austria

- **Address:** Amt der Oberösterreichischen Landesregierung (Office of the Provincial Government of Upper Austria)
  - Regional Government
  - Direktion Gesellschaft, Soziales und Gesundheit (Department of Social Affairs and Health)
  - Abteilung Kinder- und Jugendhilfe (Child and Youth Welfare Department)
  - Bahnhofplatz 1
  - 4021 Linz, Austria
- **Contact Person:** Renate Heil
  - renee.heil@salzburg.gv.at

### Province of Salzburg

- **Address:** Amt der Salzburger Landesregierung (Office of the Provincial Government of Salzburg)
  - Kinder- und Jugendhilfe (Youth Welfare)
  - Fischer-von-Erlach-Straße 47
  - Postfach 527
  - 5010 Salzburg, Austria
- **Contact Person:** Andrea Rotmajer
  - andrea.rotmajer@stmk.gv.at

### Province of Styria

- **Address:** Amt der Steiermärkischen Landesregierung (Office of the Provincial Government of Styria)
  - Kinder- und Jugendhilfe (Youth Welfare)
  - Hofgasse 12, 8010 Graz
- **Contact Person:** Reinhard Stocker-Walduhuber
  - kinderundjugendhilfe@stmk.gv.at

### Province of Tyrol

- **Address:**
2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

The consultation procedure must be addressed to the competent youth welfare authority via the Central Authority, the Federal Ministry of Justice. The Central Authority transmits the request to the youth welfare authority of the province in which the placement is planned (see point 1). All details and supporting documents must be translated into German.

Under Article 82 Brussels IIb, the request must include a report on the minor and the reasons for the proposed placement or provision of care, information on any contemplated funding and any other information considered to be relevant.

All youth welfare authorities consider the following information to be relevant:
- details about the minor, family members (parents, siblings, etc.) and the custody holders;
- reasons why the placement is in the minor’s best interests, e.g. because the minor has a particular connection with Austria;
- date of placement and planned duration;
- details of the institution/foster family (address, contact details) in which the minor is to be placed;
- consent of the institution or foster parent(s);
- full details of the competent body in the requesting Member State including contact details;
- a binding agreement from the requesting authority to bear the costs;
- proof of health insurance or social security cover;

The competent youth welfare authorities consider the following requirements and information to also be relevant when granting consent but reserve the right to request further information and/or documents in individual cases.

### Requirements

<table>
<thead>
<tr>
<th>Amt der Burgenländischen Landesregierung (Office of the Provincial Government of Burgenland)</th>
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</thead>
<tbody>
<tr>
<td>Suitability of the foster family</td>
<td>Information on the problem at hand (objectives, findings, assessments, certificates, Court decisions)</td>
</tr>
<tr>
<td>Approval required under immigration law</td>
<td>Declaration of consent from the custody holder(s)</td>
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<tr>
<td>Consent of the minor and the custody holder(s)</td>
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<thead>
<tr>
<th>Amt der Kärntner Landesregierung (Office of the Provincial Government of Carinthia)</th>
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<tbody>
<tr>
<td>Overview of assistance provided so far with upbringing</td>
<td></td>
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<tr>
<td>Findings, diagnoses, assessments</td>
<td></td>
</tr>
<tr>
<td>Existing contact rights</td>
<td></td>
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<tr>
<td>Any Court decisions</td>
<td></td>
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<tr>
<td>Custody decision with the annotation: With the placement of ... in ..., the responsibility for care and upbringing is transferred to the institution/foster family.</td>
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<tr>
<td>Copy of e-card</td>
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<tr>
<th>Amt der Niederösterreichischen Landesregierung (Office of the Provincial Government of Lower Austria)</th>
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<tbody>
<tr>
<td>Necessary for the minor’s welfare and/or there is a reference person in Lower Austria for the minor’s welfare</td>
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<tr>
<td>Suitable care placement</td>
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<tr>
<td>Recognition of the professional standards of Lower Austria</td>
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<tr>
<td>Regular review of the support plan, including objectives for upbringing, by the requesting authority</td>
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<tr>
<td>Declaration of a contact person in case ending the measure becomes necessary</td>
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<tr>
<td>Current reports on physical, emotional, social, school (professional development)</td>
<td></td>
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<tr>
<td>Current medical findings</td>
<td></td>
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<tr>
<td>Copy of essential documents for the minor, e-card</td>
<td></td>
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<tr>
<td>Information on pharmaceutical therapies</td>
<td></td>
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<tr>
<td>Support plan, including support granted so far</td>
<td></td>
</tr>
</tbody>
</table>

### Documents required

<table>
<thead>
<tr>
<th>Amt der Tiroler Landesregierung (Office of the Provincial Government of Tyrol)</th>
<th><a href="mailto:reinhard.stocker@tirol.gv.at">reinhard.stocker@tirol.gv.at</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abteilung Kinder und Jugendhilfe (Child and Youth Welfare Department)</td>
<td></td>
</tr>
<tr>
<td>Leopoldstrasse 3</td>
<td></td>
</tr>
<tr>
<td>6020 Innsbruck</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:kiju@tirol.gv.at">kiju@tirol.gv.at</a></td>
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<thead>
<tr>
<th>Vorarlberg</th>
<th>Amt der Vorarlberger Landesregierung (Office of the Provincial Government of Vorarlberg)</th>
<th><a href="mailto:Jugend.familie@vorarlberg.at">Jugend.familie@vorarlberg.at</a></th>
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<tbody>
<tr>
<td>Fachbereich Jugend und Familie (Youth and Family Affairs)</td>
<td></td>
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<tr>
<td>Landhaus</td>
<td></td>
<td></td>
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<tr>
<td>Römerstraße 15</td>
<td></td>
<td></td>
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<tr>
<td>6901 Bregenz, Austria</td>
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<table>
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<tr>
<th>Vienna</th>
<th>MA 11 Amt für Jugend und Familie (Youth and Family Affairs)</th>
<th><a href="mailto:josef.hiebl@wien.gv.at">josef.hiebl@wien.gv.at</a></th>
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<tbody>
<tr>
<td>Rüdengasse 11</td>
<td></td>
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<tr>
<td>1030 Vienna</td>
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<td></td>
</tr>
<tr>
<td><a href="mailto:gr@ma11.wien.gv.at">gr@ma11.wien.gv.at</a></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Problem description, social and psychological diagnosis, target setting, duration and forecast of the measure  
Record of the hearing with the minor regarding the planned measure  
Written consent from the custody holder(s)  
Agreement on how to organise potential visiting rights

| Amt der Oberösterreichischen Landesregierung (Office of the Provincial Government of Upper Austria) | Pre-established residence status  
Clear division of responsibilities between the requesting Member State (type, extent and payment) and the requested Member State (supervision of institution)  
Recognition of the professional standards of Upper Austria by the requesting authority  
Overview of assistance provided so far with upbringing  
Findings, diagnoses, reports, assessments  
Record of the hearing with the minor  
Outline of the contact rights of the biological parents  
Formal consent from the custody holder(s)  
Court decisions  
Copy of essential documents for the minor |

| Amt der Salzburger Landesregierung (Office of the Provincial Government of Salzburg) | Consent from the local competent youth welfare authority in the case of placement  
Overview of assistance provided so far with upbringing  
Medical/psychiatric findings, diagnoses, assessments  
Record of the hearing with the minor  
Outline of the contact rights of the biological parents  
Formal consent from the custody holder(s)  
Court decisions  
Copy of the minor’s e-card |

| Amt der Steiermärkischen (Office of the Provincial Government of Styria) | Pre-established residence status  
Consent given by the legal guardians  
Court decisions  
Medical findings  
Handover report from the competent requesting authority (background history, current social and family situation, description of problems and resources, conclusions and forecasts from the social worker, meeting of targets, brief assessment) |

| Amt der Tiroler Landesregierung (Office of the Provincial Government of Tyrol) | Support plan, case history and measures applied so far  
Any relevant reports, psychological assessments, etc.  
Written consent from the custody holder(s)  
Proven consent from the minor under care – unless a hearing seems inappropriate due to the minor’s age or (proven) degree of maturity  
Copy of the minor’s ID card  
Future situation of the minor upon return |

| Amt der Vorarlberger Landesregierung (Office of the Provincial Government of Vorarlberg) | Custody decision with the annotation: With the placement of ...in ..., the responsibility for care and upbringing is transferred to the institution/foster family.  
Support provided so far with upbringing  
Support plan agreement; Future prospects  
Child and youth psychiatrist’s findings/diagnoses and/or psychologist’s opinions  
Hearing with the minor  
Consent from the custody holder(s) |

| Magistrat der Stadt Wien (Municipal Authority of the City of Vienna) | Findings, diagnoses, reports, assessments  
Record of the hearing with the minor  
Approval required under immigration law |

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

Similar to placements with a parent (Article 82(1) Brussels IIb), no consent is required for a placement in Austria with the following close relatives:  
- grandparents;  
- brothers and sisters of the parents;  
- adult siblings of the minor.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

The Central Authority has no knowledge of any such agreements.

Last update: 17/01/2023
### Cross-border placement of a child including foster family - Poland

1. **Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?**

An application for consent must be submitted to the central authority, which will forward it to the competent court. For the placement of a child on the basis of a decision issued by a court or another authority of a foreign country, consent is granted by the guardianship court with jurisdiction over the future location of the placement, once it is established that:

- the placement is in the child’s best interests and that the child
- has a substantial connection with Poland or
- is a Polish citizen.

Where a court or another authority of a foreign country has indicated candidates to act as the foster family or to run a family-type children’s home, or a specific education and care facility, a regional care and therapy facility, or a pre-adoption intervention facility where the child is to be placed, the guardianship court may consent to the placement of the child after consulting the chair of the district executive board (starosta) with jurisdiction over the future location of the placement. Where a court or another authority of a foreign country has not indicated candidates to act as the foster family or to run a family-type children’s home, or a specific education and care facility, a regional care and therapy facility, or a pre-adoption intervention facility, the guardianship court may consent to the placement of the child after consulting the President of the capital city of Warsaw.

2. **Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.**

The application must contain the documents, opinions and information concerning the child, especially concerning the child’s family situation, state of health and special needs. If the submission by a court or another authority of a foreign country does not indicate how the child will be brought to Poland and how the related costs will be covered, and, if the placement is temporary, also how the child will be brought back and how the costs of return will be covered, the guardianship court requests this information.

Applications are examined by way of a ruling issued within a month from the date of receipt of the application by the court. The placement of the child in a foster family or a family-type children’s home takes place after consent is obtained from the foster parents or the person running the family-type children’s home.

3. **Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?**

As for the close relatives referred to in Article 82 of Council Regulation (EU) 2019/1111, Poland did not waive the requirement for prior consent for the placement of a child with certain categories of close relatives, maintaining the existing legal situation and upholding the exemption from the obligation to obtain consent of the competent central authority for the placement of a child in another Member State only for the parents.

4. **Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?**

In Poland, no agreements or arrangements are in place for simplifying the consultation procedure for obtaining consent for the cross-border placement of children.

Last update: 29/12/2023

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Please note that the original language version of this page [PL] has been amended recently. The language version you are now viewing is currently being prepared by our translators.

### Cross-border placement of a child including foster family - Portugal

1. **Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?**

Portugal’s central authority responsible for the application of Council Regulation (EU) No 2019/1111 is:

DGRSP – Directorate-General for Rehabilitation and Prison Services (Direcção-Geral de Reinserção e Serviços Prisionais - DGRSP)

Legal Assistance and Dispute Department (Gabinete Jurídico e Contencioso, GJC)

Travessa da Cruz do Torel 1

1150-122 Lisbon

Telephone: +351 218 812 200

Fax: (+351) 218 853 653

Email: gjc@dgrsp.mj.pt

Website

2. **Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.**

The stages involved in obtaining a placement for a young person in Portugal are as follows:

**Stage 1 – Prior authorisation for the placement measure, to be granted by the central Portuguese authority (Autoridade Central Portuguesa, ACP)**

Prior authorisation request from the central authority of the requesting country;

- review of the documentation submitted and assessment against the criteria and conditions for placement;
- issue by the ACP of a prior authorisation approval or refusal;
- purely indicative deadline: 1-3 months from receipt of all the documents required in support of the request, depending on the complexity of the case.

**Stage 2 – Declaration of enforceability by the Court**

An application for recognition and enforceability is filed with the Court (the Family and Minors Division (Juízo de Família e Menores) of the area where the foster family lives or the institution is located) by the foster family, the institution with overall responsibility, or the institution to which the child has been entrusted. This application must be accompanied by documentation attesting to the prior consent of the ACP and by supporting documents giving details of the placement measure: duration, intervention plan, and a statement by the foster family that they are able to financially support themselves.

Or, alternatively:
The placement decision/ruling issued by the administrative or judicial authority of the country of origin is sent to the ACP, together with additional documentation giving details of the placement measure: duration, intervention plan, and a statement by the foster family that they are able to financially support themselves.

The ACP forwards the application for enforceability of the measure to the Public Prosecutor's Office (Ministério Público) at the competent Court, where it will be officially lodged on behalf of the child.

The Court issues its decision. In the event of a declaration of enforceability, the Court may nominate the Social Security Institute (Instituto da Segurança Social (ISS, IP)) as the body responsible for monitoring the implementation of the measure within Portugal.

Stage 3 – Implementation of the placement measure in Portugal

Once the decision of enforceability has been issued, the child or young person may come to Portugal and start their placement measure.

If the application for a declaration of enforceability was sent via the ACP (and in any case where the Court informs the ACP of its decision), the ACP should forward the Court's decision to its counterpart.

The Social Security Institute monitors the measure and drafts periodic reports on the implementation of the measure to be sent to the Court and the ACP, where the Court so orders.

Any extension of the measure is subject to a new prior authorisation by the ACP, followed by the rest of the procedure set out above.

For information, a list of the documents required by the ACP before authorising the placement of a child with a foster family or institution in Portugal can be found in English at the following link [3]

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

Consultation and prior consent are not necessary if the child is entrusted to a person with family ties, e.g. grandparents, uncle or aunts, or older siblings.

In such cases, it is sufficient for the authority deciding on the placement simply to inform the central authority for Portugal.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

Portugal has the procedure outlined in response to question No 2 to simplify the consultation procedure for obtaining consent for the cross-border placement of children.


Warning:
The EJN-Civil Contact Point, the courts, and other bodies and authorities are not bound by the information set out in this factsheet. It is also still necessary to read the legal texts in force. These are subject to regular updates and evolutionary interpretation of case-law.

Last update: 20/09/2023

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Cross-border placement of a child including foster family – Slovenia

1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?


The consent of the competent authority is not required if the child is placed in the custody of one of the parents.

Where the placement of a child is in the territory of Slovenia, prior consent is issued by the central authority after receiving a favourable opinion from the social services centre.

2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

The competent central authority for the purpose of transmitting consent in accordance with Article 82(1) of Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (recast) is:

Ministry of Labour, Family, Social Affairs and Equal Opportunities
Štukljeva cesta 44
1000 Ljubljana
[5] gp.mdds@gov.si

The central authority transmits requests to the social services centre for processing and an opinion.

The central authority of the requesting state must submit the following documents for the purpose of consultation and obtaining consent:

– information on the child, family situation and legal representatives;
– information on the minor’s personal situation, including a description of the minor’s personal and family circumstances;
– reasons for placing the child abroad;
– the date and planned duration of the placement;
– personal details of the persons appointed as foster carers, or information about the proposed institution or persons hosting the child;
– placement details, if with an institution (exit, inspections, lodging);
– doctor’s or carer’s approval;
– proof of health insurance;
– requesting authority’s pledge to cover the costs of placement;
– accommodation monitoring arrangements;
– comprehensive information on the competent authority of the requesting Member State, including contact details.

The documents must be submitted ahead of the placement in accordance with Regulation 2019/1111.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?
Consent is always required.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

No such agreements exist.

Last update: 18/08/2023

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Cross-border placement of a child including foster family - Slovakia

1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?

Centre for International Legal Protection of Children and Youth (Centrum pre medzinárodnoprávnu ochranu detí a mládeže)

Spitalská 8
P.O. Box 57
814 99 Bratislava
Tel.: +421 2 20 45 82 00
+421 2 20 45 82 01
E-mail: info@cipc.gov.sk
Web: http://www.cipc.gov.sk

Languages: Slovak, Czech and English

2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

The central authority of the requesting state provides the central authority of the Slovak Republic with the following:

- a report on the child containing:
  - data identifying the child, parents and relatives, and where they are located
  - the reasons for the intervention of the social services and a summary of the measures taken,
  - information on the child’s current physical, psychological and social development,
  - information on the child’s special needs, including a medical report if the child has a medical condition,
  - the opinion of the child and of the parents,
  - information on the contacts between the child and its parents and relatives,
  - the reasons for the proposed placement or provision of care,
  - the expected duration of the placement,
  - arrangements for contact with the parents, other relatives or other persons with whom the child has a close relation, or the reasons why such contact is not contemplated in light of Article 8 of the European Convention on Human Rights,
  - any envisaged supervision of the measure,
  - information on any contemplated funding,
  - any other relevant information.

The central authority of the Slovak Republic will transmit the request, together with its annexes, to the Centre for Labour, Social Affairs and the Family (Ústredie práce, sociálnych vecí a rodiny), asking whether the required consent can be granted.

As a rule, consent should be granted if:

- the placement is in the child’s best interests,
- the child was heard in the proceedings abroad, apart from where this would be inappropriate owing to the child’s age or degree of maturity,
- the competent authority or natural person to which the child is entrusted has granted its consent and there are no reasons against such placement.

When placing a child in a centre for children and families the specific task of the Centre is to choose an appropriate childcare facility in Slovakia and to ensure a place for the child in the facility in question.

The Centre for Labour, Social Affairs and the Family transmits its recommendation to grant or not to grant consent to the Centre for International Legal Protection of Children and Youth, which will grant or refuse to grant consent on the basis of the evidence obtained. The decision, together with a statement of reasons, is sent to the requesting central authority, the centre for family and children in which the child is to be placed, or to the natural person to whom the child is to be entrusted. There is no judicial remedy against this decision.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

Yes, in the case of placement with a grandparent, with a sibling of the minor or with a sibling of the minor’s parent (see Slovakia’s comment on Article 82(2)).

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

No.

Last update: 06/05/2024

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Cross-border placement of a child including foster family - Finland

1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?

In Finland, consent for the placement of a child under Article 82 of Regulation (EU) 2019/1111 is given by the wellbeing services county in which the child is to be placed. If no location is specified in the request, consent is given by the wellbeing services county determined in accordance with section 17 of the Child Welfare Act (417/2007) – in other words, the location of the municipality in which the child or the child’s parents most recently resided or stayed. If the child or child's parents have not resided or stayed in any municipality in Finland, decision-making power belongs to the City of Helsinki authorities.

2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.
The consent procedure is not subject to any specific rules. The information prescribed in Article 82(1) of the Regulation is essential so that the wellbeing services county can arrange the services and support the child needs and monitor the placement. The wellbeing services county registers children placed in its territory. A child placed in Finland has specific rights, such as the right to proper treatment and high-quality foster care.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

In Finland, prior consent is required for all placements under Article 82 of the Regulation.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

No.

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Cross-border placement of a child including foster family - Sweden

1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?

Authorisation for the placement of a child in Sweden, pursuant to the Brussels II Regulation, is examined by the Social Welfare Board of the municipality where the child is to be placed.

2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

The Social Welfare Board may grant approval for an authority abroad to place a child in Sweden only if:
1. it is best for the child to be placed in Sweden, in particular in the light of the child’s links to Sweden,
2. the child’s attitude to the placement, to the extent that it is possible to gauge, has been ascertained,
3. the child’s guardian and, if the child is 15 years or older, the child consent to the placement,
4. the circumstances in the individual home and the conditions for care in the home have been investigated by the Social Welfare Board,
5. the child has a residence permit, if one is necessary, and

Information on the documents required in individual cases is provided by the municipality in question. Please contact the central authority in Sweden for more information.

3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

No, that rule does not apply.

4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

No.

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