

THE STUDY ON THE REQUIREMENTS AND CHILD ADOPTION PROCESS IN MALAYSIA



RESEARCH MANAGEMENT INSTITUTE
UNIVERSITI TEKNOLOGI MARA
40450 SHAH ALAM SELANGOR
MALAYSIA

BY:

IRNI ELIANA KHAIRUDDIN
NORA'AYU AHMAD UZIR
NORLIYA AHMAD KASSIM (PROF. MADYA DR.)

JULY 2012

Contents

1.	Letter of report Submission	I
2.	Letter of Offer (Research Grant)	II
3.	Enhanced Research Title and Objectives	III
4.	Enhanced Research Title and Objectives	IV
5.	Report	1
5.1	Proposed Executive Summary	1
5.2	Enhanced Executive Summary	2
5.3	Introduction	3
5.4	Brief Literature Review	5
5.5	Methodology.....	8
5.6	Result and Discussion	11
5.7	Conclusion and Recommendation	14
5.8	References	15
6.	Research Outcomes	V
7.	Appendix	VI

3.0 Acknowledgements

We owe many thanks and appreciation to everybody who helps me to complete this research. Special thanks dedicated to the following institutions which involved in this research:-

Research Management Institute, UiTM

Faculty of Information Management, UiTM

Malaysian Social Welfare Department

and

National Registration of Malaysia

5.2 Enhanced Executive Summary

Child adoption in Malaysia is under responsibility of National Registration Department of Malaysia and Malaysian Social Welfare department. The main objectives of this research are to identify the requirements of child adoption process of child adoption in Malaysia and to develop the process model of child adoption process in Malaysia. In general there are two types of adoptions in Malaysia - adoption of a Muslim child and adoption of a non-Muslim child (Crown, 2011). Prospective adoptive parent(s) who are non-Muslim may not adopt Muslim children. Whether it is a Muslim adoption or non-Muslim adoption, the adoptive parent(s) must be an ordinary resident in Malaysia, who are working and living in Malaysia for at least two years before the application and the prospective parent(s) may also be required to remain in Malaysia during the process, which can take some time. The Registration of Adoptions Act 1952 and relevant Syariah laws govern the adoption of a Muslim child in Malaysia. A prospective child may be identified for adoption privately or through the Social Welfare Department. A court petition is not required. The Muslim prospective adoptive parent applies to the National Registration Department to document the child as his/her adopted child. To qualify, the adoptive parent must have resided with and had continuous custody of the child for a period of not less than two years. The application should include evidence relating to the care, maintenance and education of the child during the two years from the date of the biological parent's statutory declaration relinquishing all parental rights. In Malaysia there two ways to adopt a child. It is either through direct adoption or through the Malaysian Social Welfare Program called 'Anak Pelihara'. Direct child adoption is a situation where a given child is given directly to the foster family by the biological parents. It is either the child is given since the baby were born or under 18 years old. Once the child is given to the foster family, a letter of consent needs to be made by the biological parents to declare that they are willing to give their children to the foster parents. Informal agreements between the biological and foster parents are illegal and not allowed. Together with the letter the child will be given to the foster parents. Within two years period of time, the foster parents will be monitor by the social welfare department of Malaysia. After the two years of period, the foster parents may register the adoption through a process named *de facto adoption*. While adoption through Malaysian Social Welfare Department is where married couple or single parent who wanted to have a child can also apply through Malaysia Social Department. There is a special program under Malaysia Social Department called "Anak Pelihara", where a child from Malaysia Social Department will be given to the future foster parents for them to take care. The whole process of adoption will be fully handled by Malaysia Social Department. The main objective of this program is to give a chance for both a married couple to have a child in the family. Both ways of adoption are currently legally practise in Malaysia.

5.3 Introduction

In Malaysia the most popular and sensitive issue is the discard babies. Almost everyday there are news that relate to this issue. Irresponsible people throw babies in the rubbish bin and even toilet. This wrongdoing is very inhumane. There should be a way to overcome this problem. One of it is through adoption. There are many of prospective families who are willing to take the baby for adoption.

Child adoption is a process to transfer a responsibility from a person to another. From the biological family to the future foster family, a lot of things need to be looked and managed properly. This is to avoid other circumstances that can happen in the future. The most important thing is the adoption process that should follow the legal practice. The flows of child adoption process in the Social Welfare Department in Malaysia need to be clearly identified.

In order to expedite the adoption process, an integrated information system should be developed. A comprehensive study should be done to identify the functional, non-functional and technical requirement to develop the information system.

The purpose of this study is to make sure that all Malaysia citizens are clear and understand the process of child adoption in Malaysia. This will help to reduce the issues on discard babies. Prospective families that have a clear understanding on the adoption process may adopt the babies according to the correct process.

Furthermore, by identifying the requirement to develop an integrated information system for child adoption process will help to develop the system in future. The system may be applicable to each of individual who are involve in the child adoption process and finally it will expedite the child adoption process.

Objectives

The objectives of this study are:

1. To identify the requirements of child adoption process of child adoption in Malaysia
2. To develop the process model of child adoption process in Malaysia

Significance of the Study

The research will have several significant areas. Firstly, for the discard baby issues, one of the objectives of this research is to ensure that Malaysia citizens understand the