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ADOPTION IN YUGOSLAV LAW

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In Yugoslavia the relation between adopter and adoptee is administered by the **Law on Adoption** which was enacted on April 1, 1947.

According to this Law adoption establishes between two persons the relation which exists between parents and their children.

In Yugoslav Law only a minor may be adopted. Adoption requires the consents of the adopter and of the parents or the guardian of the child to be adopted before the organ of guardianship competent for the person to be adopted. The consent of the minor is also required for his adoption if he is older than ten years.

Only a person at least 18 years the senior of the adoptee may be an adopter. Spouses may jointly adopt the same person.

In Yugoslav Law no relative of direct lineage or a brother or sister may be adopted. Also a guardian cannot adopt his ward until he is released of the duties of guardian.

Adoption is not permitted a) to a person sentenced to loss of political rights or to a person who has been deprived of parental right by court decision; b) to a person for whom there are sufficient grounds to suspect that he will abuse his position of adopter to the detriment of the adoptee; c) to a person who does not offer sufficient guarantee that he will bring the adoptee up and educate him to be a useful member of society; d) to a person who is unsound of mind or feeble-minded, or who is suffering from a disease that might menace the health and life of the adoptee.

The formalities for the conclusion of adoption is arranged by Articles 9-16. In Yugoslavia adoption should be entered into the birth register.

Adoption establishes the rights and duties between adopter on one side and adoptee and his descendants on the other. As a rule adoptee acquires all the rights and duties of a child. He bears the family name of his adopter and may succeed to him. However, if the adopter has children of his own, the rights of inheritance of the adoptee towards the adopter may be restricted or completely excluded.

The adopter exercises parental right and cares for the adopted child. However the adoptee keeps his rights and duties toward his parents.

In Yugoslav Law adoption may be dissolved by agreement between adopter and adoptee pursuant to the provisions valid for its conclusion. It may also be dissolved by the decision of the organ of guardianship if it is established that the justified interests of a minor adoptee so enjoin. Besides, adoption may also be dissolved by decision of the organ of guardianship at the request of the adopter or adoptee upon establishing that there are important grounds for this.

A final decision dissolving adoption is forwarded to the registrar for entry into the birth register.