GOVERNMENT OF THE REPUBLIC OF LITHUANIA

RESOLUTION
ON THE APPROVAL OF REGULATIONS OF THE STATE CHILD RIGHTS PROTECTION AND ADOPTION SERVICE UNDER THE MINISTRY OF SOCIAL SECURITY AND LABOUR

No. 1114 of 20 October 2005
Vilnius

Pursuant to Article 3.219(1) of the Civil Code of the Republic of Lithuania (Official Gazette, 2000, No. 74-2262), the Government of the Republic of Lithuania hereby resolves:

1. To change the name of the Adoption Service under the Ministry of Social Security and Labour into the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour.

2. To approve the Regulations of the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour (enclosed).


Prime Minister
Algirdas Brazauskas

Minister of Social Security and Labour
Vilija Blinkevičiūtė
REGULATIONS OF THE STATE CHILD RIGHTS PROTECTION AND ADOPTION SERVICE UNDER THE MINISTRY OF SOCIAL SECURITY AND LABOUR

I. GENERAL PROVISIONS

1. Regulations of the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour (hereinafter referred to as these Regulations) shall regulate the objectives and functions, the labour organisation, financing and monitoring of activities of the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour (hereinafter referred to as the Service).


3. The Ministry of Social Security and Labour shall perform the functions of the incorporator of the Service.

4. The Service shall be a public legal entity, a budgetary institution, which has its bank accounts and its seal bearing the National Emblem of Lithuania and the name of the Service. The office of the Service shall be located at Sodų g. 15, LT-03211 Vilnius, Republic of Lithuania.

II. OBJECTIVES AND FUNCTION OF THE SERVICE
5. The Service shall have the following objectives:

5.1. to ensure the implementation of the measures for the protection of children’s rights;

5.2. to organise adoption to the citizens of the Republic of Lithuania and to foreign nationals in the Republic of Lithuania;

5.3. to organise the implementation of the system of representation of children’s rights and legal interests in courts;

5.4. to organise the improvement of professional skills of specialists from municipal services of children’s rights protection and the training of guardians/curators and adoptive parents.

6. While implementing its objectives, the Service shall perform the following functions:

6.1. shall implement the measures for the protection of children’s rights;

6.2. shall protect (and represent) the rights and legal interests of the child before the public and municipal authorities and institutions, non-governmental organisations and other institutions;

6.3. shall co-ordinate the activities of the municipal services of children's rights protection and shall provide them methodical assistance on issues of actual implementation of children’s rights protection;

6.4. shall ensure the compliance with the provisions of Lithuanian legislation and international treaties to which the Republic of Lithuania is a contracting party, which regulate adoption;

6.5. shall collect statistical information about children from municipal services of children’s rights protection and from public authorities and institutions, shall organise, analyse and summarise it, and shall present it to the Ministry of Social Security and Labour and other public and municipal authorities on an annual basis;

6.6. shall collect, analyse and protect information about adoption; about children, previously permanent residents of the Republic of Lithuania, who have been adopted by the citizens of the Republic of Lithuania and by foreign nationals; about children who are nationals of the Republic of Lithuania and who permanently reside abroad, and about children who are not citizens of the Republic of Lithuania but who permanently reside in the Republic of Lithuania and are in the need of personal protection or of protection of their property; about children taken away in violation of the rights of guardianship; about children who are not citizens of the Republic of Lithuania but who are placed under the guardianship in Lithuania; about children who are citizens of the Republic of Lithuania and who become deprived of parental care abroad; and about children who are considered to be placed in the Republic of Lithuania;

6.7. shall collect and analyse information about national and foreign legislation that regulate adoption, international personal and property protection of minors, international
guardianship and enforcement of parental responsibility of children taken away in violation of the rights of guardianship or the placement of such children in a foreign country, the respective activities of similar foreign authorities, and shall present such information to the Ministry of Social Security and Labour;

6.8. shall decide on the authorisation of foreign authorities in respect of intercountry adoption in the Republic of Lithuania;

6.9. shall organise the improvement of professional skills in respect of children’s rights protection for specialists from municipal services of children’s rights protection;

6.10. shall organise the training and certification of specialists who perform the assessment of the readiness of guardians/curators and adoptive parents to provide guardianship/curatorship or to adopt;

6.11. shall provide the Ministry of Social Security and Labour with proposals, conclusions and draft legislation regarding the harmonisation of the practice of representation of the rights and legal interests of children in courts, and regarding other issues;

6.12. shall analyse applications or complaints submitted by natural or legal entities within the competence of the Service;

6.13. shall co-operate with public and municipal authorities and institutions, non-governmental organisations as well as foreign central authorities or their accredited institutions in the field of adoption and children’s rights protection;


III. RIGHTS OF THE SERVICE

7. While implementing its objectives and performing its functions, the Service shall be entitled to:

7.1. obtain information from public and municipal authorities and institutions, non-governmental organisations, also from the central authority or its accredited institution of the receiving State, on the matters within the competence of the Service;

7.2. use the assistance of specialists from public and municipal authorities and institutions as well as of representatives of non-governmental organisations for the analysis of problems to be dealt with;

7.3. get acquainted with the material of the permanent guardianship/curatorship or adoption cases examined in courts, within the competence of the Service;

7.4. organise conferences, seminars and other events within the competence of the Service;

7.5. obtain sponsorship as provided by the Law on Charity and Sponsorship of the Republic of Lithuania (Official Gazette, 1993, No. 21-506; 2000, No. 161-1818).

8. The Service may also enjoy other rights provided by the laws and regulations of the Republic of Lithuania.
IV. ORGANISATION OF ACTIVITIES OF THE SERVICE

9. The Minister of Social Security and Labour shall approve the structure of the Service.

10. The activities of the Service shall be managed by the Director to be appointed and dismissed by the Minister of Social Security and Labour following the procedure established by the Law on Civil Service of the Republic of Lithuania (Official Gazette, 1999, No. 66-2130; 2002, No. 45-1708).

11. The Director of the Service shall be subordinate and accountable to the Minister of Social Security and Labour.

12. The Director of the Service shall:
   12.1. manage the activities of the Service, organise and ensure the implementation of all objectives and functions assigned to the Service, and resolve the issues within its competence;
   12.2. within the limits of his/her competence, issue decrees and control their implementation;
   12.3. approve job descriptions of civil servants and employees of the Service who work under employment contracts, the rules of procedure of the Service, and other regulative documents of internal administration;
   12.4. employ and dismiss civil servants and employees who work under employment contracts, impose in-service and disciplinary penalties on them or provide incentives to them;
   12.5. approve the list of job descriptions of the Service without exceeding the funds allotted for wages;
   12.6. represent the Service before all public and municipal authorities and institutions, non-governmental organisations and other institutions, within the limits of his/her competence;
   12.7. present annual plans of activities and the annual operating report of the Service (the report to be submitted by March 1st) to the Minister of Social Security and Labour for approval;
   12.8. submit draft orders of the Minister of Social Security and Labour on the matters within the competence of the Service following the procedure provided by the law;
   12.9. perform other functions prescribed by legislation and comply with orders of the incorporator.

13. The Director may have his/her deputies. In the absence of the Director, his/her duties shall be performed by the authorised deputy Director.

14. The procedure and terms of payment of wages to the civil servants and employees of the Service who work under employment contracts shall be established by the Law on Civil Service of the Republic of Lithuania, the Labour Code of the Republic of Lithuania (Official Gazette, 2002, No. 64-2569) and other laws and regulations of the Republic of Lithuania.
V. FINANCING AND MONITORING OF ACTIVITIES OF THE SERVICE

15. The Service shall be financed from the State budget of the Republic of Lithuania.
16. The Service may also have other lawfully received funds.
17. The Service shall organise its bookkeeping and accounting according to the provisions of the laws and regulations of the Republic of Lithuania.
18. The Internal Audit Unit of the Ministry of Social Security and Labour shall perform the internal audit of the Service.
19. The National Audit Office of the Republic of Lithuania shall perform the state (financial and operating) audit of the Service according to the provisions of the laws and regulations of the Republic of Lithuania.

VI. FINAL PROVISIONS

20. The Service shall be restructured, reorganised or dissolved according to the provisions of the laws and regulations of the Republic of Lithuania.