

*Your responses suggest that it is not in the best interest of the child that you take primary care for him or her.*

**2.29 Exceptional circumstances — primary claimants who have no specific relationship with child**

- (2) For a person to whom this rule applies, the circumstances are as follows:
- (a) the partner of the birth mother, or of the adoptive parent, is incapable of caring for the child;
  - (b) the child was not entrusted to the care of the person, or to the care of the person's partner, under a decision by a State or Territory child protection agency under legislation dealing with child protection in the State or Territory;
  - (c) the Secretary is satisfied on reasonable grounds that:
    - (iii) it is in the interests of the child for the person to care for the child.

**2.31 Unreasonableness and interests of child**

- (2) For subparagraphs 2.28 (2) (b) (iii) and 2.29 (2) (c) (iii), in considering what is in the interests of the child, the Secretary is to consider the arrangements for the child's care with the person in comparison with the arrangements for the child's care in the child's previous family situation.

*Example*

The Secretary may consider that it is in the interests of the child for the person to care for the child if the child's birth mother refuses to provide any care for the child or because the child is severely disabled and the mother is incapable of providing for the child's needs.