

RAPPORT DU GROUPE DE TRAVAIL SUR LA COOPÉRATION ADMINISTRATIVE

*préparé par le Groupe de travail sur la coopération administrative
qui s'est réuni en janvier, mars et septembre 2007*

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REPORT OF THE ADMINISTRATIVE CO-OPERATION WORKING GROUP

*Prepared by the Administrative Co-operation Working Group
which met in January, March and September 2007*

*Document préliminaire No 34 d'octobre 2007
à l'intention de la Vingt et unième session de novembre 2007*

*Preliminary Document No 34 of June 2007
for the attention of the Twenty-First Session of October 2007*

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PART I
REPORT OF THE ADMINISTRATIVE CO-OPERATION WORKING GROUP

REPORT OF THE ADMINISTRATIVE CO-OPERATION WORKING GROUP
Australia, Austria, Belgium, Brazil, Canada, China, Costa Rica, Czech Republic,
European Community (European Commission), Finland, Germany,
Hungary (Co-convenor), Israel, Japan, Netherlands, New Zealand, Norway,
Poland, Romania, Slovenia, Sweden, Switzerland, United Kingdom,
United States of America (Co-convenor), DIJuF, IAWJ, IBA, and NCSEA¹

Introduction

1. At the Special Commission meeting of June 2004, the informal Administrative Co-operation Working Group became a fully constituted Hague Special Commission Working Group on the Operational Aspects of Administrative Co-operation. The Working Group's role as a formal committee, assisted by the Permanent Bureau, with an expanded number of co-convenors and sub-committee co-chairs, was to support the work of, and to report formally to, the Special Commission.

2. During the 1999 and 2003 Special Commissions, experts agreed that "the international system for the recovery of child support and other forms of family maintenance is excessively complex and that provisions for administrative co-operation need to be overhauled and properly monitored".² The view has been supported that "the establishment of an effective system of administrative co-operation will be an essential, and perhaps the most important, element in the new instrument on the international recovery of maintenance".³ Overall, the system should be capable of being cost effective, flexible and user-friendly, processing requests swiftly and should not impose obligations which are too burdensome.⁴ The Administrative Co-operation Working Group works to support these objectives.

Membership

3. Any Member of the Hague Conference and any State or International Organisation invited to participate in the Special Commission on the International Recovery of Child Support and other Forms of Family Maintenance could have taken part in the Working Group. Invitations to join in this work have been sent to all people attending the Special Commission meetings for the past three years.

4. Approximately 60 individuals from 24 countries and organisations participated in the Administrative Co-operation Working Group between the June 2006 Special Commission meeting and the November 2007 Diplomatic Session.

Goals

5. The Administrative Co-operation Working Group had two main goals:

- to improve administrative co-operation among those countries that handle international child support and other forms of family maintenance; and
- as appropriate, to develop possible recommendations on administrative co-operation for the Hague Special Commission meetings.

¹ The list includes all countries and Regional Economic Integration Organizations (REIOs) that have participated in ACWG activities since the formation of the ACWG. Not all countries or REIOs have participated in the ACWG every year since its formation.

² "Report on the first meeting of the Special Commission on the international recovery of child support and other forms of family maintenance (5-16 May 2003)", Prel. Doc. No 5 of October 2003, p. 15, drawn up for the attention of the Special Commission of June 2004.

³ "Towards a New Global Instrument on the International Recovery of Child Support and other Forms of Family Maintenance", Prel. Doc. No 3 of April 2003, Chap. II, paras 7 to 17 and 13, drawn up for the attention of the Special Commission of May 2003.

⁴ *Ibid.*, Chap. II, paras 15ss.

6. These goals are based on the assumption that improving administrative co-operation among countries is the key to improving international child support and other forms of family maintenance enforcement.

Structures

7. The Administrative Co-operation Working Group was structured as a working group, and decisions were reached by group consensus. Members of the Permanent Bureau of the Hague Conference on Private International Law served as facilitators, and Mary Helen Carlson (United States of America), Maria Kurucz (Hungary) and Jorge Aguilar Castillo (Costa Rica) were appointed as co-convenors of the Working Group.

8. Sub-committees were utilised in order to focus on priority topics that were identified by the Working Group. The Sub-committees were made up of volunteers from the numerous States and International Organisations invited to participate in the Special Commission.

Working methods

9. The Administrative Co-operation Working Group continued to undertake teleconferences between the 2006 Special Commission meeting and the 2007 Diplomatic Session. Teleconferences were in fact conducted in English though facilities were available on request for French and Spanish interpretation. Sub-committees met more frequently, also by teleconference calls, individual listserv's and e-mail. An in-person meeting was also held between the 2006 and 2007 Special Commission Meetings.

Activities

10. The Administrative Co-operation Working Group met twice via teleconference on 23 January 2007 and 27 September 2007. During the first teleconference, participants prioritised continuing to focus on two topics for the upcoming 2007 Special Commission: the Country Profile, and the Monitoring and Review of the Operation and Implementation of the Convention. The Working Group concluded that an in-person meeting would be necessary. The meeting was held in March 2007 in London, England.

11. The in-person meeting was broken into two parts: a Country Profile sub-committee meeting, and a monitoring and review-focused Administrative Co-operation Working Group meeting. The outcomes of this meeting will be discussed further in this report.

12. The Country Profile Sub-committee met March 14-15 in London. The Sub-committee was tasked with finalizing a Country Profile questionnaire, for the purpose of sharing "relevant country-specific information so that other countries can understand the administrative, operational and policy requirements for processing cases with that country".⁵ This profile will be an extremely useful tool for international case processing under the new Convention and is referenced in Article 51 of the January 2007 draft Convention,⁶ which provides "Contracting States may, in fulfilling their obligations..., utilise the Country Profile [Annex to the Convention]".

13. The Monitoring and Review of the Operation and Implementation of the Convention Sub-committee met March 15-16 in London and was tasked with furthering discussion on issues related to post-Convention implementation. Examples of such issues include determining various mechanisms for reviewing Convention implementation, disseminating good practices, and considering the establishment of an advisory committee that will provide ongoing post-Convention implementation assistance.

⁵ Work. Doc. No 5.

⁶ See Prel. Doc. No 25, art.51, available on the website of the Conference at < www.hcch.net >, under "Work in Progress" then "Maintenance Obligations".

14. The full reports of the two Sub-committees follow. It should be noted that throughout the year, consultations have taken place between the Administrative Co-operation Working Group and the Forms Working Group. (The Forms Working Group was previously a Sub-committee of the Administrative Co-operation Working Group but was made an independent Working Group under the coordination of the Permanent Bureau at the April 2005 Special Commission meeting.)

15. The work being carried out by the Administrative Co-operation Working Group and its Sub-Committees should be regarded as work "in progress". The Sub-committee reports contain many detailed suggestions, not all of which are necessarily supported by every member of the Sub-Committee or of the Administrative Co-operation Working Group. However, the Working Group as a whole has reviewed the Sub-committee reports and endorses their general directions, recognising the need for continuing work which will take into account any feedback and guidance from the Diplomatic Session.

PART II**REPORT OF THE MONITORING AND REVIEW OF THE OPERATION AND
IMPLEMENTATION OF THE CONVENTION SUB-COMMITTEE**

REPORT OF THE MONITORING AND REVIEW OF THE OPERATION AND IMPLEMENTATION OF THE CONVENTION SUB-COMMITTEE

Introduction

1. The 15-16 March 2007 Administrative Co-operation Working Group meeting in London, England afforded the Monitoring and Review Sub-committee an opportunity to discuss three main issues: 1) the development of streamlined processes that minimise costs as a means of providing effective access to procedures, 2) the development of Guides to Good Practices and other information that will assist countries that have implemented or are seeking to implement the Convention, and 3) the establishment and functions of a Central Authority Co-operation Committee under the Convention.

2. At the meeting, there were representatives from 14 countries (Brazil, Canada, China, Costa Rica, Finland, Germany, Hungary, Israel, New Zealand, Norway, Slovenia, Switzerland, the United Kingdom and the United States of America), the European Community (European Commission), the International Association of Women Judges, and the National Child Support Enforcement Association. In addition, Permanent Bureau representatives attended and shared knowledge and lessons learned from other family law Conventions that have proved helpful in deciding how to shape the monitoring and review of the Child Maintenance Convention.

The Development of Streamlined Processes that Minimize Costs as a means of Providing Effective Access to Procedures

3. One of the remaining issues with the draft Convention is whether or not States will charge for services they provide in international cases. While services provided by each State's Central Authority will be provided free-of-charge, the issue of whether other services, including legal assistance, should be provided free of charge has not been resolved. It was discussed at a Special Commission in May 2007.

4. The Monitoring and Review Subcommittee decided that it would help ACWG members and other States to better analyze the cost issue if there was a case processing flow chart that identified where costs (*e.g.*, translation, genetic testing, locating the debtor) might occur under the Convention. The flow chart was prepared by one ACWG member and was discussed at the London ACWG meeting. As a result of the discussion, it was agreed that it might be helpful to ACWG members and other delegates to the Special Commission if a number of countries identified procedures they had developed to minimize specific costs.

5. Australia, Brazil, Costa Rica, Norway and Slovakia prepared papers on simple judicial or administrative procedures in their States. Some of these countries also gave presentations on their systems during the May 2007 Special Commission meeting.

The development of Guides to Good Practice and other information that will support countries that have implemented or are seeking to implement the Convention

Guides to Good Practice

6. The following discussion of Good Practice Guides reflects the discussion at the ACWG London meeting and is presented here as it may be useful to other delegates. Of course, decisions about such Guides will be made by delegations at the Diplomatic Session or Special Commission meetings to review the practical operation of the Convention, and not by the ACWG.

7. Guides to Good Practice have proven beneficial under other Hague family law Conventions. In particular, a Good Practice Guide, to which there are three different parts, has been developed for the *Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction* (Child Abduction Convention). Such an example is extremely valuable to this Convention and the benefits are such that it seems likely that it would be useful for Good Practice Guides to be developed for the Maintenance Convention as well.

8. Guides could be developed by the Permanent Bureau in consultation with States, relevant Organisations, and the Central Authority Co-operation Committee (the latter will be discussed, below). Development of various types of guides would involve a mandate from the Diplomatic Session of Special Commission meetings to review the practical operation of the Convention. Once a mandate is established, the Permanent Bureau could work through questionnaires and consultative committees to reach consensus, with a Special Commission approving the end product.

9. Three main guides were identified as being potentially valuable to the Child Maintenance Convention: 1) a Guide to Implementation of the Convention, 2) a Guide to Good Practice on the Practical Operation of the Convention, and 3) a Guide to Operating an Effective Central Authority.

10. The Guide to implementation of the Convention could be used by States that are parties, or intend to become parties, to the Convention. The Guide could describe the steps necessary for a State to be able to implement the Convention. It could include steps which ensure the Convention will operate effectively upon entry into force, and list strategies and practices that have been successful for other States, including implementation examples and success stories.

11. It was suggested at the ACWG London meeting that the Guide to Implementation of the Convention should be developed soon after the Convention is adopted. An estimate for work on the Guide to Implementation is that a first draft could be developed from six to twelve months after the Diplomatic Session. At this point, a workgroup could review the draft, and possibly make a presentation of draft at a Special Commission meeting 18 months after the Diplomatic Session. With luck, final completion of the document could occur 2 years after the Diplomatic Session. The Guide could be revised as necessary, by producing a new edition, as Contracting States gain experience. The new edition to the Guide would build on successful practices listed and also provide examples of 'Lessons Learned' by Contracting States.

12. The Guide to Good Practice on the Practical Operation of the Convention could be a practical "how-to" Guide to help Contracting States meet their Convention obligations and perform necessary functions. The guide could focus on operational needs, but would contain recommended practices only and would not be legally binding nor infringe on the independence of the judiciary. Like the Guide to Implementation, this guide could be revised and updated as experience with the Convention develops.

13. The Guide to Operating an Effective Central Authority could be designed to assist both new and established Central Authorities, and save them time and effort, by putting at their disposal a range of tried and tested practices. The guide will discuss establishing the Central Authority, the role of the Requesting Central Authority, the role of the Requested Central Authority, and / or co-operation with other Central Authorities. It was suggested that this Guide would be most beneficial if work was started as soon as possible after the Diplomatic Session. Like the other guides, this Guide could be revised and updated as experience with the Convention develops.

14. Further Chapters of the Guide may be beneficial, as requested during the meetings of the Special Commission to review the practical operation of the Convention. The Special Commission will determine which further parts of the Guide will be needed, such as a guide on enforcement techniques or transfer of payments. It would be important to consider the efficient and timely means of updating the Guide.

Case Law Database

15. The ACWG also discussed the possibility of a case law database. It was generally agreed that this would be important because it encourages consistent Convention interpretation. Used by Central Authorities, judges, lawyers and individuals, information about case law under the Convention could be housed in a database maintained by the Permanent Bureau. The best example is the existing case law database for the Child Abduction Convention ("INCADAT").

Electronic Case Management and Communication System

16. It was suggested that the development of an electronic case management and communication system is one of the most effective means to enhance casework between countries. The Permanent Bureau is undertaking development of a system that could be implemented potentially in each Central Authority.

17. The goal of the system would be to manage cases, send and receive secured online applications under the Convention in different languages, and provide instructions to banks with regard to electronic transfer of funds. The ACWG members discussed various issues raised by a case management and communication system. These include a) the ability to use the case management system to produce reports on cases, b) whether the system will incorporate activities regarding collections and disbursements of collections, c) the need for Central authority contact information to be incorporated into the system, d) the need for open-text notes in the system where caseworkers can enter in additional information, e) how the system will handle translation into different languages, f) how the system will distinguish between incoming and outgoing cases, and g) the exclusion of direct application cases in the system.

18. An example of case management system is "iChild," the new case management software for the Child Abduction Convention. The development of this system involved a 3-month pilot with 14 States and a second 12-month pilot with seven Central Authorities after the software was revamped. Thirty Central authorities have expressed interest in incorporating iChild into their own system. iChild can generate statistics for the individual user (Central Authority) which may be added to the statistical database INCASTAT for child abduction cases which is hosted on the Hague Conference website.

Statistics

19. Statistical data reporting measures compliance and performance, helps to identify trends over time, and allows for analysis of progress made. Several ACWG members expressed the need to balance the need to minimize the burden of data collection on Central Authorities while ensuring the collection of data relevant to assist monitoring and review of the Convention and measure the results of the application of the Convention.

20. The types of data that may be most relevant to assisting the monitoring and review and measuring results of the application of the Convention could include the following: a) Number / volume of cases; b) Types of applications, such as establishment and recognition & enforcement; c) Percentage of amount recovered; and the time taken to process cases.

The Development of a Central Authority Co-operation Committee under the Future Convention

21. After the Diplomatic Session, it is recommended that the ACWG continue the valuable work it has been engaged in to this point. Participating States have found it to be a useful and productive experience, as well as a desirable aspect of post-Convention work. Specifically the ACWG would offer a forum for continuing discussion of issues of administrative co-operation as States begin to implement the Convention and would provide advice to the Permanent Bureau in relation to the development of Guides to Good Practice under the Convention. This interim arrangement would be with a view to considering in a subsequent Special Commission the establishment of a standing Central Authority Co-operation Committee.

22. The Special Commission would direct the Committee's activities. The Committee would not be a decision-making body; it would serve an advisory role as directed by the Special Commission once the Convention is in effect.

23. The objectives of such a Committee could be to provide an informal forum for the promotion of communication, co-operation and networking among Central Authorities; and to assist the Permanent Bureau of the Hague Conference on Private International Law, and the Central Authorities both in post-Convention monitoring and review activities and in providing implementation assistance.

24. The Central Authority Co-operation Committee would be informal and flexible.

25. Primary members might be Central Authorities of States that have joined or are considering joining the Convention. It was suggested that within this Committee, there could also be regional sub-committees. For example, Regions which have a common language or problems could develop their own Sub-Committees, from which representatives (who speak English / French) could participate in meetings or conference calls of the International Committee. This would at least partially address the problem of how to deal with language issues in the Committee.

26. The Special Commission would determine the functions of the group, which could include the following:

- A. Assist Central Authorities with implementation and operation of the Convention, including by
 - a) Providing an informal forum to discuss obstacles to the effective operation of the Convention and propose solutions, for example, reducing complaints under the Convention by identifying issues and taking steps to remove barriers and improve performance;
 - b) Providing an informal forum to discuss effective practices and procedures and promoting their use within and between authorities; and
 - c) Promoting and facilitating training for all bodies or persons involved in the international recovery of maintenance.

(Note: "training" includes familiarizing interested parties with the details of the Convention and its underlying principles, as well as identifying and sharing good practices. For example, a "twinning" arrangement could arise if a developing Central Authority seeks assistance from a developed

Central Authority to provide advice, model procedures, training and possibly an exchange of personnel for practical training and experience.)

- B. Assist the Permanent Bureau of the Hague Conference by
- a) Providing feedback and making observations on the practical operation of the Convention;
 - b) Providing assistance and input for the drafting of Guides to Good Practice;
 - c) Producing, for consideration by the Special Commission, a (draft) report on the activities of the Central Authority Co-operation Committee, including recommendations where appropriate; and
 - d) Supporting efforts for statistical data collection, analysis and reporting, the establishment and operation of a case law database, and the establishment and operation of a case management database.

27. The structure of the Central Authority Co-operation Committee could involve establishing, as needed, sub-committees to better address specific topics that are applicable to the mandate of the Central Authority Co-operation Committee. For example, Sub-committees may be needed to focus on different topics such as Training, Good Practice Guides, Problem-Solving and Communications.

PART III
REPORT OF THE COUNTRY PROFILE SUB-COMMITTEE

COUNTRY PROFILE REPORT

INTRODUCTION

1. The Sub-committee on Country Profiles / Information Exchange included representatives from Australia, Belgium, Canada, Germany, the National Child Support Enforcement Association (NCSEA), the Netherlands, Romania, the United Kingdom, the United States of America, and the Permanent Bureau of the Hague Conference on Private International Law. The co-chairs of this Sub-committee were Danièle Ménard, Senior Counsel and Coordinator, Support Enforcement Policy and Implementation Unit, Family Children and Youth Section of the Department of Justice Canada and Ann Barkley, Consultant and NCSEA representative.

2. In 2004 the Sub-committee drafted a Country Profile that included relevant country-specific information so that other countries could understand the administrative, operational, and policy requirements for processing cases with that country. A first Draft of the Country Profile was presented at the Special Commission held in June 2004 and subsequent Drafts were presented at the Special Commissions in April 2005 and June 2006.

3. The Sub-committee continued to refine the Country Profile between the 2006 and 2007 Special Commissions. The work done by this Sub-committee was accomplished by email, conference calls, and two in-person meetings held in Ottawa, Canada from March 13-14, 2006 and London, England from March 14-15, 2007. These very successful meetings were sponsored by the Canadian Department of Justice. Participants in the two meetings included representatives from Australia, Austria, Barbados, Belgium, Canada, China, Costa Rica, Czech Republic, Poland, Romania, Sweden, the United Kingdom, the United States of America, NCSEA and the Permanent Bureau. At the London meeting, Observers, who also commented during the discussions, included representatives from Brazil, Costa Rica, the European Community (European Commission), Finland, Israel, New Zealand, Norway and Slovenia.

4. The profile is intended to be an extremely useful tool for international case processing under the new Convention and is currently referenced in Article 51 of the June 2007 draft Convention,⁷ which says "Contracting States may, in fulfilling their obligations... utilise the Country Profile [Annex to the Convention]". Therefore, the Sub-committee has made every effort to ensure that the Country Profile closely tracks the relevant Articles of the Convention that define what countries obligations will be under the Convention. In this context, the primary concern of the Sub-committee and participants at the London meeting was that the adopted Convention clearly describes when information is to be provided and be more explicit about what information is mandatory for States Party to the Convention and which is recommended for efficient processing.

5. The Sub-committee also worked on the organisation of the Country Profile and decided that the Country Profile should be divided in stages keeping in mind that it should reflect the language of the draft Convention, be more user-friendly and be adapted to countries that have very different systems, such as court-based and administrative systems or federal and unified States. Stage 1 reflects the minimum or mandatory information required under the Convention upon ratification and which is needed for efficient processing. Stage 2 is the information that may be provided at a later date and is recommended for better operations under the Convention.

⁷ See Prel. Doc. No 29 op. cit., Art. 51.

6. The consensus of the London meeting regarding the time and cost to complete the Country Profile was threefold: First, that electronic availability of the Country Profile and the inclusion of check-off or tick boxes in lieu of questions that elicit narrative answers will greatly reduce the length of time required to respond to the questions; Second, the elimination of narrative answers will dramatically reduce the costs of translation. In support of this consensus, participating countries at the London meeting agreed that they would voluntarily translate the original document (which will be provided to delegates in English, French and Spanish) into their own country-specific languages if needed to support the adopted Convention; Third, that the Country Profile should include a Table of Content including the headings of the Country Profile, provide references to the Articles of the Convention for each question where possible, and provide easily viewable spaces of the last update by participating country.

7. The consensus of the London meeting was that the Country Profile should not be annexed to the Convention. Participants thought it unwise to wait for years between amendments to the Convention to update the document. Also, participants recognize that the Country Profile presented to the Diplomatic Session in November 2007 will need to be modified to reflect the final decisions of the Diplomatic Session. Therefore, the Sub-committee recommends that the Country Profile be recommended in Article 51(2)⁸ and published by the Hague Conference. The sub-committee suggests using the same wording as Article 11 Option 1 (4).⁹

8. With regards to the timing for submittal of the information required by the Convention, the Sub-committee supports the language of Article 51(1)¹⁰ of the draft Convention dated June 2007.

9. The Sub-committee agrees with Article 51(3),¹¹ "Information shall be kept up-to-date by the Contracting States." The Sub-committee recommends that any changes in the information provided about the Central Authority be made immediately. The electronic format of the recommended Country Profile provides an easy means of making those changes quickly and accurately. The consensus of the London meeting and the recommendation of the Sub-committee is that countries be reminded to update their required information annually.

⁸ *Ibid.*

⁹ *Ibid.*, Art. 11.

¹⁰ *Ibid.*, Art. 51.

¹¹ *Ibid.*

PART IV
THE COUNTRY PROFILE

FOREWORD TO THE COUNTRY PROFILE

A Contracting State may use this Country Profile to fulfill its obligations to provide information to the Hague Conference on Private International Law under the Convention on the International Recovery of Child Support and other Forms of Family Maintenance.

The document is divided into two stages. Stage 1 includes information that addresses the compulsory requirements of the Convention¹ and other information that will be necessary for implementation of the Convention. Stage 2 includes additional information which may facilitate implementation of the Convention.

The Country Profile is a standardized document that will be available to States to complete, view, and update electronically. The Country Profile is intended to facilitate:

- a) timely compliance with the obligations of the Convention with a minimum of administrative effort
- b) information exchanges between Contracting States
- c) cost effective translation of the information provided by Contracting States into English, French, Spanish, and other languages as required by Contracting States
- d) accurate and prompt case processing by well informed caseworkers
- e) knowledgeable service to applicants under the convention
- f) prompt updates of the information provided

This draft Country Profile is based on Preliminary Document 29 of June 2007. It will be amended to accurately reflect the decisions of the Diplomatic Session of November 2007.

¹ Arts 4(3), 5 b), 6(3), 32 [and 51].

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DRAFT FOR CONSIDERATION BY MEMBERS – 2 August 2007
Prepared for the Administrative Co-operation Working Group

NAME OF THE COUNTRY THAT COMPLETED THE PROFILE WILL APPEAR HERE
(It will be done automatically in the electronic format of the Profile)

STAGE 1

Last update of the Country Profile: [INSERT DATE]

STATES ARE ENCOURAGED TO INCLUDE INTERNET SITES WHERE THAT WILL PROVIDE ADDITIONAL RELEVANT INFORMATION. STATES SHOULD NOT PROVIDE AN INTERNET SITE AS A COMPLETE ANSWER TO ANY QUESTION.

I – DESIGNATED CENTRAL AUTHORITIES (Art. 4 of Prel. Doc. No 29 of June 2007)

1. CENTRAL AUTHORITY TO WHICH COMMUNICATION SHOULD BE ADDRESSED

- a. Name
- b. Address

- c. Territorial or personal extent of functions, if applicable
- d. Telephone
- e. Fax
- f. Email
- g. Web site
- h. Contact person(s)
- i. Language

Last Update: [INSERT DATE] (It will be done automatically in the electronic format of the Profile)

2. OTHER DESIGNATED CENTRAL AUTHORITY (IF APPLICABLE)

- a. Name
- b. Address

- c. Territorial or personal extent of functions, if applicable
- d. Telephone
- e. Fax
- f. Email
- g. Web site
- h. Contact person(s)
- i. Language

Last Update: [INSERT DATE] (It will be done automatically in the electronic format of the Profile)

DRAFT FOR CONSIDERATION BY MEMBERS – 2 August 2007
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NAME OF THE COUNTRY THAT COMPLETED THE PROFILE WILL APPEAR HERE
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3. LANGUAGE REQUIREMENTS (Art. 41 of Prel. Doc. No 29 of June 2007)	
a. Does your State require that any application and related documents be accompanied by a translation? If yes, in what language? (Art. 41(1) of Prel. Doc. No 29 of June 2007)	<input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Into official language of our State; <input type="checkbox"/> Into another language. Please specify.
b. Does your State have more than one official language?	<input type="checkbox"/> No <input type="checkbox"/> Yes, please specify
c. If you have more than one official language in your State and cannot, for reasons of internal law, accept for the whole of your territory documents in one of those languages, please specify the language in which documents or translations shall be drawn up for submission in the specified parts of your territory. (Art. 41(2) of Prel. Doc. No 29 of June 2007)	
d. For other communications between Central Authorities, do you object to the use of either French or English? (Arts 41(3) and 57 of Prel. Doc. No 29 of June 2007)	<input type="checkbox"/> No <input type="checkbox"/> Yes, <input type="checkbox"/> Object to English <input type="checkbox"/> Object to French

Last Update: [INSERT DATE] (It will be done automatically in the electronic format of the Profile)

4. FUNCTIONS OF CENTRAL AUTHORITIES	
a. Can the functions of the Central Authorities be performed by public bodies, or other bodies subject to the supervision of the competent authorities of your State? (Art. 6(3) of Prel. Doc. No 29 of June 2007)	<input type="checkbox"/> No <input type="checkbox"/> Yes, please complete 4(b) below.
b. Designation and contact details of any such public bodies, other bodies and the extent of their functions. (Art. 6(3) of Prel. Doc. No 29 of June 2007)	Name Address Territorial and / or personal extent of functions Telephone Fax Email Web site Contact person(s)

DRAFT FOR CONSIDERATION BY MEMBERS – 2 August 2007
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NAME OF THE COUNTRY THAT COMPLETED THE PROFILE WILL APPEAR HERE
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<p>c. Do you have an agreement with another Contracting State for the purpose of improving the application of the Convention between yourself and that other Contracting State?</p> <p>(Art. 45 of Prel. Doc. No 29 of June 2007)</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> bi-lateral agreement (please provide a link or a copy to that agreement);</p> <p><input type="checkbox"/> other (please provide a link or a copy to that agreement)</p>
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Last Update: [INSERT DATE] (It will be done automatically in the electronic format of the Profile)

<p>5. SPECIFIC FUNCTIONS OF THE CENTRAL AUTHORITIES IN RELATION TO APPLICATIONS UNDER CHAPTER III (Art. 6(2) of Prel. Doc. No 29 of June 2007)</p>	
<p>a. How do you provide or facilitate the provision of legal assistance in your State? Please specify for applications at first instance and applications at appeal stage.</p> <p>(Art. 6(2) a) of Prel. Doc. No 29 of June 2007)</p>	<p><u>Legal assistance for applications at first instance</u></p> <p><input type="checkbox"/> Procedures are designed to enable the applicant to make the case without the need for legal assistance and the Central Authority provides such services as are necessary free of charge;</p> <p><input type="checkbox"/> Legal assistance is provided by the Central Authority;</p> <p><input type="checkbox"/> Legal assistance is provided by designated public bodies - please specify;</p> <p><input type="checkbox"/> Legal assistance is provided by other designated bodies subject to the supervision of competent authorities - please specify;</p> <p><input type="checkbox"/> Other, please specify.</p> <p><u>Legal assistance for applications at appeal stage</u></p> <p><input type="checkbox"/> Procedures are designed to enable the applicant to make the case without the need for legal assistance and the Central Authority provides such services as are necessary free of charge;</p> <p><input type="checkbox"/> Legal assistance is provided by the Central Authority;</p> <p><input type="checkbox"/> Legal assistance is provided by designated public bodies - please specify;</p> <p><input type="checkbox"/> Legal assistance is provided by other designated bodies subject to the supervision of competent authorities - please specify;</p> <p><input type="checkbox"/> Other, please specify.</p>

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<p>b. How do you help locate a debtor or creditor resident in your State? (Art. 6(2) <i>b</i>) of Prel. Doc. No 29 of June 2007)</p>	<p><input type="checkbox"/> The Central Authority conducts a manual search, using the following publicly available directories:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Telephone directory; <input type="checkbox"/> Electoral roll; <input type="checkbox"/> Other. Please identify. <p><input type="checkbox"/> The Central Authority conducts an automated search, using the following government databases:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Social security database; <input type="checkbox"/> Taxation database; <input type="checkbox"/> Employment database; <input type="checkbox"/> Transportation database; <input type="checkbox"/> Other. Please specify. <p><input type="checkbox"/> The Central Authority refers a locate request to an appropriate public body, which provides locate services. Please specify.</p> <p><input type="checkbox"/> The Central Authority refers a locate request to a private entity, which provides locate services. Please specify.</p> <p><input type="checkbox"/> Other, please specify.</p>
<p>c. How do you help obtain relevant information concerning the income and if necessary other financial circumstances of the debtor or creditor resident in your State, including the location of assets? (Art. 6(2) <i>c</i>) of Prel. Doc. No 29 of June 2007)</p>	<p><input type="checkbox"/> The Central Authority has access to the following information through available databases:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Wages; <input type="checkbox"/> Other income; <input type="checkbox"/> Tax information; <input type="checkbox"/> Receipt of public assistance; <input type="checkbox"/> Financial institution records; <input type="checkbox"/> Ownership of motor vehicles; <input type="checkbox"/> Land and title registry; <input type="checkbox"/> Moveable property registry; <input type="checkbox"/> Other. Please specify.

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	<ul style="list-style-type: none"> <input type="checkbox"/> The Central Authority refers the application to the appropriate public body that can obtain relevant financial and asset information. Please specify. <input type="checkbox"/> The Central Authority will contact the debtor or creditor and request that the individual provide information about his or her financial circumstances. <input type="checkbox"/> The Central Authority will exercise legal powers to require that information be provided by persons or bodies, where applicable. <input type="checkbox"/> Other, please specify.
<p>d. How do you encourage amicable solutions with a view to obtaining voluntary payment of child maintenance, where suitable by use of mediation, conciliation, or similar processes? (Art. 6(2) d) of Prel. Doc. No 29 of June 2007)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The use of mediation, conciliation, or similar processes is mandatory in every child maintenance case; <input type="checkbox"/> The Central Authority encourages the use of mediation, conciliation, or similar processes in every child maintenance case; <input type="checkbox"/> The use of mediation, conciliation, or similar processes depends upon the facts of the case. Please specify; <input type="checkbox"/> Other, please specify.
<p>e. How do you facilitate the ongoing enforcement of child maintenance decisions including any arrears? (Art. 6(2) e) of Prel. Doc. No 29 of June 2007)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The Central Authority has enforcement responsibility. Enforcement remedies are listed in stage I, question IV.4.a; <input type="checkbox"/> The Central Authority refers an application requiring ongoing enforcement to the appropriate public body. Enforcement remedies are listed in stage I, question IV.4.a; <input type="checkbox"/> Other, please specify.

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<p>f. How do you facilitate the collection and expeditious transfer of child maintenance payments?</p> <p>(Art. 6(2) f) of Prel. Doc. No 29 of June 2007)</p>	<p>Collection of payments within the Requested State</p> <p><input type="checkbox"/> The Central Authority is responsible for the collection of child maintenance payments:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Payments must be made to a central location; <input type="checkbox"/> Payments may be made at local locations; <input type="checkbox"/> Payment may be made by preauthorized withdrawal from a financial institution account; <input type="checkbox"/> Payments may be made by payroll deductions; <input type="checkbox"/> Payments may be made by cheque or warrant; <input type="checkbox"/> Payments may be made by credit card; <input type="checkbox"/> Payments may be made by electronic funds transfer; <input type="checkbox"/> Payment may be made by cash; <input type="checkbox"/> Other, please specify. <p><input type="checkbox"/> The Central Authority is not responsible for the collection of child maintenance. It refers an application requiring ongoing collection to the appropriate public body for collection of payments.</p> <p><input type="checkbox"/> The Central Authority is not responsible for the collection of child maintenance payments. This collection is handled privately.</p> <p>Transfer of payments to the Requesting State</p> <p><input type="checkbox"/> The Central Authority or public body is responsible for transferring child maintenance payments:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Payments may be transferred by cheque; <input type="checkbox"/> Payments may be transferred by electronic funds transfer. <p><input type="checkbox"/> Upon request from a Central Authority in the requesting State, the Central Authority will obtain and provide information from the appropriate public body concerning the transfer of child maintenance payments.</p> <p><input type="checkbox"/> Other, please specify.</p>
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<p>g. How do you facilitate the obtaining of documentary or other evidence? (Art. 6(2) <i>g</i>) of Prel. Doc. No 29 of June 2007)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The Central Authority applies the following treaties or Conventions: <ul style="list-style-type: none"> <input type="checkbox"/> Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters; <input type="checkbox"/> Other. Please specify. <input type="checkbox"/> The Central Authority applies domestic law to obtain documentary or other evidence. <input type="checkbox"/> Under the above treaties, Conventions, or laws, the Central Authority is responsible for the following: <ul style="list-style-type: none"> <input type="checkbox"/> Issuing an administrative subpoena to obtain documentary or other evidence; <input type="checkbox"/> Referring the matter to the appropriate competent authority to obtain documentary or other evidence; <input type="checkbox"/> Seeking the voluntary submission of documentary or other evidence; <input type="checkbox"/> Other, please specify.
<p>h. How do you provide assistance in establishing parentage where necessary for the recovery of maintenance? (Art. 6(2) <i>h</i>) of Prel. Doc. No 29 of June 2007)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The Central Authority will provide the following assistance, if necessary: <ul style="list-style-type: none"> <input type="checkbox"/> Coordinate genetic testing; <input type="checkbox"/> Seek a voluntary acknowledgment of parentage; <input type="checkbox"/> Seek a legal determination of parentage through a judicial proceeding; <input type="checkbox"/> Seek a legal determination of parentage through an administrative proceeding; <input type="checkbox"/> Other, please specify. <input type="checkbox"/> The Central Authority will refer an application, where the establishment of parentage is necessary for the recovery of maintenance, to the appropriate competent authority. Please specify. <input type="checkbox"/> Other, please specify.

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<p>[i. How do you initiate or facilitate the institution of proceedings to obtain any necessary provisional measures that are territorial in nature and the purpose of which is to secure the outcome of a pending child maintenance application], <i>e.g.</i>, freezing or attaching an asset? (Art. 6(2) <i>i</i>) of Prel. Doc. No 29 of June 2007)</p>	<p><input type="checkbox"/> The Central Authority has authority to initiate such proceedings;</p> <p><input type="checkbox"/> The Central Authority lacks authority to initiate such proceedings. It will refer the matter to the appropriate public body to initiate such proceedings;</p> <p><input type="checkbox"/> Such provisional measures are not available under domestic law;</p> <p><input type="checkbox"/> Other, please specify.</p>
<p>j. How do you facilitate service of documents? (Art. 6(2) <i>j</i>) of Prel. Doc. No 29 of June 2007)</p>	<p><input type="checkbox"/> The Central Authority complies with the requirements of the following treaties or Conventions:</p> <p style="padding-left: 20px;"><input type="checkbox"/> Hague Convention on Service of Documents;</p> <p style="padding-left: 20px;"><input type="checkbox"/> Other. Please specify.</p> <p><input type="checkbox"/> The Central Authority complies with domestic law that governs the service of documents.</p> <p><input type="checkbox"/> Under the above treaties, Conventions, or laws, the Central Authority is responsible for the following:</p> <p style="padding-left: 20px;"><input type="checkbox"/> Service of documents for a fee;</p> <p style="padding-left: 20px;"><input type="checkbox"/> Service of documents at no cost to the applicant;</p> <p style="padding-left: 20px;"><input type="checkbox"/> Forwarding the documents needing to be served to the appropriate public body;</p> <p style="padding-left: 20px;"><input type="checkbox"/> Forwarding the documents needing to be served to a private contractor;</p> <p style="padding-left: 20px;"><input type="checkbox"/> Other, please specify.</p>

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II – INFORMATION CONCERNING APPLICATIONS UNDER THE CONVENTION (Art. 10 of Prel. Doc. No 29 of June 2007)	
1. APPLICATIONS FOR RECOGNITION OR RECOGNITION AND ENFORCEMENT OF A DECISION MADE IN A CONTRACTING STATE (Art. 10(1) a) of Prel. Doc. No 29 of June 2007)	
<p>a. Has your State made a reservation to a basis for recognition and enforcement under Article 17(1) c), e), f) of the Convention? Please check all that apply.</p> <p>(Art. 17(1) c), e), f) of Prel. Doc. No 29 of June 2007)</p>	<p><input type="checkbox"/> No;</p> <p><input type="checkbox"/> Yes;</p> <p><input type="checkbox"/> The creditor was habitually resident in the State of origin at the time proceedings were instituted;</p> <p><input type="checkbox"/> Except in disputes relating to maintenance obligations in respect of children, there has been agreement to the jurisdiction in writing by the parties;</p> <p><input type="checkbox"/> The decision was made by an authority exercising jurisdiction on a matter of personal status or parental responsibility, unless that jurisdiction was based solely on the nationality of one of the parties.</p>
<p>b. The following is information required by Article 11 and 21 to be included in an application for recognition or recognition and enforcement of a maintenance decision made in another Contracting State.</p> <p>(Arts 11 and 21 of Prel. Doc. No 29 of June 2007)</p>	<p><u>About the creditor:</u></p> <p><input checked="" type="checkbox"/> Full name (required);</p> <p><input checked="" type="checkbox"/> Date of birth (required);</p> <p><input checked="" type="checkbox"/> Address (required);</p> <p><input checked="" type="checkbox"/> Contact details (required);</p> <p><u>About the debtor:</u></p> <p><input checked="" type="checkbox"/> Full name (required);</p> <p><input checked="" type="checkbox"/> Date of birth, if known (required);</p> <p><input checked="" type="checkbox"/> Address, if known (required);</p> <p><u>About the person for whom child maintenance is sought:</u></p> <p><input checked="" type="checkbox"/> Full name (required);</p> <p><input checked="" type="checkbox"/> Date of birth (required);</p> <p><u>Other information:</u></p> <p><input checked="" type="checkbox"/> Nature of the application (required);</p> <p><input checked="" type="checkbox"/> The grounds upon which the application is based (required);</p> <p><input checked="" type="checkbox"/> If the applicant is the creditor, information concerning where the maintenance payment should be sent or electronically transmitted (required);</p> <p><input checked="" type="checkbox"/> Information or document specified by declaration in accordance with Article 58 (required);</p> <p><input checked="" type="checkbox"/> [The name and contact details of the person or unit from the Central Authority responsible for processing the application.] (required).</p>

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<p>c. According to Articles 11(3) and 21, the following documents are the only documents that a State can require for recognition or recognition and enforcement of a maintenance decision made in another Contracting State. Please check all that apply.</p> <p>(Arts 11(3) and 21 of Prel. Doc. No 29 of June 2007)</p>	<p><input checked="" type="checkbox"/> A complete text of the decision (required);</p> <p><input checked="" type="checkbox"/> A document stating that the decision is enforceable in the State of origin and, in the case of a decision by an administrative authority, a document stating that the requirements of Article 16(3) of the convention are met (required);</p> <p><input checked="" type="checkbox"/> If the respondent did not appear in the proceedings in the State of origin, a document establishing that the respondent had proper notice of the proceedings and an opportunity to be heard or that the respondent had proper notice of the decision and the opportunity to challenge it on fact and law (required);</p> <p><input checked="" type="checkbox"/> A document showing the amount of any arrears and the date such amount was calculated (required);</p> <p><input checked="" type="checkbox"/> In the case of a decision providing for automatic adjustment by indexation, a document providing the information necessary to make the appropriate calculations (required);</p> <p><input checked="" type="checkbox"/> Documentation showing the extent to which the applicant received free legal assistance in the State of origin (required);</p> <p><input type="checkbox"/> An abstract or extract of the decision drawn up by the competent authority of the state of origin, in lieu of the complete text of the decision.</p>
<p>d. Do you have a prescribed or preferred form for an application to recognize and enforce a decision? If yes, please attach a copy, a website or both.</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes – the standard form recommended and published by the Hague Conference;</p> <p><input type="checkbox"/> Yes – the form is attached or available through a linked website (please provide) or both.</p>
<p>e. Are there any differences to the information above when the application is made by a public body, which claims reimbursement of benefits provided in place of maintenance? If yes, please specify.</p> <p>(Arts 2(4) and 33 of Prel. Doc. No 29 of June 2007)</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, please specify</p>
<p>f. Are there any differences compared to the above if the application is for a maintenance obligation other than child maintenance? If yes, please specify.</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, please specify</p>

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2. APPLICATIONS FOR ENFORCEMENT OF A DECISION MADE OR RECOGNISED IN YOUR STATE (Art. 10(1) *b*) of Prel. Doc. No 29 of June 2007)

a. In addition to pre-checked application contents required by Article 11, what information do you need in order to process an application for enforcement of a child maintenance decision made or recognised in your State?

(Art. 11 of Prel. Doc. No 29 of June 2007)

About the creditor:

- Full name (required);
- Date of birth (required);
- Address (required);
- Contact details (required);
- Personal identification number (such as the social security number);
- Other, please specify.

About the debtor:

- Full name (required);
- Date of birth, if known (required);
- Address, if known (required);
- Telephone number, if known;
- Financial circumstances, if known;
- Name and address of employer, if known;
- Nature and location of assets, if known;
- Any other information that may assist in location of debtor;
- Personal identification number (such as the social security number);
- Other, please specify.

About the person for whom child maintenance is sought:

- Full name (required);
- Date of birth (required);
- Care arrangements;
- Personal identification number (such as the social security number);
- Other, please specify.

Other information:

- Nature of the application (required);
- The grounds upon which the application is based (required);

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	<input checked="" type="checkbox"/> If the applicant is the creditor, information concerning where the child maintenance payment should be sent or electronically transmitted (required); <input checked="" type="checkbox"/> [The name and contact details of the person or unit from the Central Authority responsible for processing the application.] (required); <input type="checkbox"/> Other, please specify.
<p>b. What <u>documents</u> do you require to accept an application to enforce a child maintenance decision made or recognised in your State? Please specify if any documents must be original and if certification is required for copies.</p> <p>(Art. 21 of Prel. Doc. No 29 of June 2007)</p>	<input type="checkbox"/> A complete text of the decision; <input type="checkbox"/> A document showing the amount of any arrears and the date such amount was calculated; <input type="checkbox"/> In the case of a decision providing for automatic adjustment by indexation, a document providing the information necessary to make the appropriate calculations; <input type="checkbox"/> Documentation showing the extent to which the applicant received free legal assistance in the State of origin; <input type="checkbox"/> Other, please specify.
<p>c. Can you accept an application to enforce a decision for a prior period only?</p>	<input type="checkbox"/> No <input type="checkbox"/> Yes, - Please specify
<p>d. Do you have a prescribed or preferred form for an application to enforce a child maintenance decision made or recognised in your State? If yes, please attach a copy.</p>	<input type="checkbox"/> No <input type="checkbox"/> Yes – the standard form recommended and published by the Hague Conference; <input type="checkbox"/> Yes – the form is attached or available through a linked website (please provide) or both.
<p>e. Are there any differences to the information above when the application is made by a public body, which claims reimbursement of benefits provided in place of maintenance? If so, please specify.</p> <p>(Art. 2(4) of Prel. Doc. No 29 of June 2007)</p>	<input type="checkbox"/> No <input type="checkbox"/> Yes, please specify
<p>f. Are there any differences compared to the above if the application is for a maintenance obligation other than child maintenance? If so, please specify.</p>	<input type="checkbox"/> No <input type="checkbox"/> Yes, please specify

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3. APPLICATIONS TO ESTABLISH A DECISION IN YOUR STATE (Art. 10(1) c) of Prel. Doc. No 29 of June 2007)

Add in the electronic version of the Profile, something that will allow repeating the answers given in response to the questions under subsection II.3 to similar questions asked under subsection II.4 and II.5.

a. What are the jurisdictional bases in your State for establishing child maintenance obligations that correspond to the following bases for recognition and enforcement provided for under the Convention?

(Art. 17 of Prel. Doc. No 29 of June 2007)

- The debtor was habitually resident here at the time proceedings were instituted;
- The debtor has submitted to the jurisdiction either expressly or by defending on the merits of the case without objecting to the jurisdiction at the first available opportunity;
- The creditor was habitually resident here at the time proceedings were instituted;
- The child for whom maintenance is sought was habitually resident here at the time proceedings were instituted, provided that the debtor has lived with the child in that State or has resided in that State and provided maintenance for the child there;
- Except in disputes relating to maintenance obligations in respect of children, there has been agreement to the jurisdiction in writing by the parties;
- The authority has jurisdiction on a matter of personal status or parental responsibility that is not based solely on the nationality of one of the parties;
- Nationality of the child;
- Nationality of the debtor;
- Other, please specify.

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<p>b. In addition to pre-checked application contents required by Article 11, what <u>information</u> do you need in order to process an application to establish a child maintenance decision?</p> <p>(Art. 11 of Prel. Doc. No 29 of June 2007)</p>	<p><u>About the creditor:</u></p> <p><input checked="" type="checkbox"/> Full name (required);</p> <p><input checked="" type="checkbox"/> Date of birth (required);</p> <p><input checked="" type="checkbox"/> Address (required);</p> <p><input checked="" type="checkbox"/> Contact details (required);</p> <p><input type="checkbox"/> Financial circumstances;</p> <p><input type="checkbox"/> Assets and liabilities, if known;</p> <p><input type="checkbox"/> Personal identification number (such as the Social security number);</p> <p><input type="checkbox"/> Other, please specify.</p> <p><u>About the debtor:</u></p> <p><input checked="" type="checkbox"/> Full name (required);</p> <p><input checked="" type="checkbox"/> Date of birth, if known (required);</p> <p><input checked="" type="checkbox"/> Address, if known (required);</p> <p><input type="checkbox"/> Telephone number, if known;</p> <p><input type="checkbox"/> Financial circumstances, if known;</p> <p><input type="checkbox"/> Name and address of employer, if known;</p> <p><input type="checkbox"/> Nature and location of assets, if known;</p> <p><input type="checkbox"/> Any other information that may assist in location of debtor;</p> <p><input type="checkbox"/> Personal identification number (such as the social security number);</p> <p><input type="checkbox"/> Other, please specify.</p> <p><u>About the person for whom child maintenance is sought:</u></p> <p><input checked="" type="checkbox"/> Full name (required);</p> <p><input checked="" type="checkbox"/> Date of birth (required);</p> <p><input type="checkbox"/> Identification of parents;</p> <p><input type="checkbox"/> Care arrangements;</p> <p><input type="checkbox"/> Personal identification number (such as the social security number);</p> <p><input type="checkbox"/> Other, please specify.</p>
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	<p><u>Other information:</u></p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Nature of the application (required); <input checked="" type="checkbox"/> The grounds upon which the application is based (required) <input checked="" type="checkbox"/> If the applicant is the creditor, information concerning where the child maintenance payment should be sent or electronically transmitted (required); <input checked="" type="checkbox"/> [The name and contact details of the person or unit from the Central Authority responsible for processing the application.] (required); <input type="checkbox"/> Case history, please specify (<i>i.e.</i>, if there is an agreement between the parties or not); <input type="checkbox"/> Family history, please specify (<i>i.e.</i>, if the parties were married, how many children); <input type="checkbox"/> Other, please specify.
<p>c. What <u>documents</u> do you require to accompany an application to establish a child maintenance decision? Please specify if any documents must be original and if certification is required for copies.</p> <p>(Art. 11(3) of Prel. Doc. No 29 of June 2007)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Evidence of birth (Birth certificate); <input type="checkbox"/> Evidence of obligation to provide maintenance; <ul style="list-style-type: none"> <input type="checkbox"/> Yes, please see question II.3.g. <input type="checkbox"/> Financial statement: <ul style="list-style-type: none"> <input type="checkbox"/> Creditor; <input type="checkbox"/> Child; <input type="checkbox"/> Child status: <ul style="list-style-type: none"> <input type="checkbox"/> Evidence of attendance at secondary or post-secondary educational institution; <input type="checkbox"/> Evidence of disability; <input type="checkbox"/> Other, please specify. <input type="checkbox"/> Any existing child maintenance orders or written agreements between the parties, or relating to any child for whom maintenance is claimed; <input type="checkbox"/> Other, please specify.

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<p>d. Is there a time limit before which an applicant must seek a decision establishing a child maintenance obligation? If yes, please indicate the time limit that applies.</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p> <p style="padding-left: 40px;"><input type="checkbox"/> Before ___ years after the parents separate. Please specify number of years;</p> <p style="padding-left: 40px;"><input type="checkbox"/> Before expiration of the normal duration of support (see III.1.g);</p> <p><input type="checkbox"/> Other, please specify.</p>
<p>e. Is it necessary for an applicant to prove that an obligation to provide maintenance exists when an application is made to establish a child maintenance decision?</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p>
<p>f. If yes, by what means can an applicant prove that an obligation to provide maintenance exists?</p>	<p><input type="checkbox"/> Applicant provides a marriage certificate showing that the debtor was married to a parent of the child when the child was born;</p> <p><input type="checkbox"/> Applicant provides a civil union certificate showing that the debtor was in a civil union with a parent of the child when the child was born;</p> <p><input type="checkbox"/> Applicant provides an affidavit stating that the debtor was living with the parent of the child when the child was born;</p> <p><input type="checkbox"/> Applicant provides a marriage certificate showing that the debtor was married to a parent of the child when the child was conceived;</p> <p><input type="checkbox"/> Applicant provides a civil union certificate showing that the debtor was in a registered civil union with a parent of the child when the child was conceived;</p> <p><input type="checkbox"/> Applicant provides an affidavit stating that the debtor was living with a parent of the child when the child was conceived;</p> <p><input type="checkbox"/> Applicant provides a copy of a birth certificate showing that the debtor is listed as a parent of the child;</p>

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	<input type="checkbox"/> Applicant provides a copy of an entry in a birth registry showing that the debtor is listed as a parent of the child; <input type="checkbox"/> Applicant provides a copy of a writing in which the alleged debtor has acknowledged parentage; <input type="checkbox"/> Applicant provides a copy of an adoption certificate stating that the debtor has legally adopted the child; <input type="checkbox"/> Applicant provides a copy of genetic test results that indicate a high probability that the debtor is a parent of the child; <input type="checkbox"/> Applicant provides an affidavit stating that for the first two years of the child's life, the debtor resided in the same household with the child and openly held the child out as the party's own; <input type="checkbox"/> Applicant provides a copy of a decision in which a competent authority has established parentage; <input type="checkbox"/> Other, please specify.
<p>g. Is there any time limit for establishing parentage or an obligation to provide maintenance? If yes, please indicate the time limit that applies.</p>	<input type="checkbox"/> No <input type="checkbox"/> Yes <ul style="list-style-type: none"> <input type="checkbox"/> Before expiration of the normal duration of support (see III.1.g); <input type="checkbox"/> Child is aged 2; <input type="checkbox"/> Child is aged 5; <input type="checkbox"/> Other, please specify.
<p>h. What costs arise in your State for the creditor when obtaining a maintenance decision, including appeal procedures? Please include all costs arising in practice (e.g., court costs, fees for an administrative authority, costs for experts, legal costs).</p>	
<p>i. Can the creditor claim reimbursement of expenses incurred from the debtor (e.g., for a lawyer)?</p>	<input type="checkbox"/> No <input type="checkbox"/> Yes, please specify

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<p>j. Do you have a prescribed or preferred form for an application to establish a decision? If yes, please attach a copy, a website or both.</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, the standard form recommended and published by the Hague Conference;</p> <p><input type="checkbox"/> Yes, the form is attached or available through a linked website (please provide) or both.</p>
<p>k. Are there any differences to the information above when the application is made by a public body, which claims reimbursement of benefits provided in place of maintenance? If so, please specify.</p> <p>(Art. 2(4) of Prel. Doc. No 29 of June 2007)</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, please specify</p>
<p>l. Are there any differences compared to the above if the application is for a maintenance obligation other than child maintenance? If so, please specify.</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, please specify</p>

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4. APPLICATIONS TO MODIFY A CHILD MAINTENANCE DECISION MADE IN YOUR STATE (Art. 10(1) e) and 10(2) a) of Prel. Doc. No 29 of June 2007)

<p>a. In addition to pre-checked application contents required by Article 11, what <u>information</u> do you need in order to process an application to modify a child maintenance decision made in your State?</p> <p>(Art. 11 of Prel. Doc. No 29 of June 2007)</p>	<p><u>About the creditor:</u></p> <p><input checked="" type="checkbox"/> Full name (required);</p> <p><input checked="" type="checkbox"/> Date of birth (required);</p> <p><input checked="" type="checkbox"/> Address (required);</p> <p><input checked="" type="checkbox"/> Contact details (required);</p> <p><input type="checkbox"/> Telephone number, if known;</p> <p><input type="checkbox"/> Financial circumstances, if known;</p> <p><input type="checkbox"/> Assets and liabilities, if known;</p> <p><input type="checkbox"/> Any other information that may assist with location of creditor;</p> <p><input type="checkbox"/> Personal identification number (such as the social security number);</p> <p><input type="checkbox"/> Other, please specify.</p>
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	<p><u>About the debtor:</u></p> <p><input checked="" type="checkbox"/> Full name (required);</p> <p><input checked="" type="checkbox"/> Date of birth, if known (required);</p> <p><input checked="" type="checkbox"/> Address, if known (required);</p> <p><input type="checkbox"/> Telephone number, if known;</p> <p><input type="checkbox"/> Financial circumstances, if known;</p> <p><input type="checkbox"/> Name and address of employer, if known;</p> <p><input type="checkbox"/> Nature and location of assets, if known;</p> <p><input type="checkbox"/> Any other information that may assist with location of debtor;</p> <p><input type="checkbox"/> Personal identification number (such as the social security number);</p> <p><input type="checkbox"/> Other, please specify.</p> <p><u>About the person for whom child maintenance is sought:</u></p> <p><input checked="" type="checkbox"/> Full name (required);</p> <p><input checked="" type="checkbox"/> Date of birth (required);</p> <p><input type="checkbox"/> Care arrangements;</p> <p><input type="checkbox"/> Personal identification number (such as the social security number);</p> <p><input type="checkbox"/> Other, please specify.</p> <p><u>Other information:</u></p> <p><input checked="" type="checkbox"/> Nature of the application (required);</p> <p><input checked="" type="checkbox"/> The grounds upon which the application is based (required);</p> <p><input checked="" type="checkbox"/> If the applicant is the creditor, information concerning where the child maintenance payment should be sent or electronically transmitted (required);</p> <p><input checked="" type="checkbox"/> The name and contact details of the person or unit from the Central Authority responsible for processing the application (required);</p> <p><input type="checkbox"/> Other, please specify.</p>
<p>b. What <u>documents</u> do you <u>require</u> to accompany an application to modify a child maintenance decision made in your State? Please specify if any documents must be original and if certification is required for copies.</p>	<p><input type="checkbox"/> Special expense claim;</p> <p><input type="checkbox"/> Pay stubs or wage statements establishing a change in income;</p> <p><input type="checkbox"/> Written agreement between the parties related to modification of the child maintenance;</p> <p><input type="checkbox"/> Other, please specify.</p>

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<p>c. In what circumstances can an application be made for modification of a child maintenance decision made in your State?</p>	<p><input type="checkbox"/> The circumstances of the child have changed so as to justify the modification;</p> <p><input type="checkbox"/> The circumstances of the debtor have changed so as to justify the modification;</p> <p><input type="checkbox"/> The circumstances of the creditor have changed so as to justify the modification;</p> <p><input type="checkbox"/> The care arrangements for the child have changed so as to justify the modification;</p> <p><input type="checkbox"/> The cost of living has changed to such an extent as to justify the modification;</p> <p><input type="checkbox"/> If the order was made by consent, the amount ordered to be paid is not proper or adequate;</p> <p><input type="checkbox"/> Other, please specify.</p>
<p>d. Can the modification be made retroactively? If so, please specify the basis and any limitations.</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes,</p> <p style="padding-left: 20px;">- Please specify the basis;</p> <p style="padding-left: 20px;">- Please specify any limitations.</p>
<p>e. Do you have a prescribed or preferred form for an application to modify a child maintenance decision made in your State? If yes, please attach a copy or link to a website or both.</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes – the standard form recommended and published by the Hague Conference;</p> <p><input type="checkbox"/> Yes – the form is attached or available through a linked website (please provide) or both.</p>
<p>f. Are there any differences to the information above when the application is made by a public body, which claims reimbursement of benefits provided in place of maintenance? If so, please specify.</p> <p>(Art. 2(4) of Prel. Doc. No 29 of June 2007)</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, please specify</p>
<p>g. Are there any differences compared to the above if the application is for a maintenance obligation other than child maintenance? If so, please specify.</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, please specify</p>

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5. APPLICATIONS TO MODIFY A CHILD MAINTENANCE DECISION MADE IN A STATE OTHER THAN YOUR STATE (Art. 10(1) *f*) and 10(2) *b*) of Prel. Doc. No 29 of June 2007)

a. In addition to application contents required by Article 11, what information do you need in order to process an application to modify a child maintenance decision made in a State other than your State?

(Art. 11 of Prel. Doc. No 29 of June 2007)

About the creditor:

- Full name (required);
- Date of birth (required);
- Address (required);
- Telephone number, if known;
- Financial circumstances, if known;
- Assets and liabilities, if known;
- Any other information that may assist with location of creditor;
- Personal identification number (such as the social security number);
- Other, please specify.

About the debtor:

- Full name (required);
- Date of birth, if known (required);
- Address, if known (required);
- Telephone number, if known;
- Financial circumstances, if known;
- Name and address of employer, if known;
- Nature and location of assets, if known;
- Any other information that may assist with location of debtor;
- Personal identification number (such as the social security number);
- Other, please specify.

About the person for whom child maintenance is sought:

- Full name (required);
- Date of birth (required);
- Care arrangements;
- Personal identification number (such as the social security number);
- Other, please specify.

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	<p><u>Other information:</u></p> <p><input checked="" type="checkbox"/> Nature of the application (required);</p> <p><input checked="" type="checkbox"/> The grounds upon which the application is based (required);</p> <p><input checked="" type="checkbox"/> If the applicant is the creditor, information concerning where the child maintenance payment should be sent or electronically transmitted (required);</p> <p><input checked="" type="checkbox"/> The name and contact details of the person or unit from the Central Authority responsible for processing the application (required);</p> <p><input type="checkbox"/> Other, please specify.</p>
<p>b. What <u>documents</u> do you <u>require</u> to accompany an application to modify a child maintenance decision made in a State other than your State? Please specify if any documents must be original and if certification is required for copies.</p>	<p><input type="checkbox"/> A complete text of the decision;</p> <p><input type="checkbox"/> Special expense claim;</p> <p><input type="checkbox"/> Pay stubs or wage statements establishing a change in income;</p> <p><input type="checkbox"/> Written agreement between the parties related to modification of the child maintenance;</p> <p><input type="checkbox"/> Other, please specify.</p>
<p>c. Are the circumstances in which a child maintenance decision made by another State can be modified in your State the same as the circumstances in which a decision made by your own State can be modified?</p>	<p><input type="checkbox"/> No. Please specify the difference.</p> <p><input type="checkbox"/> Yes. See reply to question II.4.d. above.</p>
<p>d. Do you have a prescribed or preferred form for an application to modify a child maintenance decision made in a State other than your State? If yes, please attach a copy or link to a website or both.</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes – the standard form recommended and published by the Hague Conference;</p> <p><input type="checkbox"/> Yes – the form is attached or available through a linked website (please provide) or both;</p>
<p>e. Can the modification be made retroactively? If so, please specify the basis and any limitations.</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes,</p> <ul style="list-style-type: none"> - Specify the basis; - Please specify any limitations.

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f. If the State of origin modifies a child maintenance decision after you have recognised it, can you recognise the modification? If so, please specify any limitations and outline the key steps or requirements.	<input type="checkbox"/> No <input type="checkbox"/> Yes, - Key steps or requirements; - Please specify any limitations.
g. Are there any differences to the information above when the application is made by a public body, which claims reimbursement of benefits provided in place of maintenance? If so, please specify. (Art. 2(4) of Prel. Doc. No 29 of June 2007)	<input type="checkbox"/> No <input type="checkbox"/> Yes, please specify
h. Are there any differences compared to the above if the application is for a maintenance obligation other than child maintenance? If so, please specify.	<input type="checkbox"/> No <input type="checkbox"/> Yes, please specify

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III - INFORMATION AS TO THE LAWS AND PROCEDURES CONCERNING MAINTENANCE OBLIGATIONS IN YOUR STATE (Art. 5 *b*) of Prel. Doc. No 29 of June 2007)

1. MAINTENANCE OBLIGATIONS IN RESPECT OF A CHILD

a. What legislation applies to child maintenance obligations in your State? Provide a Web site link if possible.	
b. Who is eligible to benefit from child maintenance?	<input type="checkbox"/> For any child regardless of status; <input type="checkbox"/> Child born in wedlock; <input type="checkbox"/> Child born out of wedlock: <input type="checkbox"/> Acknowledged by the father; <input type="checkbox"/> Not yet acknowledged by the father. <input type="checkbox"/> Adopted child; <input type="checkbox"/> Any child for whom a person stands in place of a parent (<i>in loco parentis</i>); <input type="checkbox"/> Other, please specify.
c. Who is the creditor in a child maintenance matter?	<input type="checkbox"/> Child; <input type="checkbox"/> Custodial parent or other person responsible for the child; <input type="checkbox"/> Public bodies; <input type="checkbox"/> Other, please specify.

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<p>d. What can be included in a child maintenance decision? Please specify.</p>	<input type="checkbox"/> Periodic payments for child maintenance; <input type="checkbox"/> Lump sum payments; <input type="checkbox"/> Child care expenses; <input type="checkbox"/> Extra-curricular activities; <input type="checkbox"/> Dental or medical expenses; <input type="checkbox"/> Attorney's fees; <input type="checkbox"/> Extraordinary expenses, please specify; <input type="checkbox"/> Other court costs, please specify; <input type="checkbox"/> Other, please specify.
<p>e. Can child maintenance be subject to automatic adjustment? If so, by what mechanism and with what frequency?</p>	<input type="checkbox"/> No <input type="checkbox"/> Yes - List the mechanism: <input type="checkbox"/> By indexation; <input type="checkbox"/> Other, please specify. <input type="checkbox"/> - How frequently?
<p>f. Can a child maintenance decision be made retroactively? If so, what is the earliest date from which a decision can apply? Please specify any limitations.</p>	<input type="checkbox"/> No <input type="checkbox"/> Yes, <input type="checkbox"/> Date that proceedings are initiated; <input type="checkbox"/> Date of separation; <input type="checkbox"/> Date of the voluntarily suspension of payments; <input type="checkbox"/> Other, please specify. <input type="checkbox"/> Any limitations, please specify.
<p>g. What is the normal duration of a child maintenance obligation? (Art. 28(4) of Prel. Doc. No 29 of June 2007)</p>	<input type="checkbox"/> 18 years of age; <input type="checkbox"/> 19 years of age; <input type="checkbox"/> 21 years of age; <input type="checkbox"/> Other, please specify.
<p>h. In what circumstances can child maintenance end before the normal duration? (Art. 28(4) of Prel. Doc. No 29 of June 2007)</p>	<input type="checkbox"/> The child emancipates before the normal duration; <input type="checkbox"/> The child marries; <input type="checkbox"/> The child is adopted by someone other than the debtor; <input type="checkbox"/> The child has been removed from the family and is a civil ward of the State; <input type="checkbox"/> The maintenance decision states that child maintenance ceases prior to the normal duration; <input type="checkbox"/> Other, please specify.

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<p>i. Can child maintenance extend beyond the normal duration? If yes, in what circumstances? (Art. 28(4) of Prel. Doc. No 29 of June 2007)</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes,</p> <ul style="list-style-type: none"> <input type="checkbox"/> To enable the child to complete secondary education; <input type="checkbox"/> To enable a child to complete post secondary education; <input type="checkbox"/> If a child is past the normal duration and under the parent's charge but unable, by reason of illness, disability or other cause, to withdraw from that charge or to obtain the necessities of life; <input type="checkbox"/> Other, please specify.
<p>j. Must other matters be initiated or finalized before a child maintenance decision can be made in your State?</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, please specify</p> <p><u>If parties are married:</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Divorce proceedings must be initiated; <input type="checkbox"/> Divorce proceedings must be finalized; <input type="checkbox"/> Spousal property proceedings must be initiated; <input type="checkbox"/> Spousal property proceedings must be finalized. <p><u>If parties are / were married:</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Child custody proceedings must be initiated; <input type="checkbox"/> Child custody proceedings must be finalized. <p><u>If child was born outside of marriage:</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Paternity proceedings must be initiated; <input type="checkbox"/> Paternity proceedings must be finalized.

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2. MAINTENANCE OBLIGATIONS IN RESPECT OF OTHER FAMILY RELATIONSHIPS	
a. From what other relationships can a maintenance obligation arise in your State?	<input type="checkbox"/> Marriage; <input type="checkbox"/> Cohabitation; <input type="checkbox"/> Same sex relationship; <input type="checkbox"/> Siblings; <input type="checkbox"/> Dependent parent; <input type="checkbox"/> Dependent grandparent; <input type="checkbox"/> Other, please specify.
b. For each different relationship specified in item a above, what legislation applies to a maintenance obligation in your State? Provide a link if possible.	
c. For each different relationship specified in item a above, what can be included in a maintenance decision?	<input type="checkbox"/> Periodic payments for maintenance; <input type="checkbox"/> Lump sum payments; <input type="checkbox"/> Attorney's fees; <input type="checkbox"/> Extraordinary expenses, please specify; <input type="checkbox"/> Other court costs, please specify; <input type="checkbox"/> Other, please specify.
d. For each different relationship specified in item a. above, can maintenance be subject to automatic adjustment? If so, by what mechanism and with what frequency?	<input type="checkbox"/> No <input type="checkbox"/> Yes, - List the mechanism: <input type="checkbox"/> By indexation; <input type="checkbox"/> Other, please specify. - How frequently?
e. For each different relationship specified in item a. above, can a maintenance decision be made retroactively? If so, what is the earliest date from which a decision can apply? Please specify any limitations.	<input type="checkbox"/> No <input type="checkbox"/> Yes, <input type="checkbox"/> Date that proceedings are initiated; <input type="checkbox"/> Date of separation of the parties; <input type="checkbox"/> Date of the voluntarily suspension of payments; <input type="checkbox"/> Other, please specify. <input type="checkbox"/> Any limitations, please specify.

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<p>f. Must other matters be initiated or concluded before a maintenance decision can be made in your State?</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, please specify</p> <p><u>If parties are married:</u></p> <p><input type="checkbox"/> Divorce proceedings must be initiated;</p> <p><input type="checkbox"/> Divorce proceedings must be finalized;</p> <p><input type="checkbox"/> Spousal property proceedings must be initiated;</p> <p><input type="checkbox"/> Spousal property proceedings must be finalized.</p>
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3. INFORMATION REGARDING SYSTEMS FOR PROVIDING BENEFITS IN PLACE OF MAINTENANCE (Arts 2(4) and 33 of Prel. Doc. No 29 of June 2007)

<p>a. Does your State have any public bodies that pay <u>maintenance</u> to the person entitled to maintenance in lieu of the debtor?</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p>
<p>b. If yes, please give a brief outline of the system.</p>	

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4. INFORMATION REGARDING PROCEDURES FOR SERVICE

<p>a. Which treaties on service that are applicable to maintenance decisions has your state acceded to?</p>	<p><input type="checkbox"/> Specify relevant multilateral treaties.</p> <p><input type="checkbox"/> Other, please specify.</p>
<p>b. Please provide contact details for the relevant central authorities for each of the treaties noted in question 4.a.</p>	
<p>c. When a maintenance decision is made in your state, what are the legal requirements to provide proper notice to the debtor, including when the debtor is in a foreign country?</p>	<p><input type="checkbox"/> Personal service;</p> <p><input type="checkbox"/> Other, please specify.</p>

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IV – INFORMATION CONCERNING ENFORCEMENT RULES AND PROCEDURES IN YOUR STATE (Art. 32 of Prel. Doc. No 29 of June 2007)

1. GENERAL INFORMATION ABOUT ENFORCEMENT IN YOUR STATE

a. Is there a time limitation for enforcement of child maintenance? (Art. 28(4) of Prel. Doc. No 29 of June 2007)	<input type="checkbox"/> No <input type="checkbox"/> Yes, please specify
b. Can a debtor claim forfeiture of a maintenance claim by a creditor? If so, please specify.	<input type="checkbox"/> No <input type="checkbox"/> Yes, please specify
c. Is a ranking or a proportional distribution applied to creditors where there are several maintenance obligations from different previous relationship?	<input type="checkbox"/> No <input type="checkbox"/> Yes, please specify

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2. DEBTOR PROTECTION RULES

a. Please specify any debtor protection rules that apply to the enforcement of maintenance in your state.

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3. OVERVIEW OF ENFORCEMENT PROCEDURES IN YOUR STATE

a. Please provide a short overview of the process(es) that occurs when you enforce a decision in your State. Please include timeframes.

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4. MEASURES AVAILABLE FOR ENFORCEMENT OF CHILD MAINTENANCE DECISIONS
 (Art. 30 of Prel. Doc. No 29 of June 2007)

a. What methods are available in your State for the enforcement of child maintenance decisions? (Art. 30 of Prel. Doc. No 29 of June 2007)	<input type="checkbox"/> Wage withholding; <input type="checkbox"/> Attachment from bank accounts and other sources; <input type="checkbox"/> Seizure and sale of assets; <input type="checkbox"/> Deductions from social security payments;
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	<input type="checkbox"/> Lien on or forced sale of property; <input type="checkbox"/> Withholding or attachment of tax refund; <input type="checkbox"/> Withholding or attachment of pension benefits; <input type="checkbox"/> Seizure of lump sum payments; <input type="checkbox"/> Credit bureau reporting; <input type="checkbox"/> Denial, suspension or revocation of various licenses (for example, passport, driving licenses); <input type="checkbox"/> Incarceration; <input type="checkbox"/> Hearing regarding a default in payment; <input type="checkbox"/> The power to prohibit a debtor from leaving your State; <input type="checkbox"/> Seizure of lottery or gambling winnings; <input type="checkbox"/> Criminal prosecution on account of failure to comply with duty to pay maintenance; <input type="checkbox"/> Other, please specify.
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V - OTHER INFORMATION

1. PAYMENT INFORMATION (WHERE PAYMENTS SHOULD BE SENT) (Art. 11 (1) *f*) of Prel. Doc. No 29 of June 2007)

<p>a. When you are the requesting State, where should maintenance payments be sent?</p>	<input type="checkbox"/> Directly to the Creditor; <input type="checkbox"/> To the Creditor's representative; <input type="checkbox"/> To the Central Authority; <input type="checkbox"/> If multiple options apply, please specify.
<p>b. When you are the requesting State and receive maintenance payments at a centralized location other than the Central Authority, please provide address and contact information.</p>	<p>Name of centralized location</p> <p>Address</p> <p>Telephone</p> <p>Fax</p> <p>Email</p> <p>Web site</p> <p>Contact person(s)</p>

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<p>c. When you are the requesting State, in what form can maintenance payments be received in your State? Please check all that apply. If the answer depends upon who is receiving the payment, please also check "Other" and specify.</p>	<p><input type="checkbox"/> Cash;</p> <p><input type="checkbox"/> Cheque or warrant;</p> <p><input type="checkbox"/> Electronic funds transfer. Please provide details;</p> <p><input type="checkbox"/> Credit card;</p> <p><input type="checkbox"/> Other, please specify.</p>
<p>d. When you are the requested State, in what form can maintenance payments be made in your State? Please check all that apply. If the answer depends upon who is receiving the payment, please also check "Other" and specify.</p>	<p><input type="checkbox"/> Cash;</p> <p><input type="checkbox"/> Cheque or warrant;</p> <p><input type="checkbox"/> Electronic funds transfer. Please provide details;</p> <p><input type="checkbox"/> Payroll deductions;</p> <p><input type="checkbox"/> Preauthorized withdrawal from a financial institution account;</p> <p><input type="checkbox"/> Credit card;</p> <p><input type="checkbox"/> Other, please specify.</p>

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END OF STAGE 1

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STAGE 2

I - GENERAL INFORMATION	
1. OVERVIEW OF THE PROCESS THAT OCCURS WHEN MAKING AN APPLICATION UNDER ARTICLE 10 OF THE CONVENTION	
<p>a. Please provide a short overview of the process(es) that occurs when your State receives an application to recognize or to recognize and enforce a child maintenance decision made in a Contracting State. Please indicate which authority receives the application, where the application is sent for processing, the steps that occur, and what happens if recognition is contested. The purpose of this question is to provide the caseworker in the requesting State a general understanding of the steps that will take place in working the case. Please include time frames.</p>	
<p>b. Please provide a short overview of the process(es) that occurs when your State receives an application to enforce a child maintenance decision made or recognised in your State. Please indicate which authority receives the application, where the application is sent for processing and the steps that occur, and what happens if enforcement is contested. The purpose of this question is to provide the caseworker in the requesting State a general understanding of the steps that will take place in working the case. Please include time frames.</p>	
<p>c. Please provide a short overview of the process(es) that occurs when an application to establish a decision is received in your State. Please indicate which authority receives the application, where the application is sent for processing, and the steps that occur. The purpose of this question is to provide the caseworker in the requesting State a general understanding of the steps that will take place in working the case. Please include time frames.</p>	

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<p>d. Please provide a short overview of the process(es) that occurs when you receive an application to modify a child maintenance decision made in your State. Please indicate which authority receives the application, where the application is sent for processing, and the steps that occur. The purpose of this question is to provide the caseworker in the requesting State a general understanding of the steps that will take place in working the case. Please include time frames.</p>	
<p>e. Please provide a short overview of the process(es) that occurs when your State receives an application to modify a child maintenance decision made in a State other than your State. Please indicate which authority receives the application, where the application is sent for processing, and the steps that occur. The purpose of this question is to provide the caseworker in the requesting State a general understanding of the steps that will take place in working the case. Please include time frames.</p>	

Last Update: [INSERT DATE] (It will be done automatically in the electronic format of the Profile)

2. METHODS OF CALCULATING CHILD MAINTENANCE IN YOUR STATE

<p>a. Is the assessment of child maintenance based on a formula, guidelines, or other criteria? Please outline the principal elements involved in making an assessment.</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes, please outline the principal elements.</p>
<p>b. What legislation applies to the assessment of child maintenance? Provide a Web site link if possible.</p>	

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3. ESTABLISHING PARENTAGE	
a. What legislation applies to establish parentage in the context of child maintenance proceedings? Provide a Web site link if possible.	
b. What are the legal methods for establishing parentage in the context of child maintenance proceedings?	<input type="checkbox"/> Establishment of parentage by presumption; <input type="checkbox"/> Establishment of parentage by acknowledgement; <input type="checkbox"/> Establishment of parentage by judicial decision; <input type="checkbox"/> Establishment of parentage by administrative decision.
c. Please provide a short overview of how the above methods for establishing parentage are applied in the context of child maintenance proceedings.	
d. Please describe the scientific or medical methods (DNA testing) used for establishing parentage, including requirements and restrictions, and how they apply in the context of child maintenance proceedings.	
e. Please indicate the costs that typically would be involved in the establishment of parentage in your State, who would bear these costs, whether the costs are capable of being covered by legal aid, and whether any distinction is made between residents and non-residents in these matters.	

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4. FOLLOWING RECOGNITION OF A DECISION BY ANOTHER STATE	
a. Following recognition of the child maintenance decision in the other State, do you require notification of the recognition?	<input type="checkbox"/> No <input type="checkbox"/> Yes
b. Does the recognition in the other State affect the status of the original decision in your State? If yes, please specify.	<input type="checkbox"/> No <input type="checkbox"/> Yes, please specify

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5. OTHER INFORMATION THAT MIGHT BE USEFUL	
a. Are there any limitations on the period for which arrears may be enforced? Please provide the limitation period. (Art. 28(5) of Prel. Doc. No 29 of June 2007)	<input type="checkbox"/> No <input type="checkbox"/> Yes, please provide limitation period.
b. What happens when the debtor pays a monthly amount, but this amount does not cover the current child maintenance as well as the arrears? How is it determined which debt is paid first and who makes such a decision?	
c. Is it possible to collect interest on arrears in your State? Are there limitations? If yes, please specify.	<input type="checkbox"/> No <input type="checkbox"/> Yes, - Please specify any limitations.
d. What happens with a child maintenance claim under your insolvency laws? (<i>e.g.</i> , Does it make a difference whether there is an order for child maintenance?)	
e. What are the procedures when a debtor leaves your State?	<input type="checkbox"/> Notify original requesting State; <input type="checkbox"/> End the proceedings; <input type="checkbox"/> Other, please specify.
f. Please provide a short overview of the process that occurs when the creditor or the debtor wants to appeal a decision in your State.	

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END OF STAGE 2