

Title	Questionnaire in preparation of the Experts' Group meeting of 8 to 11 February 2021 on international transfers of maintenance funds
Document	Prel. Doc. No 11 of October 2020
Author	PB
Agenda Item	TBD
Mandate(s)	C&D No 25 of CGAP 2020
Objective	To prepare for the Experts' Group meeting of February 2021 by collecting information on current arrangements regarding international transfers of maintenance funds. Replies to the Questionnaire should be sent to the PB by e-mail to < secretariat@hcch.net > no later than 15 January 2021
Action to be Taken	For Action <input checked="" type="checkbox"/> For Approval <input type="checkbox"/> For Decision <input type="checkbox"/> For Information <input type="checkbox"/>
Annexes	N/A
Related Documents	Prel. Doc. 11 of November 2019 - Report of the Experts' Group on international transfers of maintenance funds

Questionnaire in preparation of the Experts' Group meeting of 8 to 11 February 2021 on international transfers of maintenance funds

- 1 At its 3 to 6 March 2020 meeting, the Council on General Affairs and Policy (CGAP) of the HCCH concluded and decided as follows regarding the work of the Experts' Group (EG) on international transfers of maintenance funds:

“25. CGAP mandated the Experts' Group on international transfer of maintenance funds to continue its work and invited the PB to make arrangements for a further meeting of the Experts' Group by videoconference. The findings of the Expert's Group will inform the work of the SC.”

- 2 In preparation of the 8 to 11 February 2021 videoconference meeting of the EG, to take place in the afternoon Central European Time, delegates / experts are invited to review the “Report of the Experts' Group on international transfers of maintenance funds”¹ which includes the Conclusions and Recommendations of the first meeting of the EG in September 2019 (C&R EG) that reflect existing good practices found in a number of States. Delegates / experts are also invited to complete the following Questionnaire.
- 3 Membership of the EG is open to all Members of the HCCH regardless of whether they are Contracting Parties to the HCCH 2007 Child Support Convention or not. To ensure the widest possible representation, any contributions or proposals from Members which have not yet participated in the work of the EG are welcome.

Instructions for completion of the Questionnaire

- 4 The Questionnaire is being sent to Central Authorities as well as National and Contact Organs. Central Authorities are asked to co-ordinate as appropriate between themselves and other competent authorities. For Contracting Parties to the Convention, Central Authorities are ultimately responsible for submitting the completed Questionnaire to the Permanent Bureau (PB).
- 5 In order to allow the PB to extract parts of the Questionnaire for a compilation and analysis of the responses, you are kindly requested to use **this Word version** of the document, and **not return a PDF version** of the completed Questionnaire.
- 6 We kindly request that replies to the Questionnaire be sent to the PB by e-mail to < secretariat@hcch.net > **no later than 15 January 2021** with the following subject matter captioned in the heading of the e-mail: “[name of State] Response to transfer of maintenance funds Questionnaire – 2021 Special Commission”. Any questions concerning the Questionnaire may be directed to < secretariat@hcch.net >.
- 7 The PB intends, except where expressly asked not to do so, to place all responses to the Questionnaire on the HCCH website (< www.hcch.net >). Please therefore clearly identify any responses which you do not want to be placed on the website.
- 8 The findings of the EG will inform the work of the Special Commission (SC) tentatively scheduled to take place during the week of 7 to 11 June 2021. The dates of the SC will be discussed and decided at the CGAP 2021 meeting, which is scheduled to take place during the week of 1 to 5 March 2021. Thank you for your kind co-operation as the PB prepares for the meeting of the SC in 2021.

¹ CGAP Prel. Doc. No 11 of November 2019 “Report of the Experts' Group on international transfers of maintenance funds” is available at: < <https://assets.hcch.net/docs/4def3f24-fde9-487a-9396-531105e196d5.pdf> >.

Questionnaire

Name of State or territorial unit: ^[1]	Canada
<i>For follow-up purposes</i>	
Name of contact person:	Tammy Brown
Name of Authority / Office:	BC Family Maintenance Enforcement Program
Telephone number:	(250) 220-4060
E-mail address:	tbrown@fmep.ag.gov.bc.ca

- 9 For the purpose of the 8 to 11 February 2021 meeting of the EG, delegates / experts are invited to report on consideration given to and / or implementation of the following arrangements in their jurisdiction:
- a. Developments in general regarding the international transfer of maintenance funds
- For the purpose of dispersing child support payments, each province and territory within Canada has their own individual banking arrangements with their bank of choice.
- Of the provinces and territories that responded to this questionnaire, British Columbia, Alberta and recently Saskatchewan have the ability to wire transfer funds internationally. Previous correspondence shows Ontario and New Brunswick also send wire transfers.
- The BCFMEP is currently investigating the capacity within Canada to centralize a banking system for receipt and dispersal of international child support payments.
- b. Elimination of the use of cheques (see C&R EG No 1)
- Not being considered. Please explain:
- Cheques continue to be the most used method of payments internationally.
- Quebec and Nunavut are not currently able to support wire transfers and will continue the use of cheques.
- Is being considered. Please explain:
- Has already been implemented. Please explain:
- Of the responses received, British Columbia, Alberta and Saskatchewan send wire transfers internationally to countries who no longer accept cheques.
- Past communications show Ontario and New Brunswick also send wire transfers.
- c. Solutions with regard to increased transparency and cost reduction of transfers and currency conversion (see C&R EG Nos 2 and 10)

^[1] The term "State" in this Questionnaire includes a territorial unit, where relevant.

Not being considered. Please explain:

Canada does not have a centralized banking system and each province and territory has individualized banking services and fees.

Is being considered. Please explain:

Has already been implemented. Please explain:

d. Solutions where creditors would not bear the costs related to the transfer of funds (see C&R EG No 2)

Not being considered. Please explain:

British Columbia covers the cost of sending wire transfers internationally but does not cover the cost of receiving wire transfers.

Saskatchewan does not cover these costs.

Is being considered. Please explain:

Has already been implemented. Please explain:

Of those replying as a requesting designated authority, only Alberta covers the cost of incoming transfers.

e. Solutions where the institution(s) facilitating the transfer of funds could cover the costs of such transfers by withholding the amounts for a few days (see C&R EG No 2)

Not being considered. Please explain:

For the purpose of dispersing child support payments, each province and territory within Canada has private arrangements for service charges and fees directly with their own bank. This does not appear to be viable at this time.

Is being considered. Please explain:

Has already been implemented. Please explain:

- f. Requested Central Authority arrangements with their bank to cover transfer fees or other arrangements to that effect (see C&R EG No 3)

Not being considered. Please explain:

Canada is not a party to the Convention, but each province and territory has its own designated authority that deals with inter-jurisdictional cases, including cases under existing reciprocity arrangements.

Saskatchewan does not cover the cost of transfer fees as a requested designated authority.

Is being considered. Please explain:

Has already been implemented. Please explain:

Of those responding as a requested designated authority- British Columbia and Alberta cover the cost of transfers to the requesting authority.

- g. Requesting Central Authority providing confirmation to the requested Central Authority that the amounts received are the same as the amounts sent and, where applicable, information on the reasons for any difference (see C&R EG No 3)

Not being considered. Please explain:

Of those responding as a requesting designated authority only Alberta covers the cost of incoming transfers.

Is being considered. Please explain:

Has already been implemented. Please explain:

- h. Establishment of a centralised point (e.g., bank account, central bank) for international transfers dedicated to both incoming and outgoing transfer of funds (see C&R EG Nos 4 and 5)

Not being considered. Please explain:

Is being considered. Please explain:

Canada does not have a centralized banking system. For the purpose of dispersing child support payments, each province and territory within Canada has individual bank accounts.

Has already been implemented. Please explain:

i. Provision of payment transfer services to any debtors transferring payments within the scope of the HCCH 2007 Child Support Convention (see C&R EG No 5)

Not being considered. Please explain:

Is being considered. Please explain:

Canadian province and territories offer many different payment avenues to debtors. Although cheques and electronic payments are used most frequently by debtors, other types of transfers such as wire transfers, are being explored by provincial and territorial authorities.

Has already been implemented. Please explain:

j. Implementation of payment transfer monitoring systems (see C&R EG No 6)

Not being considered. Please explain:

Is being considered. Please explain:

Currently each Canadian province and territory has an internal system for monitoring payments.

Has already been implemented. Please explain:

k. Implementation of unique case references, known to both the requesting and requested State, attached to each transfer of funds (see C&R EG No 7)

Not being considered. Please explain:

Is being considered. Please explain:

Has already been implemented. Please explain:

Each province and territory within Canada has their own unique case reference number.

Most jurisdictions are able to record and display reciprocal case reference numbers as well.

l. Implementation of currency conversion of payments done by the relevant authority in the requested State at the time of transfer (see C&R EG No 8)

Not being considered. Please explain:

For those provinces and territories sending cheques- cheques are sent in Canadian funds and the requesting State would convert upon receipt.

Is being considered. Please explain:

Has already been implemented. Please explain:

For those provinces and territories using wire transfers internationally - funds are sent and converted by the bank in the currency of the requesting State.

m. Implementation of bundled payments to reduce costs of transfers (see C&R EG No 11)

Not being considered. Please explain: [

Alberta confirmed that they do not bundle payments

Is being considered. Please explain:

Has already been implemented. Please explain:

BC and Saskatchewan currently bundle payments

n. Any other developments:

Thank you!