

# Questionnaire in preparation of the Experts' Group meeting of 7 to 10 February 2022 on international transfers of maintenance funds

## Survey response 1

### Identification

For follow-up purposes. This information will not be published as part of the questionnaire response. The term "State" in this Questionnaire includes a territorial unit, where relevant. [Name of State or territorial unit:]

England and Wales

### Questionnaire

a. Developments in general regarding the international transfer of maintenance funds

The Maintenance Payments Business Centre (MPBC) now receives electronically monthly from New Zealand, Canada (British Columbia) and bundled payments monthly from Australia.

b. Elimination of the use of cheques (see C&R 2019 No 1; aide-mémoire 2021, paras 11-14)

Has already been implemented.

Please explain:

Canada's British Columbia wish to continue to receive cheques as we cannot send bulk payments due to the way our banking systems are set up. Receiving electronic payments individually would be very expensive. Electronic payments are something Ontario are working on but unable to provide a timeframe, so until then we can only send cheques. However, Australia now sends bundled bulk payments electronically with a remittance. New Zealand payments are by electronic transfer individually. We no longer send cheques to Norway and make payments electronically. British Columbia sends electronic payments individually.

c. Solutions with regard to increased transparency and cost reduction of transfers and currency conversion (see C&R 2019 Nos 2 and 10; aide-mémoire 2021, paras 24-25)

Not being considered.

Please explain:

Transfer of payments going out are charged to Her Majesty's Courts and Tribunals Service (HMCTS)/Ministry of Justice (MoJ); however, the recipient's bank may levy a charge when payment is received. Cheques we receive in are sent for conversion for which HMCTS/MoJ bears the cost. The bank we work with uses the Bank of England exchange rate for the day

d. Solutions where creditors would not bear the costs related to the transfer of funds (see C&R 2019 No 2; aide-mémoire 2021, paras 26-29)

Has already been implemented.

Please explain:

HMCTS/MoJ covers all charges for payments sent electronically.  
HMCTS/MoJ covers the cost of foreign cheques received which we send for conversion.

e. Requested Central Authority arrangements with their bank to cover transfer fees or other arrangements to that effect (see C&R 2019 No 3; aide-mémoire 2021, para. 32)

Not being considered.

Please explain:

This is not being considered

f. 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 2019 No 3; aide-mémoire 2021, paras 15-17)

Not being considered.

Please explain:

MPBC only makes single payments and not bulk payments; we do not currently send confirmation of amounts sent.

g. 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 2019 Nos 4 and 5; aide-mémoire 2021, paras 33-35)

Not being considered.

Please explain:

We do not intend to set up additional bank accounts for international transfers.

h. Provision of payment transfer services to any debtors transferring payments within the scope of the HCCH 2007 Child Support Convention (see C&R 2019 No 5; aide-mémoire 2021, para. 18)

Not being considered.

Please explain:

Our systems work in GBP, any changes would require operational consultation.

i. Implementation of payment transfer monitoring systems (see C&R 2019 No 6; aide-mémoire 2021, paras 36-37)

Has already been implemented.

Please explain:

MPBC manages all financial transactions for England and Wales.

j. Implementation of unique case references, known to both the requesting and requested State, attached to each transfer of funds (see C&R 2019 No 7; aide-mémoire 2021, para. 20)

Not being considered.

Please explain:

Due to the structure of our systems, it is not possible to attach a single unique reference number.

k. Implementation of currency conversion of payments done by the relevant authority in the requested State at the time of transfer (see C&R 2019 No 8; aide-mémoire 2021, paras 21-23)

Has already been implemented.

Please explain:

We pay out at the Bank of England rate at the time of conversion. The relevant authority/Bank advises us of the rate used when paying money in.

l. Implementation of bundled payments to reduce costs of transfers (see C&R 2019 No 11; aide-mémoire 2021, paras 38-40)

Not being considered.

Please explain:

MPBC is unable to make bundled payments out due to the structure of our systems.

m. Any other developments including bilateral solutions put in place between States and ongoing trials between States:

Open to conversations with any other states to eliminate the use of cheques.