

Title	Revised Country Profile for the 1980 Child Abduction Convention
Document	Prel. Doc. No 18 of January 2024 (revised version approved by the 2023 SC (in track changes))
Author	PB
Agenda Item	Item TBD
Mandate(s)	C&D Nos 19 and 48 of CGAP 2023
Objective	<p>- To revise the format and style of the 1980 Child Abduction Convention Country Profile to be coherent and consistent with the 1996, 2000 and 2007 Country Profiles for the purpose of the EU Action Grant funded e-Country Profile project (2023-2025).</p> <p>- To include new questions in relation to Article 15 (see Prel. Doc. No 14) and new questions regarding access / contact services under Article 21 (see Prel. Doc. No 15). Additions approved by the 2023 SC are highlighted in yellow.</p>
Action to be Taken	<p>For Decision <input checked="" type="checkbox"/></p> <p>For Approval <input type="checkbox"/></p> <p>For Discussion <input type="checkbox"/></p> <p>For Action / Completion <input type="checkbox"/></p> <p>For Information <input type="checkbox"/></p>
Related Documents	<p>- <u>Prel. Doc. No 3 (final) of September 2011</u> - Country Profile - 2007 Child Support Convention</p> <p>- <u>Prel. Doc. No 7 of May 2023 (second revised version)</u> - 2000 Protection of Adults Convention Draft Country Profile</p> <p>- <u>Prel. Doc. No 9 of July 2023</u> - Draft Country Profile for the 1996 Child Protection Convention</p> <p>- <u>Prel. Doc. No 14 of August 2023</u> - Tools available to ascertain whether a removal or retention is wrongful under the 1980 Child Abduction Convention (Arts 8, 14 and 15)</p> <p>- <u>Prel. Doc. No 15 of August 2023</u> - Access / contact under the 1980 Child Abduction Convention and 1996 Convention Child Protection Convention</p>

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Revised Country Profile for the 1980 Child Abduction Convention

Foreword to the Country Profile

This Country Profile¹ should be used by Contracting States² to assist with fulfilment of the obligations contained within Article 7 of the *Convention of 25 October 1980 on the Civil Aspects of International Child Abduction* (1980 Child Abduction Convention or 1980 Convention). In particular, it is anticipated that the Country Profile will help Contracting States fulfil their obligations under Article 7(2)(e) and 7(2)(i) of the Convention, that is:

- To provide information of a general character on the law of their State in connection with the application of the Convention; and
- To keep other Central Authorities informed regarding the operation of the Convention in their State and to eliminate any obstacles to the Convention's application.

The Country Profile is intended to assist with the practical operation of the Convention. It is hoped that it will facilitate:

- a) information exchanges between Contracting States;
- b) knowledgeable service by Central Authorities under the 1980 Child Abduction Convention;
- c) cost-effective translation of the information provided by Contracting States into English, French, Spanish, and other languages as required by Contracting States; and
- d) prompt updates of the information provided.

NEWLY ACCEDING STATES:

It should be noted that the Country Profile does not replace the "Standard questionnaire for newly acceding States" (available at www.hcch.net under "Child Abduction Section" then "Questionnaires and responses"). The Standard Questionnaire provides a means for newly acceding States to describe promptly, and in brief, the measures taken in their State to ensure compliance with their Convention obligations and to ensure the effective practical operation of the Convention in their State. It thereby assists States already Party to the Convention with their decision as to whether to accept an accession.

Newly acceding States are encouraged to complete this full Country Profile as soon as is practicable.

INSTRUCTIONS:

- Please mark the box which best represents the arrangements in your State:
 - Where the response requires either "Yes" or "No", please mark one box only.
 - For all other questions, it may be necessary to mark more than one box.
- Where applicable, please specify the relevant provision(s) of your domestic legislation and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.
- Please complete a separate profile for each territorial unit if there are significant differences in the substance and operation of the laws in each.

¹ This new version follows the content and structure of Info. Doc. No 2 of March 2011 for the attention of the Special Commission of June 2011 on the practical operation of the 1980 Child Abduction Convention, with some minor format changes and necessary updates (e.g., the reference to Brussels IIa has been changed to Brussels IIb and references to INCASTAT have been deleted).

² Any reference to a Contracting State in this Country Profile is a reference to a Contracting State of the 1980 Child Abduction Convention.

- Please note: the information contained in the Country Profile **is of a general nature only**. The purpose of the Country Profile is to assist with the practical operation of the Convention and not to provide a comprehensive picture of the legal system of each Contracting State. Please consider this when completing the Country Profile and when using the Country Profile of other Contracting States. Please contact the relevant Central Authority for clarification or specific advice.
- Contracting States are exclusively responsible for updating the information contained in their Country Profile. However, reminders for updates will be provided by the Permanent Bureau of the Hague Conference on Private International Law (HCCH).
- Completed Country Profiles will be published on the website of the HCCH (www.hcch.net).
- The Permanent Bureau of the HCCH has prepared a number of resources which may assist States in the effective implementation and operation of the Convention, in particular Guides to Good Practice. See www.hcch.net under “Child Abduction Section” for further information in this regard.

TERMINOLOGY:

- Whilst it is acknowledged that in some Contracting States the formal applicant to a return or access application under the Convention may be a State authority (see question 11.17 below), please note that the term “**applicant**” is used in the Country Profile as follows:
 - a) In relation to a *return* application, the term “applicant” denotes the person, institution or other body alleging that their actually exercised rights of custody in relation to a child have been breached by the removal or retention of the child, in accordance with Article 3 of the Convention; and
 - b) In relation to an *access* application, the term “applicant” denotes the person, institution or other body seeking to establish and / or exercise rights of access in relation to a child under Article 21 of the Convention.
- The term “**abducting party**” or “**alleged abducting party**” in the Country Profile refers to the person, institution or other body who has, or is alleged to have, wrongfully removed or retained a child in accordance with Article 3 of the Convention.

I. Central Authorities

1. Central Authority contact details¹

Provide the designation and contact details of the Central Authority to which communications may be addressed. Always check www.hcch.net then “Child Abduction Section” and “Central Authorities” for the most current contact details.	
1.1 Organisation	
1.2 Address	
1.3 Territorial and personal extent of functions, if applicable	
1.4 Telephone	
1.5 Fax	
1.6 Email	
1.7 Website	
1.8 Contact person 1	Direct contact details: Direct telephone: Direct email: Preferred language(s) of communication: Preferred method of communication: <input type="checkbox"/> Phone <input type="checkbox"/> Fax <input type="checkbox"/> Email <input type="checkbox"/> Other (<i>please specify</i>):
1.9 Contact person 2, if applicable	Direct contact details: Direct telephone: Direct email: Preferred language(s) of communication: Preferred method of communication: <input type="checkbox"/> Phone <input type="checkbox"/> Fax <input type="checkbox"/> Email <input type="checkbox"/> Other (<i>please specify</i>):
Last Update: [INSERT DATE] ²	

¹ Please verify whether the contact details on the “Child Abduction section” of the HCCH website www.hcch.net under “Central Authorities” are up to date. If not, please e-mail the updated contact information to secretariat@hcch.net.

² This will be done automatically in the electronic format of the Country Profile.

2. Other designated Central Authority (if applicable)³

2.1	Organisation	
2.2	Address	
2.3	Territorial and personal extent of functions, if applicable	
2.4	Telephone	
2.5	Fax	
2.6	Email	
2.7	Website	
2.8	Contact person 1	Direct contact details: Direct telephone: Direct email: Preferred language(s) of communication: Preferred method of communication: <input type="checkbox"/> Phone <input type="checkbox"/> Fax <input type="checkbox"/> Email <input type="checkbox"/> Other (<i>please specify</i>):
2.9	Contact person 2, if applicable	Direct contact details: Direct telephone: Direct email: Preferred language(s) of communication: Preferred method of communication: <input type="checkbox"/> Phone <input type="checkbox"/> Fax <input type="checkbox"/> Email <input type="checkbox"/> Other (<i>please specify</i>):
Last Update: [INSERT DATE]		

3. Language requirements

3.1	<p>Does the Central Authority <u>of [name of your State]</u> prefer applications, communications and other documents sent to them to be accompanied by a translation into the official language(s) of the <u>[name of your State]</u>?</p> <p>Article 24 <u>of the 1980 Convention</u></p>	<input type="checkbox"/> Yes, for all communications, applications and other documents. Please specify the official language(s) of the <u>[name of your State]</u> : <input type="checkbox"/> Not for informal communications <input type="checkbox"/> No
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³ This section will be expandable in order to allow for the inclusion of additional authorities.

<p>See questions 11.18 10.3 e and 18.6 17.2 b below regarding any translation(s) required by the courtjudicial / administrative authority.</p>	
<p>3.2 Has <u>[name of your State]</u> made a reservation in respect of the use of French or English for communications, applications and other documents sent to the Central Authority? Article 42 <u>of the 1980 Convention</u></p>	<p><input type="checkbox"/> Yes, object to French <input type="checkbox"/> Yes, object to English <input type="checkbox"/> No</p>
<p>Last Update: [INSERT DATE]</p>	

4. Central Authority operations

<p>4.1 What are the working days and hours of the Central Authority <u>of [name of your State]</u>?</p>	<p>Days of the week open: Opening time: Closing time: Shut down periods (e.g., public holidays, court closures etc):</p>
<p>4.2 Can assistance be accessed outside of working hours?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> For persons in other Convention States: <input type="checkbox"/> For persons in your State: <input type="checkbox"/> No</p>
<p>4.3 Does the Central Authority <u>of [name of your State]</u> have a dedicated staff who deals <i>only</i> with 1980 Child Abduction Convention applications and related issues?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>4.4 Please indicate the professions represented in the Central Authority <u>of [name of your State]</u>.: <i>Please note that some individual staff members may fall under more than one category. This question should not be interpreted as an indication of the number of staff members in the Central Authority.</i></p>	<p><input type="checkbox"/> Civil servants <input type="checkbox"/> Civil servants (legal advisors) <input type="checkbox"/> Lawyers <input type="checkbox"/> Social workers <input type="checkbox"/> Mediators <input type="checkbox"/> Other (please specify):</p>
<p>Last Update: [INSERT DATE]</p>	

II. Relevant legislation

5. International Child Abduction

<p>1980 Child Abduction Convention</p>	
<p>5.1 When did the 1980 Child Abduction Convention enter into force in <u>[name of your State]</u>?</p>	<p>Date:</p>

<p>5.2 In <u>[name of your State]</u>, was implementing legislation necessary for the 1980 Child Abduction Convention to enter into force in your domestic law? <i>If applicable, please provide a web link to legislation or attach a copy.</i></p>	<p><input type="checkbox"/> Yes, please specify:</p> <ul style="list-style-type: none"> <i>The date that the legislation entered into force:</i> <i>The legislative provision(s) or implementing legislation:</i> <p><input type="checkbox"/> No</p>
<p>5.3 Whether implementing legislation was necessary in <u>[name of your State]</u> or not, have any (other) legislative provisions or procedural rules been enacted to assist with the effective operation of the 1980 Child Abduction Convention? <i>Please specify how legislation can be accessed (e.g., website) or attach a copy</i></p>	<p><input type="checkbox"/> Yes, please specify:</p> <ul style="list-style-type: none"> <i>The date that the legislation entered into force:</i> <i>The legislative provision(s) or implementing legislation:</i> <p><input type="checkbox"/> No</p>
<p>Other agreements on international child abduction</p>	
<p>5.4 Is <u>[name of your State]</u> a party to or has implemented into its domestic law, any other international instruments agreements which relate to international child abduction?</p>	<p><input type="checkbox"/> Yes, please tick all the boxes that apply:</p> <p><input type="checkbox"/> Brussels IIb Regulation (Council Regulation (EU) 2019/1111 of 25 June 2019)</p> <p><input type="checkbox"/> Inter-American Convention of 15 July 1989 on the International Return of Children</p> <p><input type="checkbox"/> Bilateral agreements (<i>please specify</i>):</p> <p><input type="checkbox"/> Non-binding memoranda of understanding (<i>please specify</i>):</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p><input type="checkbox"/> No</p>
<p>Last Update: [INSERT DATE]</p>	

6. 1996 Child Protection Convention

<p>6.1 Is <u>[name of your State]</u> a Contracting State to the 1996 Child Protection Convention? <i>Refer to www.hcch.net for the status table of the 1996 Child Protection Convention</i></p>	<p><input type="checkbox"/> Yes, if so, please indicate the on what date on which the 1996 Child Protection Convention entered into force in <u>[name of your State]</u>:</p> <p><input type="checkbox"/> No</p>
<p>6.2 Was implementing legislation necessary for the 1996 Child Protection Convention to enter into force in your <u>the</u> domestic law of <u>[name of your State]</u>? <i>Please specify how legislation can be accessed (e.g., website) or attach a copy</i></p>	<p><input type="checkbox"/> Yes, please specify:</p> <ul style="list-style-type: none"> <i>The date that the legislation entered into force:</i> <i>The legislative provision(s) or implementing legislation:</i> <p><input type="checkbox"/> No</p>
<p>6.3 Whether implementing legislation was necessary in <u>[name of your State]</u> or not, have any (other) legislative provisions or procedural rules been enacted to assist with the effective operation of the 1996 Child Protection Convention?</p>	<p><input type="checkbox"/> Yes, please specify:</p> <ul style="list-style-type: none"> <i>The date that the legislation or procedural rules entered into force or effect:</i> <i>The legislative provision(s) or procedural rules:</i>

Please specify how legislation can be accessed (e.g., website) or attach a copy	<input type="checkbox"/> No
Last Update: [INSERT DATE]	

III. Applications for return

7. Applications through Central Authorities

Outgoing applications (requesting State)	
<p>7.1 What type of assistance is provided to applicants in <u>[name of your State]</u> when completing an application for return under the Convention?</p> <p><i>See Articles 7 and 8 of the 1980 Convention</i></p>	<p><input type="checkbox"/> Assistance from the Central Authority</p> <p><input type="checkbox"/> Assistance from another authority</p> <p><input type="checkbox"/> Referral to a legal representative</p> <p><input type="checkbox"/> Other (please specify):</p>
Incoming Applications (requested State)	
<p>7.2 What form of application does <u>[name of your State]</u> require for an incoming application?</p>	<p><input type="checkbox"/> (1) Model Application Form <i>Available at www.hcch.net under "Child Abduction Section"</i> Go to question 7.4</p> <p><input type="checkbox"/> (2) Form developed by your State Please specify how this form can be accessed (e.g., website) or attach a copy: Go to question 7.4</p> <p><input type="checkbox"/> Both (1) and (2), go to question 7.4</p> <p><input type="checkbox"/> The form of the requesting State is accepted, go to question 7.4</p> <p><input type="checkbox"/> No particular form is required, go to question 7.3</p> <p><input type="checkbox"/> Other, go to question 7.3</p>
<p>7.3 If <u>[name of your State]</u> does not require a particular form of application, what information or documents does <u>[name of your State]</u> request?</p> <p><i>See Article 8 of the 1980 Convention</i></p> <p><i>Please note that the only information actually required by the Convention (Art. 8) is indicated by a cross in the relevant box</i></p>	<p><input checked="" type="checkbox"/> Information concerning the identity of the child:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Name and previous name(s) <input checked="" type="checkbox"/> Date of birth, where available <input type="checkbox"/> Address <input type="checkbox"/> Telephone number <input type="checkbox"/> Nationality / nationalities <input type="checkbox"/> Passport number(s) <input type="checkbox"/> Physical description (height, eye and hair colour) <input type="checkbox"/> Photograph (as recent as possible) <input type="checkbox"/> Information identifying the child's parents, e.g., nationalities – where a parent is not the applicant or respondent to proceedings (please specify): <input type="checkbox"/> Other (please specify): <p><input checked="" type="checkbox"/> Information concerning the identity of the applicant:</p>

	<ul style="list-style-type: none"><input type="checkbox"/> Name and previous name(s)<input type="checkbox"/> Date of birth<input type="checkbox"/> Address<input type="checkbox"/> Telephone number<input type="checkbox"/> Nationality / nationalities<input type="checkbox"/> Passport number(s)<input type="checkbox"/> Relationship of the applicant to the child<input type="checkbox"/> Name(s) of legal adviser(s), if any<input type="checkbox"/> Other (<i>please specify</i>): <p><input checked="" type="checkbox"/> Information concerning the identity of the person alleged to have removed or retained the child:</p> <ul style="list-style-type: none"><input type="checkbox"/> Name and previous name(s)<input type="checkbox"/> Date of birth<input type="checkbox"/> Address<input type="checkbox"/> Telephone number<input type="checkbox"/> Nationality / nationalities<input type="checkbox"/> Passport number(s)<input type="checkbox"/> Physical description (height, eye and hair colour)<input type="checkbox"/> Photograph (as recent as possible)<input type="checkbox"/> Relationship of the person to the child<input type="checkbox"/> Other (<i>please specify</i>): <p><input checked="" type="checkbox"/> The grounds upon which the applicant's claim for return of the child is based</p> <ul style="list-style-type: none"><input type="checkbox"/> Evidence of the applicant's rights of custody<input type="checkbox"/> An authenticated copy of any relevant decision or agreement<input type="checkbox"/> A certificate or an affidavit emanating from the Central Authority, or other competent authority of the State of the child's habitual residence, or from a qualified person, concerning the relevant law of that State<input type="checkbox"/> The alleged habitual residence of the child, with supporting information<input type="checkbox"/> Other (<i>please specify</i>): <p><input checked="" type="checkbox"/> All available information relating to the whereabouts of the child and the identity of the person with whom the child is presumed to be</p> <ul style="list-style-type: none"><input type="checkbox"/> Any other relevant document / information<ul style="list-style-type: none"><input type="checkbox"/> Concerning any child protection issues<input type="checkbox"/> Marriage certificate (if applicable)<input type="checkbox"/> Divorce decree (if applicable)
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	<input type="checkbox"/> Civil and / or criminal proceedings in progress (if applicable) <input type="checkbox"/> Evidence of child or other relevant person's right to re-enter the State of the child's habitual residence <input type="checkbox"/> Other (<i>please specify</i>):
<p>7.4 Does yourthe Central Authority of <u>[name of your State]</u> accept an application and accompanying documentation transmitted by electronic means?</p>	<input type="checkbox"/> Yes, please specify any requirements for electronically transmitted applications/documentation: <input type="checkbox"/> Yes, but any documentation sent electronically is not accepted by the court judicial / administrative authority (<i>please specify</i>): <input type="checkbox"/> No
<p>7.5 Does the Central Authority of <u>[name of your State]</u> require a written authorisation empowering it or a designated representative (e.g., lawyer) to act on behalf of the applicant? <u>See Article 28 of the 1980 Convention</u></p>	<input type="checkbox"/> Yes, the authorisation should be provided: <input type="checkbox"/> On the application form <input type="checkbox"/> In a signed statement or declaration <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> No
<p>7.6 Does the Central Authority of <u>[name of your State]</u> acknowledge receipt of the application?</p>	<input type="checkbox"/> Yes, acknowledgment generally is provided by: <input type="checkbox"/> E-mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Post <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> No
<p>7.7 Can the Central Authority of <u>[name of your State]</u> proceed with an application where the information provided is incomplete?</p>	<input type="checkbox"/> Yes, the Central Authority will begin processing the application and will immediately inform the requesting Central Authority of what additional information is required to complete the request <input type="checkbox"/> No: <input type="checkbox"/> The Central Authority will not process an application without all of the necessary supporting documentation <input type="checkbox"/> The Central Authority is unable to process the application but will immediately inform the requesting Central Authority of what additional information is required before further action can be taken <input type="checkbox"/> It depends upon-on what type of information is missing (<i>please specify</i>): <input type="checkbox"/> Other (<i>please explain</i>):
<p>7.8 Who does the Central Authority of <u>[name of your State]</u> prefer to communicate with in incoming applications?</p>	<input type="checkbox"/> The requesting Central Authority <input type="checkbox"/> The applicant <input type="checkbox"/> The applicant's legal representative <input type="checkbox"/> All of the above <input type="checkbox"/> Other (<i>please specify</i>):
<p>7.9 What measures are taken by the Central Authority of <u>[name of your State]</u> (directly,</p>	<input type="checkbox"/> Contact is made with the alleged abducting party to seek a voluntary return

<p>or through an intermediary) to attempt to secure the voluntary return of a child allegedly wrongfully removed or retained in accordance with Article 3 of the Convention (hereinafter, simply “the child”)?</p> <p><i>Please explain where necessary</i></p> <p><u>See Article 7(c) and Article 10 of the 1980 Convention</u></p> <p>See also Part V – Mediation and other forms of alternative dispute resolution below</p>	<p><input type="checkbox"/> Mediation and / or other forms of alternative dispute resolution are offered to the parties (see Part V – Mediation and other forms of alternative dispute resolution)</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>7.10 How is it ensured that no undue delay results from the measures taken, or attempted, to secure the voluntary return of the child (see question 7.9h) above)?</p>	<p>Please explain:</p>
<p>7.11 What is the role of the Central Authority of <u>[name of your State]</u> in taking or causing to be taken provisional measures to prevent further harm to the child?</p> <p><u>See Article 7(2)(b) of the 1980 Convention</u></p> <p>Refer also to <u>quessections 11.3210.5 and 12.911.2</u> below</p>	<p><input type="checkbox"/> Alert appropriate agencies where there are concerns that a child is at risk</p> <p><input type="checkbox"/> Apply directly to authorities for protection orders</p> <p><input type="checkbox"/> Refer parties to appropriate agencies</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>7.12 Can an applicant commence proceedings in <u>[name of your State]</u> for the return of the child under the Convention without using the Central Authority channel?</p> <p><u>See Article 3 and Article 29 of the 1980 Convention</u></p>	<p><input type="checkbox"/> Yes, if so, please explain:</p> <ul style="list-style-type: none"> • Where the applicant can obtain information about commencing proceedings: • What role, if any, the Central Authority has in these proceedings: <p><input type="checkbox"/> No</p>
<p>Last Update: [INSERT DATE]</p>	

8. Locating a child and preventing removal

<p>For best practice on locating a child and preventing removal, see the Guides to Good Practice under the 1980 Child Abduction Convention available at www.hcch.net under “Child Abduction Section” then “Guides to Good Practice”. In particular, in relation to preventing removal, see Part III of the Guide to Good Practice on Preventive Measures.</p>	
<p>8.1 Can return proceedings commence <u>in [name of your State]</u> before the child is located?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, in certain circumstances (<i>please specify</i>):</p> <p><input type="checkbox"/> No</p>
<p>8.2 What evidence / information <u>is required in [name of does your State] require</u> regarding the child’s whereabouts to begin to assist with locating the child?</p> <p><i>Please explain where necessary</i></p>	<p><input type="checkbox"/> Evidence that the child entered your State (e.g., evidence that the child boarded an aeroplane bound for your State):</p> <p><input type="checkbox"/> Information from the applicant as to why <u>he/she they</u> believes the child is in your State:</p>

	<input type="checkbox"/> No information or evidence is required; searches for the child can begin upon request: <input type="checkbox"/> Other (<i>please explain</i>):
<p>8.3 What mechanisms or sources of information are available in <u>[name of your State]</u> to discover the whereabouts of the child?</p> <p><i>Please indicate in the space provided any associated costs for an applicant or any other necessary information</i></p> <p><u>See—Article 7(2)(a) of the 1980 Convention</u></p>	<input type="checkbox"/> (1) Private location services: <input type="checkbox"/> (2) Population register: <input type="checkbox"/> (3) Employment register: <input type="checkbox"/> (4) Information maintained by other government agencies (e.g., <i>immigration, social welfare</i>): <input type="checkbox"/> (5) Police: <input type="checkbox"/> (6) INTERPOL: <input type="checkbox"/> (7) <u>EUROPOL:</u> <input type="checkbox"/> (8) Court orders to compel the production of information on the whereabouts of the child: <input type="checkbox"/> (9) Other (<i>please specify</i>):
<p>8.4 Please indicate who is responsible for arranging the measures listed <u>in the question above</u> in question e) by inserting the relevant number next to the responsible person or authority.</p> <p><i>E.g., Central Authority: 2, 3 The applicant's representative: 7</i></p>	<input type="checkbox"/> Central Authority: <input type="checkbox"/> The applicant: <input type="checkbox"/> The applicant's representative: <input type="checkbox"/> Other (<i>please specify</i>):
<p>8.5 Please indicate, by inserting the relevant numbers, which of the measures listed above in question <u>8.3e)</u> need an order from a competent authority.?</p>	
<p>8.6 What measures can be taken in <u>[name of your State]</u> to deter the removal or re-abduction of the child?</p> <p><i>Please explain where necessary</i></p> <p><i>Refer also to the Guide to Good Practice, Part III – Preventive Measures, available at www.hcch.net, particularly to paragraph 3.1 on barriers to international travel</i></p>	<input type="checkbox"/> (1) Child's passport(s) to be deposited with authorities <input type="checkbox"/> (2) Alleged abductor's passport to be deposited with authorities <input type="checkbox"/> (3) Obtain orders to prevent the removal of the child <input type="checkbox"/> (4) Issuing border and / or port alerts <input type="checkbox"/> (5) Requiring the alleged abductor to report periodically to authorities <input type="checkbox"/> (6) Requiring the alleged abductor to pay a bond / deposit <input type="checkbox"/> (7) Temporary placement of child in institutional care <input type="checkbox"/> (8) Other (<i>please specify</i>):
<p>8.7 Please indicate who may apply for the measures listed <u>in the question above</u> in question f) by inserting the relevant number next to the responsible person or authority.</p>	<input type="checkbox"/> Central Authority: <input type="checkbox"/> The applicant: <input type="checkbox"/> The applicant's representative: <input type="checkbox"/> Other (<i>please specify</i>):
<p>8.8 Please indicate, by inserting the relevant numbers, which of the measures above in</p>	

question 8.6f —need an order from a competent authority.?	
Last Update: [INSERT DATE]	

9. Legal representation and assistance

General	
9.1 Has <u>[name of your State]</u> made a reservation to Article 26 of the Convention?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9.2 Does the Central Authority of <u>[name of your State]</u> provide legal advice regarding return applications?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No, however: <ul style="list-style-type: none"> <input type="checkbox"/> The Central Authority will refer the applicant to the appropriate person or authority to obtain legal advice <input type="checkbox"/> The Central Authority will provide information that is of a general nature about laws and procedures <input type="checkbox"/> Other (<i>please specify</i>):
9.3 Is legal representation required in return proceedings? <i>See Article 25 of the 1980 Convention</i> <i>Please explain where necessary</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No, but recommended
9.4 What is the role of the Central Authority in arranging legal representation? <i>See Article 7(2)(g) of the 1980 Convention</i>	<input type="checkbox"/> The applicant is required to make his/her their own arrangements for legal representation, but the Central Authority will: <ul style="list-style-type: none"> <input type="checkbox"/> Provide the applicant with a list of lawyers <input type="checkbox"/> Provide the applicant with a list of free or reduced rate lawyers <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Legal representation is not required. The Central Authority ensures the application is forwarded to the competent authority for action. Please provide additional information if necessary: <input type="checkbox"/> Legal representation is arranged by the Central Authority. Representation is provided by: <ul style="list-style-type: none"> <input type="checkbox"/> Central Authority lawyers <input type="checkbox"/> Private lawyers <input type="checkbox"/> Public prosecutor <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>):
Free or reduced rate legal assistance	
9.5 Is free or reduced rate legal assistance available to an applicant in return proceedings <u>under the Convention</u> in <u>[name of your State]</u> ?	<input type="checkbox"/> Yes, free legal assistance. Go to question e 9.7 <input type="checkbox"/> Yes, reduced rate legal assistance. Go to question e 9.7

	<input type="checkbox"/> No, go to question h)9.6
<p>9.6 If free or reduced rate legal assistance is <u>not</u> available, in what other ways can <u>[name of your State]</u> assist an applicant financially?</p>	<input type="checkbox"/> There is a system of costs ordering the respondent to pay <input type="checkbox"/> <i>Pro bono</i> legal assistance <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Not at all - Go to question 10section 9
<p>9.7 Is the applicant required to complete an application form for free or reduced rate legal assistance <u>in [name of your State]</u>?</p>	<input type="checkbox"/> Yes, please specify how application forms can be obtained (e.g., website) or attach a copy: <input type="checkbox"/> No
<p>9.8 Please indicate on what basis free or reduced rate legal assistance may be available <u>in [name of your State]</u>. <i>Please explain where necessary</i></p>	<input type="checkbox"/> Income of the applicant <input type="checkbox"/> Assets of the applicant <input type="checkbox"/> Country of residence of the applicant <input type="checkbox"/> Likelihood of success of the proceedings <input type="checkbox"/> Other (<i>please specify</i>):
<p>9.9 Which costs are covered by free or reduced rate legal assistance <u>in [name of your State]</u>? <i>Please explain where necessary</i></p>	<input type="checkbox"/> (1) Mediation <input type="checkbox"/> (2) Translation <input type="checkbox"/> (3) Interpreters <input type="checkbox"/> (4) Service of documents <input type="checkbox"/> (5) Costs associated with locating the child <input type="checkbox"/> (6) Court fees <input type="checkbox"/> (7) Travel costs for the return of the child (see question 11.1 e)12.3) <input type="checkbox"/> (8) Other (<i>please specify</i>):
<p>9.10 Please indicate which costs, if any, are covered by the Central Authority of <u>[name of your State]</u> by listing the numbers set out in <u>the</u> question e) above?</p>	
<p>9.11 Is free or reduced rate legal assistance available <u>in [name of your State]</u> for the appeal of decisions?</p>	<input type="checkbox"/> No, go to question h)9.13 <input type="checkbox"/> Yes, free legal assistance; go to question h)9.12 <input type="checkbox"/> Yes, reduced rate legal assistance; go to question h)9.12 <input type="checkbox"/> It depends upon an assessment of the merits of the case and / or the means of the individual concerned (<i>please specify</i>): Go to question h)9.12
<p>9.12 Is a new application for free or reduced rate legal assistance required for appeals <u>in [name of your State]</u>?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>9.13 Is free or reduced rate legal assistance available <u>in [name of your State]</u> for proceedings needed to enforce a return order?</p>	<input type="checkbox"/> No, go to question k)9.15 <input type="checkbox"/> Yes, free legal assistance; go to question j)9.14 <input type="checkbox"/> Yes, reduced rate legal assistance; go to question j)9.14 <input type="checkbox"/> It depends upon an assessment of the merits of the case and / or the means of the individual concerned (<i>please specify</i>): Go to question j)9.14

<p>9.14 In <u>[name of your State]</u>, is a new application for free or reduced rate legal assistance required for enforcement applications?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>9.15 Is free or reduced rate legal assistance available to an alleged abducting party located in <u>[name of your State]</u>?</p>	<p><input type="checkbox"/> Yes, free legal assistance <input type="checkbox"/> Yes, reduced rate legal assistance Please specify in what circumstances and on what basis legal assistance will be granted: <input type="checkbox"/> No</p>
<p>9.16 Where a child is returned to <u>[name of your State]</u>, is free or reduced rate legal assistance available to all parties in the custody proceedings in <u>[name of your State]</u>?</p>	<p><input type="checkbox"/> Yes, free legal assistance is available to all parties <input type="checkbox"/> Yes, reduced rate legal assistance is available to all parties <i>Please specify in what circumstances and on what basis legal assistance will be granted:</i> <input type="checkbox"/> Free legal assistance is only available to certain persons (<i>please specify</i>): <input type="checkbox"/> Reduced rate legal assistance is only available to certain persons (<i>please specify</i>): <i>Please specify in what circumstances and on what basis legal assistance will be granted:</i> <input type="checkbox"/> No, free and / or reduced rate legal assistance is not available to any party <input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>Last Update: [INSERT DATE]</p>	

10. Rights of custody

<p>Acquisition of rights of custody (Arts 3 and 5)</p>	
<p>10.1 Do rights of custody arise by operation of law in <u>[name of your State]</u>?</p> <p><i>Please specify the relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy</i></p>	<p><input type="checkbox"/> Yes, go to question b)10.2 <input type="checkbox"/> No, go to question e)10.3</p>
<p>10.2 To whom are rights of custody attributed by operation of law <u>in [name of your State]</u>?</p> <p><u>See Articles 3 and 5 of the 1980 Convention</u></p> <p><i>Please specify the relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy</i></p>	<p>Please explain:</p>
<p>10.3 By what other methods can a person or institution acquire rights of custody <u>in [name of your State]</u>?</p>	<p><input type="checkbox"/> Judicial decision <input type="checkbox"/> Administrative decision <input type="checkbox"/> Agreement having legal effect</p>

	<input type="checkbox"/> Other (<i>please specify</i>):
10.4 How, if at all, can the attribution of rights of custody be modified in [name of your State]?	<input type="checkbox"/> Yes (<i>please specify</i>): <input type="checkbox"/> By order of a judicial or administrative authority <input type="checkbox"/> By written agreement <input type="checkbox"/> It depends upon how the rights of custody were acquired (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> No
10.5 How, if at all, can rights of custody be terminated in [name of your State]?	<input type="checkbox"/> Yes (<i>please specify</i>): <input type="checkbox"/> By order of a judicial or administrative authority <input type="checkbox"/> By written agreement <input type="checkbox"/> It depends upon how the rights of custody were acquired (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> No
10.6 Prior to any order determining the issue, who <i>generally</i> has the right to determine the child’s residence?	Please explain:
Last Update: [INSERT DATE]	

11. Proceedings for return

Organisation of competent authorities	
11.1 Does [name of your State] limit the number of judicial or administrative authorities who can hear return applications under the Convention? (i.e., has [name of your State] “concentrated jurisdiction” in respect of applications under the Convention)	<input type="checkbox"/> Yes <input type="checkbox"/> No
11.2 If possible, please state exactly how many courts judicial or administrative authorities and how many judges or relevant decision-makers in [name of your State] can hear return applications under the Convention?	Courts Judicial / administrative authorities: Judges / decision-makers:
11.3 Please list the judicial or administrative authorities that can make decisions in return applications under the Convention in [name of your State].	
11.4 Are the judges or administrative authorities who decide return applications in your State specialists in either family law or international child abduction? See also section-question 2322 below on Training	<input type="checkbox"/> Yes, specialists in family law <input type="checkbox"/> Yes, specialists in international child abduction <input type="checkbox"/> No <input type="checkbox"/> Other (<i>please specify</i>):

<p>11.5 In ascertaining whether there has been a wrongful removal or retention under the Convention, do judicial or administrative authorities in <u>[name of your State]</u> take judicial notice of foreign law and decisions without recourse to the specific procedures for the proof of that law or for the recognition of foreign decisions which would otherwise be applicable—in ascertaining whether there has been a wrongful removal or wrongful retention? <u>See Article 14 of the 1980 Convention</u></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other (please specify):</p>
<p>Articles 15 and 16 of the Convention</p>	
<p>11.6 In <u>[name of your State]</u> is it possible for a decision or other determination to be made, in accordance with Article 15 of the Convention, that the removal or retention of a child was wrongful within the meaning of Article 3? <u>See Article 3 and Article 15 of the 1980 Convention</u></p>	<p><input type="checkbox"/> Yes, go to question 11.8 <input type="checkbox"/> No, go to question 11.14</p>
<p>11.7 <u>If yes to the above question, has [name of your State] adopted any laws or procedural rules pertaining to requests under Article 15?</u></p>	<p><input type="checkbox"/> <u>Yes (please specify):</u> <input type="checkbox"/> <u>No</u></p>
<p>11.8 Which authorities in <u>[name of your State]</u> can issue Article 15 decisions / determinations? <u>See Article 15 of the 1980 Convention</u></p>	<p><u>Please list:</u> <input type="checkbox"/> <u>Central Authority</u> <input type="checkbox"/> <u>Competent authority (please specify):</u> <input type="checkbox"/> <u>Other (please specify):</u></p>
<p>11.9 Who can apply for an Article 15 decision / determination <u>in [name of your State]?</u></p>	<p><input type="checkbox"/> Central Authority <input type="checkbox"/> The applicant in the return proceedings <input type="checkbox"/> Other (please specify):</p>
<p>11.10 <u>In [name of your State], are proceedings to determine whether a removal / retention was wrongful <i>ex parte</i> or <i>inter partes</i> (i.e., adversarial)?</u></p>	<p><input type="checkbox"/> <u>Ex parte</u> <input type="checkbox"/> <u>Adversarial</u> <input type="checkbox"/> <u>Other (please specify):</u></p>
<p>11.11 <u>In [name of your State], are decisions or determinations under Article 15 subject to appeal or review?</u></p>	<p><input type="checkbox"/> <u>Yes</u> <input type="checkbox"/> <u>No</u></p>
<p>11.12 Are Article 15 decisions / determinations of other States accepted by the judicial or administrative authorities in <u>[name of your State]?</u></p>	<p><input type="checkbox"/> Yes, please explain if necessary: <input type="checkbox"/> No</p>
<p>11.13 <u>In [name of your State], is there a timeframe foreseen in the determination of a wrongful removal / retention following a request under Article 15?</u></p>	<p><input type="checkbox"/> <u>1 week</u> <input type="checkbox"/> <u>2 weeks</u> <input type="checkbox"/> <u>1 month</u> <input type="checkbox"/> <u>Other (please specify):</u></p>
<p>11.14 Who notifies the relevant judicial or administrative bodies <u>in [name of your</u></p>	<p><input type="checkbox"/> Central Authority</p>

<p><u>State</u>] that a decision on the merits of rights of custody should not be made until it has been determined that the child should not be returned?</p> <p><i>See Article 16 of the 1980 Convention</i></p>	<p><input type="checkbox"/> The applicant's legal representative</p> <p><input type="checkbox"/> Other (please specify):</p>
<p>11.15 When does notification in accordance with Article 16 take place <u>in [name of your State]</u>?</p>	<p><input type="checkbox"/> Automatically upon receipt of a return application</p> <p><input type="checkbox"/> Upon request of either party</p> <p><input type="checkbox"/> Other (please specify):</p>
<p>Procedures</p>	
<p>11.16 How does the Central Authority fulfil its obligation to initiate or facilitate the initiation of proceedings in <u>[name of your State]</u>?</p> <p><i>See Article 7(2)(f) of the 1980 Convention</i></p> <p><i>See also question 9.48.1 d) above</i></p>	<p><input type="checkbox"/> The Central Authority itself initiates the proceedings for return</p> <p><input type="checkbox"/> The Central Authority sends the file to an appropriate lawyer</p> <p><input type="checkbox"/> The Central Authority sends the file to the Public Prosecutor</p> <p><input type="checkbox"/> Other (please specify):</p>
<p>11.17 Who is the formal applicant in return proceedings before the courtjudicial / administrative authority in <u>[name of your State]</u>?</p>	<p><input type="checkbox"/> The person, institution or other body which made the application under the Convention</p> <p><input type="checkbox"/> The Central Authority</p> <p><input type="checkbox"/> The Public Prosecutor</p> <p><input type="checkbox"/> Other (please specify):</p>
<p>11.18 Does documentation submitted to the courtjudicial / administrative authorities have to be translated into the official language(s) of <u>[name of your State]</u>?</p> <p><i>See question 3.12 a) for the official language(s) of the State</i></p>	<p><input type="checkbox"/> Yes; (please state who is responsible for <u>arranging the organisation—translation and covering its cost of the translation</u>):</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> It depends upon the type of documentation submitted (please specify):</p>
<p>11.19 Have measures been taken to ensure that the judicial and administrative authorities in <u>[name of your State]</u> act expeditiously in return proceedings?</p> <p><i>See Article 11 of the 1980 Convention</i></p>	<p><input type="checkbox"/> Yes, please explain briefly what the measures are:</p> <p style="padding-left: 20px;"><input type="checkbox"/> In the implementing legislation:</p> <p style="padding-left: 20px;"><input type="checkbox"/> In procedural rules:</p> <p style="padding-left: 20px;"><input type="checkbox"/> Other (please specify):</p> <p>Please specify how the legislation or rules can be obtained (e.g., website) or attach a copy:</p> <p><input type="checkbox"/> No</p>
<p>11.20 Generally, what is the expected time from the commencement of the proceedings for return to a final order (excluding appeals) <u>in [name of your State]</u>?</p> <p><i>See Article 11 of the 1980 Convention</i></p>	<p><input type="checkbox"/> Up to 6 weeks</p> <p><input type="checkbox"/> 6 to 12 weeks</p> <p><input type="checkbox"/> More than 12 weeks (please provide further information):</p>
<p>11.21 Is the applicant generally required to participate in the return proceedings <u>in [name of your State]</u>?</p> <p><i>Please note that attendance in person is not required under the Convention (see</i></p>	<p><input type="checkbox"/> Yes, please specify in what circumstances:</p> <p><input type="checkbox"/> No, but <u>it is</u> advisable</p> <p><input type="checkbox"/> No</p>

<p><i>para. 6.5.3 of the Guide to Good Practice, Part II – Implementing Measures)</i></p>	
<p>11.22 Are facilities available <u>in [name of your State]</u> to enable the applicant to participate in return proceedings from outside <u>[name of your State]</u>?</p>	<p><input type="checkbox"/> Yes: <input type="checkbox"/> Videoconference <input type="checkbox"/> Telephone <input type="checkbox"/> Through a legal representative <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> No</p>
<p>11.23 If the applicant does participate in return proceedings in your State, is simultaneous interpretation available <u>during proceedings in [name of your State]</u>, where necessary?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> It depends upon the circumstances of the case (<i>please specify</i>):</p>
<p>11.24 Where the facilities set out in question 10.3 g) and h) above are required, in [name of your State], wWho is responsible for the cost of providing such facilities <u>that enable parties to participate from outside [name of your State]</u>?</p>	<p><input type="checkbox"/> The applicant <input type="checkbox"/> The requesting Central Authority <input type="checkbox"/> The requested Central Authority <input type="checkbox"/> The courtjudicial / administrative authority <input type="checkbox"/> It depends upon the facility used (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>11.25 <u>In [name of your State], c</u>Can special immigration arrangements (e.g., visas) be made to enable the applicant to attend return proceedings in person if <u>theyhe / she</u> so wishes?</p>	<p><input type="checkbox"/> Yes (<i>please specify</i>): <input type="checkbox"/> No</p>
<p>11.26 <u>In [name of your State], i</u>s it possible for a return application to be decided solely on the basis of the papers <i>i.e.</i>, with no courtjudicial (or administrative authority) hearing at all?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, but it is unlikely <input type="checkbox"/> No, there will always be a hearing</p>
<p>11.27 <u>In [name of your State], c</u>Can oral evidence (<i>i.e.</i>, in-person evidence) be received in return proceedings?</p>	<p><input type="checkbox"/> Yes, oral evidence will always be received in return proceedings <input type="checkbox"/> Yes, oral evidence can be received in return proceedings but in limited circumstances only (<i>please specify</i>): <input type="checkbox"/> No, oral evidence can never be received in return proceedings</p>
<p>Participation of the child</p>	
<p>11.28 Does the child have an opportunity to be heard in return proceedings in <u>[name of your State]</u>?</p>	<p><input type="checkbox"/> Yes, in every case; go to question 11.29) <input type="checkbox"/> It depends upon the particular case and is always at the discretion of the judge / authority hearing the case. <i>Please explain if necessary</i>: Go to question 11.29) <input type="checkbox"/> Only where Article 13(2) is relied upon; go to question 11.29) <input type="checkbox"/> Other (<i>please specify</i>): Go to question b)11.29</p>

	<input type="checkbox"/> No, never. Go to <u>quessections 11.32 - 11.35</u> 10.5
11.29 How is the child heard in return proceedings <u>in [name of your State]</u> ?	<input type="checkbox"/> Direct interview with judge <input type="checkbox"/> Report prepared for court by independent expert <input type="checkbox"/> Child's own legal representative <input type="checkbox"/> Other (<i>please specify</i>):
11.30 How does <u>[name of your State]</u> ensure that no undue delay results from hearing the child in the course of return proceedings?	Please explain:
11.31 Can judicial or administrative authorities <u>in [name of your State]</u> appoint a legal representative (attorney or <i>guardian ad litem</i>) to represent the child's best interests in return proceedings?	<input type="checkbox"/> Yes, please specify under what circumstances: <input type="checkbox"/> No
Protective measures	
11.32 Where there are concerns about the care being given to a child in <u>[name of your State]</u> , which authorities provide services for the assessment and protection of the child? <i>Please provide additional information if necessary</i> <i>On the role of the Central Authority in this respect, see also question 7.116.2-j</i> above	<input type="checkbox"/> Government social / welfare agency: <input type="checkbox"/> Non-governmental organisations / agencies: <input type="checkbox"/> Central Authority: <input type="checkbox"/> Police: <input type="checkbox"/> Courts: <input type="checkbox"/> Other (<i>please specify</i>):
11.33 What measures are available to ensure the protection of a child in <u>[name of your State]</u> (both prior to the initiation of return proceedings and whilst return proceedings are ongoing)?	<input type="checkbox"/> (1) Injunctive orders can be placed on the alleged abducting party prohibiting certain forms of conduct e.g., violence, drinking etc. <input type="checkbox"/> (2) Placement of the child in foster care <input type="checkbox"/> (3) Placement of the child in State care <input type="checkbox"/> (4) Supervision of the alleged abducting party's care of the child by a social / welfare agency <input type="checkbox"/> (5) Other (<i>please specify</i>):
11.34 Which of the above measures require a court order <u>in [name of your State]</u> ? Please list the relevant numbers from question 11.33 10.5 b) above	
11.35 <u>In [name of your State]</u> , w who is responsible for applying for any protective measure requiring a court order? Please list next to the relevant individual or body the number of the measure from question 11.33 b) above, which they are required to apply for. <i>On the role of the Central Authority in this respect, see also question 7.116.2-j</i> above	<input type="checkbox"/> The applicant: <input type="checkbox"/> The requesting Central Authority: <input type="checkbox"/> The requested Central Authority: <input type="checkbox"/> The Public Prosecutor: <input type="checkbox"/> The judge (<i>ex officio</i>): <input type="checkbox"/> A government social / welfare agency: <input type="checkbox"/> The police: <input type="checkbox"/> Other (<i>please specify</i>):
Contact or access during return proceedings	

<p>11.36 <u>In [name of your State], c</u>an judicial or administrative authorities take provisional or interim measures to enable an applicant to exercise contact or access in respect of the child while return proceedings are pending?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Appeals</p>	
<p>11.37 Can a decision in return proceedings be appealed <u>in [name of your State]</u>?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Only in certain circumstances (<i>please specify</i>):</p> <p>If either of the boxes above are ticked, please specify how many levels of appeal exist and to which court(s) / authority(ies) an appeal may be made:</p> <p><input type="checkbox"/> No, go to <u>quessection 1211</u></p>
<p>11.38 Is there an expedited procedure or special process of appeal for Hague return cases <u>in [name of your State]</u>?</p> <p><i>Please specify the legislation and / or rules which provide for this and how they can be obtained (e.g., website) or attach a copy</i></p>	<p><input type="checkbox"/> Yes, please specify: <input type="checkbox"/> No</p>
<p>11.39 Who can initiate the appeal process <u>in [name of your State]</u>?</p>	<p><input type="checkbox"/> Either party to the proceedings <input type="checkbox"/> Central Authority <input type="checkbox"/> Public Prosecutor <input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>11.40 Is leave to appeal required <u>in [name of your State]</u>?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In certain circumstances (<i>please specify</i>):</p>
<p>11.41 <u>In [name of your State], i</u>f a return order is made, can it be suspended (<i>i.e.</i>, “stayed”) pending an appeal?</p>	<p><input type="checkbox"/> Yes, a return order is <i>automatically</i> suspended pending an appeal <input type="checkbox"/> Yes, a return order can be suspended pending an appeal at the request of either party <input type="checkbox"/> Yes, a return order can be suspended pending an appeal at the request of either party <u>and</u> after determination by the judge / authority <input type="checkbox"/> No</p>
<p>11.42 <u>In [name of your State], i</u>s there a time limit by which an appeal must be filed in return proceedings?</p>	<p><input type="checkbox"/> Yes, please specify: The time limit: From when the time limit starts to run (<i>e.g.</i>, from the date of judgment, from the date of the order, from the date the decision was notified to the parties <i>etc.</i>):</p> <p><input type="checkbox"/> No</p>
<p>11.43 Generally, what is the expected time within which appeals are filed and decided <u>in [name of your State]</u> (between</p>	<p><input type="checkbox"/> Up to 3 months <input type="checkbox"/> 3 to 6 months <input type="checkbox"/> Longer than 6 months</p>

<p>the filing of the appeal and the communication of the decision)?</p>	
<p>11.44 Is the applicant generally required to participate in the appeal proceedings <u>in [name of your State]</u>? <i>Please note that attendance in person is not required under the Convention (see para. 6.5.3 of the Guide to Good Practice, Part II – Implementing Measures)</i></p>	<p><input type="checkbox"/> Yes, please specify in what circumstances: <input type="checkbox"/> No, but advisable <input type="checkbox"/> No</p>
<p>11.45 Are facilities available <u>in [name of your State]</u> to enable the applicant to attend appeal proceedings from outside <u>[name of your State]</u>?</p>	<p><input type="checkbox"/> Yes, please specify: <input type="checkbox"/> Videoconference <input type="checkbox"/> Telephone <input type="checkbox"/> Through a legal representative <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> No</p>
<p>11.46 If the applicant does participate in appeal proceedings in <u>[name of your State]</u>, is simultaneous interpretation available, where necessary?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>11.47 Where the facilities set out in questions 11.45<i>i)</i> and 11.46<i>j)</i> above are required, who is responsible for the cost of providing such facilities <u>in [name of your State]</u>?</p>	<p><input type="checkbox"/> The applicant <input type="checkbox"/> The requesting Central Authority <input type="checkbox"/> The requested Central Authority <input type="checkbox"/> The courtjudicial / administrative authority <input type="checkbox"/> It depends upon the facility used (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>11.48 Can special immigration arrangements (e.g., visas) be made <u>in [name of your State]</u> to enable the applicant to attend appeal proceedings in person if <u>theyhe / she</u> so wishes?</p>	<p><input type="checkbox"/> Yes (<i>please specify</i>): <input type="checkbox"/> No</p>
<p>Last Update: [INSERT DATE]</p>	

12. Return of the child

<p>Arrangements for return and the costs of return</p>	
<p>12.1 <u>In [name of your State]</u>, wwho is responsible for making travel arrangements for the return of the child?</p>	<p><input type="checkbox"/> The abducting party <input type="checkbox"/> The applicant <input type="checkbox"/> The abducting party and the applicant <input type="checkbox"/> The requesting Central Authority <input type="checkbox"/> The requested Central Authority <input type="checkbox"/> The judicial or administrative authority will direct who is to make arrangements on a case-by-case basis. Please explain if necessary: <input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>12.2 <u>In [name of your State]</u>, wwho is responsible for the travel costs relating to the return of the child?</p>	<p><input type="checkbox"/> The abducting party <input type="checkbox"/> The applicant <input type="checkbox"/> The abducting party and the applicant</p>

	<input type="checkbox"/> The requesting Central Authority <input type="checkbox"/> The requested Central Authority <input type="checkbox"/> The costs are decided by the judicial or administrative authority on a case-by-case basis. Please explain if necessary: <input type="checkbox"/> Other (<i>please specify</i>):
12.3 Is there financial assistance available in <u>[name of your State]</u> to assist with travel costs associated with the return of the child? <i>See also question 9.9 8.2 e) above</i>	<input type="checkbox"/> Yes, please specify: <input type="checkbox"/> No
12.4 Can special immigration arrangements (e.g., visas) be made, where necessary, to enable an applicant to travel to <u>[name of your State]</u> to collect a child (following a return order or a voluntary agreement to return the child)?	<input type="checkbox"/> Yes <input type="checkbox"/> No Please explain, if necessary:
12.5 Can special immigration arrangements (e.g., visas) be made, where necessary, for abducting parties and children returning to <u>[name of your State]</u> ?	<input type="checkbox"/> Yes <input type="checkbox"/> No Please explain, if necessary:
Provisions for safe return	
<i>See also: Article 7(2)(b) <u>of the 1980 Convention</u></i> See Part VI – Direct Judicial Communications <i><u>Section 6 7 – Applications through Central Authorities</u></i>	
12.6 Does the law in <u>[name of your State]</u> provide for the protection of children from domestic violence or other forms of abuse?	<input type="checkbox"/> Yes, please specify how legislation can be accessed (e.g., website) or attach a copy: <input type="checkbox"/> No
12.7 Does the law in <u>[name of your State]</u> provide for the protection of adults from domestic violence or other forms of abuse?	<input type="checkbox"/> Yes, please specify how legislation can be accessed (e.g., website) or attach a copy: <input type="checkbox"/> No
12.8 Which authorities <u>in [name of your State]</u> provide services for the protection, if necessary, of the child? <i>Please provide additional information if necessary</i>	<input type="checkbox"/> Government social / welfare agency: <input type="checkbox"/> Non-governmental organisations: <input type="checkbox"/> Central Authority: <input type="checkbox"/> Police: <input type="checkbox"/> Courts: <input type="checkbox"/> Other (<i>please specify</i>):
12.9 What action can the Central Authority of <u>[name of your State]</u> take, where necessary, to ensure the safe return of the child? <i>See Article 7(2)(h) <u>of the 1980 Convention</u></i>	Please explain:
Requested State	
12.10 Where a judge-judicial or administrative authority in <u>[name of your State]</u> is ordering the return of the child, what can	<input type="checkbox"/> Make a protective order or other order designed to prevent harm occurring to the child

<p>the authority do to create conditions for a safe return? <i>Please explain where necessary</i> <i>Please tick all boxes which apply</i></p>	<p><input type="checkbox"/> Accept undertakings from either party designed to prevent harm occurring to the child</p> <p>Please specify the subject-matter of, and any limitations on, the undertakings the authority can accept:</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>12.11 Where a judge-judicial or administrative authority in <u>[name of your State]</u> takes measures to create conditions for a safe return, what can the authority do to ensure compliance with those measures?</p>	<p>Please specify:</p>
<p>Requesting State</p>	
<p>12.12 Can judicial or administrative authorities in <u>[name of your State]</u>:</p> <p>i. Recognise and enforce protective orders or other orders made in the requested State designed to prevent harm occurring to the child?</p> <p>ii. Insist upon undertakings given in the requested State being carried out?</p> <p>iii. Make any “mirror orders” necessary as a result of protective measures taken in the requested State?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No Please explain where necessary:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> It depends upon the subject-matter of the undertakings given Please explain where necessary:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Please explain where necessary:</p>
<p>Criminal law and the return of the child</p>	
<p>12.13 Is the wrongful <i>removal</i> of a child by a parent from <u>[name of your State]</u> a criminal offence? <i>See Article 3 of the 1980 Convention</i> <i>Please specify the relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> It depends upon the circumstances of the case, please specify: <input type="checkbox"/> No</p>
<p>12.14 Is the wrongful <i>retention</i> of a child by a parent outside <u>[name of your State]</u> a criminal offence? <i>See Article 3 of the 1980 Convention</i> <i>Please specify the relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> It depends upon the circumstances of the case, please specify: <input type="checkbox"/> No If the answer to both questions 12.1311.3 a) and 12.14b) is “no”, go to <u>quessection 1312</u></p>
<p>12.15 What penalties are available in <u>[name of your State]</u> for the wrongful removal or wrongful retention of a child by a parent?</p>	<p><input type="checkbox"/> (1) Pecuniary measures <input type="checkbox"/> (2) Imprisonment <input type="checkbox"/> (3) Other (<i>please specify</i>):</p>

12.16	Please indicate which of the penalties listed above are mandatory <u>in [name of your State]</u> .	
12.17	Can criminal proceedings in <u>[name of your State]</u> proceed without a complaint being presented (e.g., by the applicant to the return proceedings or any other concerned person / body)?	<input type="checkbox"/> Yes <input type="checkbox"/> No, please specify:
12.18	Once initiated, can criminal proceedings in <u>[name of your State]</u> be withdrawn or suspended to facilitate the return of a child?	<input type="checkbox"/> Yes, please specify: <input type="checkbox"/> No, go to <u>quessection 1312</u>
12.19	<u>In [name of your State], w</u> ho is able to initiate the withdrawal or suspension of criminal proceedings relating to the wrongful removal or wrongful retention of a child?	<input type="checkbox"/> Prosecuting authority <input type="checkbox"/> Police <input type="checkbox"/> The person / body / institution alleging a wrongful removal or retention <input type="checkbox"/> Judicial or administrative authority <input type="checkbox"/> Other (please specify):
12.20	<u>In [name of your State], w</u> ho will determine whether the criminal proceedings are to be withdrawn or suspended?	<input type="checkbox"/> Prosecuting authority <input type="checkbox"/> Police <input type="checkbox"/> The person / body / institution alleging a wrongful removal or retention <input type="checkbox"/> Judicial or administrative authority <input type="checkbox"/> Other (please specify):
12.21	What assistance can the Central Authority <u>of [name of your State]</u> provide regarding the suspension or withdrawal of criminal proceedings?	<input type="checkbox"/> None <input type="checkbox"/> Refer the matter to prosecuting authority <input type="checkbox"/> Other (please specify):
Last Update: [INSERT DATE]		

13. Enforcement of return orders

For best practice in relation to the enforcement of return orders, see the Guide to Good Practice, Part IV – Enforcement available at www.hcch.net under “Child Abduction Section” then “Guides to Good Practice”.

13.1	What procedure may be used <u>in [name of your State]</u> to enforce a return order?	<input type="checkbox"/> Directions by a judicial or administrative authority to make arrangements for return <input type="checkbox"/> Measures for the immediate execution of final orders <input type="checkbox"/> Issue of a warrant for the apprehension or detention of the child <input type="checkbox"/> Authority for coercive detention or use of force <input type="checkbox"/> Other (please specify):
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<p>13.2 Who is generally responsible, <u>in [name of your State]</u>, for <u>supervising exercising supervision over</u> the process of enforcement?</p>	<p><input type="checkbox"/> The applicant <input type="checkbox"/> Central Authority <input type="checkbox"/> Public Prosecutor <input type="checkbox"/> The courtjudicial / administrative authority <input type="checkbox"/> Police <input type="checkbox"/> No one body has general responsibility <input type="checkbox"/> Other (please specify):</p>
<p>13.3 Where parties do not voluntarily comply with a return order, is it necessary to commence additional proceedings to enforce the order <u>in [name of your State]</u>?</p>	<p><input type="checkbox"/> Yes, go to question 13.4d) <input type="checkbox"/> It depends on the circumstances (please specify): Go to question 13.4d) <input type="checkbox"/> No, go to Part IV – Applications relating to access / contact</p>
<p>13.4 What is the procedure <u>in [name of your State]</u> to commence enforcement proceedings?</p>	<p><input type="checkbox"/> The Central Authority will apply for enforcement <input type="checkbox"/> The applicant must apply for enforcement <input type="checkbox"/> Other (please specify):</p>
<p>13.5 Can the merits of the proceedings for return be reviewed in enforcement proceedings <u>in [name of your State]</u>?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>13.6 What coercive measures, if any, are available <u>in [name of your State]</u> to enforce a return order?</p>	<p><input type="checkbox"/> Intervention by government agency (e.g., <i>police, social welfare</i>) <input type="checkbox"/> Removal of the child from the abducting party <input type="checkbox"/> Removal of the child from the State <input type="checkbox"/> Criminal charges <input type="checkbox"/> Imprisonment <input type="checkbox"/> Pecuniary measures <input type="checkbox"/> An order placing the child under supervision <input type="checkbox"/> Other (please specify):</p>
<p>Last Update: [INSERT DATE]</p>	

IV. Applications relating to access / contact

14. Applications through Central Authorities

<p>Outgoing applications (requesting State)</p>	
<p>14.1 What assistance is available to applicants in <u>[name of your State]</u> in the preparation of outgoing access / <u>contact</u> applications? <u>See Articles 7 and 21 of the 1980 Convention</u></p>	<p><input type="checkbox"/> Assistance from the Central Authority to apply under Article 21 <input type="checkbox"/> Assistance from another authority or body to apply under Article 21 <input type="checkbox"/> Referral to a legal representative for assistance to apply under Article 21 <input type="checkbox"/> Other (please specify):</p>
<p>14.2 <u>What services are offered by the Central Authority to applicants in [name of your State] in the preparation of outgoing access / contact applications?</u> <u>Articles 7 and 21 of the 1980 Convention</u></p>	<p><input type="checkbox"/> <u>Assistance in obtaining information on the operation of the 1980 Child Abduction Convention</u> <input type="checkbox"/> <u>Assistance in obtaining information on the relevant laws and procedures in the requested State</u></p>

	<p><input type="checkbox"/> Establishment of contact with the Central Authority and / or the judicial / administrative authorities in the requested State to find out the kind of assistance such authorities could provide</p> <p><input type="checkbox"/> Transmission of the request to the Central Authority or to the judicial / administrative authorities in the requested State</p> <p><input type="checkbox"/> Assistance in initiating judicial or administrative proceedings with a view to making arrangements for organising or securing the effective exercise of rights of access / contact</p> <p><input type="checkbox"/> Assistance in providing or facilitating the provision of legal aid and advice</p> <p><input type="checkbox"/> Assistance in obtaining private legal counsel or mediation services, where needed in the requested State</p> <p><input type="checkbox"/> Referral to other governmental and / or non-governmental organisations for assistance</p> <p><input type="checkbox"/> Provision of regular updates on the progress of the application</p> <p><input type="checkbox"/> Other, please specify:</p>
<p>Incoming applications (requested State)</p>	
<p>14.3 Has <u>[name of your State]</u> developed a specific form for access <u>/ contact</u> applications under the Convention?</p>	<p><input type="checkbox"/> Yes Please specify how this form can be accessed (e.g., website) or attach a copy: Go to question 14.5e)</p> <p><input type="checkbox"/> No, go to question 14.4b)</p>
<p>14.4 If <u>[name of your State]</u> does not require a particular form for access <u>/ contact</u> applications, what information or documents are requested?</p>	<p><input type="checkbox"/> Information concerning the identity of the child:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Name and previous name/s <input type="checkbox"/> Date of birth, where available <input type="checkbox"/> Address <input type="checkbox"/> Telephone number <input type="checkbox"/> Nationality / nationalities <input type="checkbox"/> Passport number(s) <input type="checkbox"/> Physical description (height, eye and hair colour) <input type="checkbox"/> Photograph (as recent as possible) <input type="checkbox"/> Information identifying the child's parents e.g., nationalities - where a parent is not the applicant or respondent to proceedings (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>): <p><input type="checkbox"/> Information concerning the identity of the applicant:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Name and previous name/s <input type="checkbox"/> Date of birth <input type="checkbox"/> Address <input type="checkbox"/> Telephone number

	<ul style="list-style-type: none"><input type="checkbox"/> Nationality / Nationalities<input type="checkbox"/> Passport number(s)<input type="checkbox"/> Relationship of the applicant to the child<input type="checkbox"/> Name(s) of legal adviser, if any<input type="checkbox"/> Other (<i>please specify</i>): <p><input type="checkbox"/> Information concerning the identity of the person with whom the child is presumed to be (the proposed respondent to the application):</p> <ul style="list-style-type: none"><input type="checkbox"/> Name and previous name/s<input type="checkbox"/> Date of birth<input type="checkbox"/> Address<input type="checkbox"/> Telephone number<input type="checkbox"/> Nationality / nationalities<input type="checkbox"/> Passport number(s)<input type="checkbox"/> Physical description (height, eye and hair colour)<input type="checkbox"/> Photograph (as recent as possible)<input type="checkbox"/> Relationship of the person to the child<input type="checkbox"/> Other (<i>please specify</i>): <p><input type="checkbox"/> The grounds upon which the applicant's claim for access to <u>/ contact with</u> the child is based</p> <ul style="list-style-type: none"><input type="checkbox"/> Evidence of the applicant's rights of access (whether obtained by operation of law, or otherwise)<input type="checkbox"/> An authenticated copy of any relevant decision or agreement<input type="checkbox"/> A certificate or an affidavit emanating from the Central Authority, or other competent authority of the State of the child's habitual residence, or from a qualified person, concerning the relevant law of that State<input type="checkbox"/> Other (<i>please specify</i>): <p><input type="checkbox"/> All available information relating to the whereabouts of the child and the identity of the person with whom the child is presumed to be</p> <p><input type="checkbox"/> Any other relevant document / information</p> <ul style="list-style-type: none"><input type="checkbox"/> Concerning any child protection issues<input type="checkbox"/> Marriage certificate (if applicable)<input type="checkbox"/> Divorce decree (if applicable)<input type="checkbox"/> Civil and / or criminal proceedings in progress (if applicable)<input type="checkbox"/> Other (<i>please specify</i>):
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<p>14.5 Does your <u>the</u> Central Authority <u>of [name of your State]</u> accept an application and accompanying documentation transmitted by electronic means?</p>	<p><input type="checkbox"/> Yes, please specify any requirements for electronically transmitted applications / documentation:</p> <p><input type="checkbox"/> Yes, but any documentation sent electronically is not accepted by the court <u>judicial</u> / administrative authority (<i>please specify</i>):</p> <p><input type="checkbox"/> No</p>
<p>14.6 Does the Central Authority <u>of [name of your State]</u> require a written authorisation empowering it or a designated representative (e.g., <i>lawyer</i>) to act on behalf of the applicant?</p> <p><i>See Article 28 of the 1980 Convention</i></p>	<p><input type="checkbox"/> Yes, the authorisation should be provided:</p> <p><input type="checkbox"/> On the application form</p> <p><input type="checkbox"/> In a signed statement or declaration</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p><input type="checkbox"/> No</p>
<p>14.7 Does the Central Authority <u>of [name of your State]</u> acknowledge receipt of the application?</p>	<p><input type="checkbox"/> Yes, acknowledgment generally is provided by:</p> <p><input type="checkbox"/> E-mail</p> <p><input type="checkbox"/> Fax</p> <p><input type="checkbox"/> Post</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p><input type="checkbox"/> No</p>
<p>14.8 Can the Central Authority <u>of [name of your State]</u> proceed with an application where the information provided is incomplete?</p>	<p><input type="checkbox"/> Yes, the Central Authority will begin processing the application and will immediately inform the requesting Central Authority of what additional information is required to complete the request</p> <p><input type="checkbox"/> No:</p> <p><input type="checkbox"/> The Central Authority will not process an application without all of the necessary supporting documentation</p> <p><input type="checkbox"/> The Central Authority is unable to process the application but will immediately inform the requesting Central Authority of what additional information is required before further action can be taken</p> <p><input type="checkbox"/> It depends upon what type of information is missing (<i>please specify</i>):</p> <p><input type="checkbox"/> Other (<i>please explain</i>):</p>
<p>14.9 Who does the Central Authority <u>of [name of your State]</u> prefer to communicate with in incoming applications?</p>	<p><input type="checkbox"/> The requesting Central Authority</p> <p><input type="checkbox"/> The applicant</p> <p><input type="checkbox"/> The applicant's legal representative</p> <p><input type="checkbox"/> All of the above</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>14.10 What measures are taken by the Central Authority <u>of [name of your State]</u> (either directly, or through an intermediary) to attempt to secure agreement between parties in international access cases?</p> <p><i>See Article 21 of the 1980 Convention</i></p> <p>See Part V – Mediation and other forms of alternative dispute resolution</p>	<p><input type="checkbox"/> Contact is made with the respondent to the application</p> <p><input type="checkbox"/> Mediation and / or other forms of alternative dispute resolution are offered to the parties (see Part V – Mediation and other forms of alternative dispute resolution)</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>

<p>14.11 How is it ensured, <u>in [name of your State]</u>, that no undue delay results from the measures taken, or attempted, to secure an agreement between parties in international access / <u>contact</u> cases (see question 14.10h)-above)?</p>	<p>Please explain:</p>
<p>14.12 <u>What services are offered by the Central Authority in [name of your State] to applicants in incoming access / contact applications?</u> <u>Articles 7 and 21 of the 1980 Convention</u></p>	<p><input type="checkbox"/> <u>Providing information on the operation of the 1980 Convention and / or the relevant laws and procedures in your State</u></p> <p><input type="checkbox"/> <u>Assistance in initiating judicial or administrative proceedings with a view to making arrangements for organising or securing the effective exercise of rights of access / contact</u></p> <p><input type="checkbox"/> <u>Assistance in providing or facilitating the provision of legal aid and advice</u></p> <p><input type="checkbox"/> <u>Assistance in obtaining private legal counsel or mediation services available in your State</u></p> <p><input type="checkbox"/> <u>Referral to other governmental and / or non-governmental organisations for assistance</u></p> <p><input type="checkbox"/> <u>Regular updates on the progress of the application</u></p> <p><input type="checkbox"/> <u>Other (please specify):</u></p>
<p>14.13 What general assistance can be provided by the Central Authority <u>of [name of your State] to applicants</u> in respect of arrangements for rights of access <u>/ contact</u>? <u>See Article 21 of the 1980 Convention</u></p>	<p><input type="checkbox"/> The Central Authority can facilitate contact with the parties:</p> <p style="padding-left: 20px;"><input type="checkbox"/> Directly through the Central Authority</p> <p style="padding-left: 20px;"><input type="checkbox"/> Through intermediaries</p> <p><input type="checkbox"/> The Central Authority can provide information to the applicant on services available, e.g., mediation, legal services, social welfare services (<i>please specify</i>):</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>14.14 Will the Central Authority's assistance depend on:</p> <p><i>See paragraph 4.6 of the General Principles and Guide to Good Practice on Transfrontier Contact Concerning Children (available at www.hcch.net under "Child Abduction Section" then "Guides to Good Practice") recommending that Central Authorities should make their services available in all cases where cross-frontier contact rights of parents and children are in issue</i></p>	<p><input type="checkbox"/> Existence of a judicial or administrative order establishing or confirming rights of access</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>14.15 Can an applicant commence proceedings in <u>[name of your State]</u> with respect to access <u>/ contact</u> without using the Central Authority channel?</p>	<p><input type="checkbox"/> Yes; if so, please explain:</p> <ul style="list-style-type: none"> • Where an applicant can obtain information about commencing proceedings: • What role, if any, the Central Authority has in these proceedings: <p><input type="checkbox"/> No</p>
<p>Last Update: [INSERT DATE]</p>	

15. Locating a child and preventing removal

<p>15.1 Are the responses to the questions in this section the same as for applications for return (see quessection-78)?</p>	<p><input type="checkbox"/> Yes, go to quessection 1615</p> <p><input type="checkbox"/> No, continue to question 15.2b)</p>
<p>15.2 What evidence / information does [name of your State] require regarding the child's whereabouts to begin to assist with locating the child?</p> <p><i>Please explain where necessary</i></p>	<p><input type="checkbox"/> Evidence that the child entered [name of your State] (e.g., evidence that the child boarded an aeroplane bound for your State):</p> <p><input type="checkbox"/> Information from the applicant as to why he / she / they believes the child is in [name of your State]:</p> <p><input type="checkbox"/> No information or evidence is required; searches for the child can begin upon request:</p> <p><input type="checkbox"/> Other (<i>please explain</i>):</p>
<p>15.3 What mechanisms or sources of information are available in [name of your State] to discover the whereabouts of a child who is the subject of an access / contact application?</p> <p><i>Please indicate in the space provided any associated costs for the applicant or any other necessary information</i></p>	<p><input type="checkbox"/> (1) Private location services:</p> <p><input type="checkbox"/> (2) Population register:</p> <p><input type="checkbox"/> (3) Employment register:</p> <p><input type="checkbox"/> (4) Information maintained by other government agencies (e.g., <i>immigration, social welfare</i>):</p> <p><input type="checkbox"/> (5) Police:</p> <p><input type="checkbox"/> (6) INTERPOL:</p> <p><input checked="" type="checkbox"/> (7) <u>EUROPOL:</u> _____</p> <p><input type="checkbox"/> (8) Court orders to compel the production of information on the whereabouts of the child:</p> <p><input type="checkbox"/> (9) Other (<i>please specify</i>):</p>
<p>15.4 Please indicate who is responsible for arranging the measures indicated-listed above in question 15.3e) by listing the relevant number next to the responsible person or authority.</p> <p><i>E.g., Central Authority: 2, 3</i></p> <p><i>The applicant's representative: 6</i></p>	<p><input type="checkbox"/> Central Authority:</p> <p><input type="checkbox"/> The applicant:</p> <p><input type="checkbox"/> The applicant's representative:</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>15.5 Please indicate by listing numbers which of the measures listed above in question 15.3e) need an order from a competent authority?</p>	
<p>Last Update: [INSERT DATE]</p>	

16. Legal representation and assistance

<p>General</p>	
<p>16.1 Are the responses to the questions in this section the same as for applications for return (see quessection-89)?</p>	<p><input type="checkbox"/> Yes, go to quessections 15.216.5 - 16.15</p> <p><input type="checkbox"/> No, continue to question 16.2b)</p>
<p>16.2 Does the Central Authority of [name of your State] provide legal advice regarding access / contact applications?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> No, however:</p>

	<input type="checkbox"/> The Central Authority will refer the applicant to the appropriate person or authority to obtain legal advice <input type="checkbox"/> The Central Authority will provide information that is of a general nature about laws and procedures <input type="checkbox"/> Other (<i>please specify</i>):
16.3 Is legal representation needed in access / <u>contact</u> proceedings <u>in [name of your State]</u> ? <i>Please explain where necessary</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No, but <u>it is</u> advisable <input type="checkbox"/> No
16.4 <u>In [name of your State], w</u> What is the role of the Central Authority in making arrangements to progress the application? <u>See Article 7(2)(g) of the 1980 Convention</u>	<input type="checkbox"/> The applicant is required to make his/her <u>their</u> own arrangements for legal representation, but the Central Authority will: <input type="checkbox"/> Provide the applicant with a list of lawyers <input type="checkbox"/> Provide the applicant with a list of free or reduced rate lawyers <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Legal representation is not required. The Central Authority ensures the application is forwarded to the competent authority for action. Please provide additional information if necessary: <input type="checkbox"/> Legal representation is arranged by the Central Authority. Representation is provided by: <input type="checkbox"/> Central Authority lawyers <input type="checkbox"/> Private lawyers <input type="checkbox"/> Public prosecutor <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>):
Free or reduced rate legal assistance	
16.5 Are the responses to the questions in this section the same as for applications for return (see <u>quessection-8.29.2</u>)?	<input type="checkbox"/> Yes, go to <u>quessection 1716</u> <input type="checkbox"/> No, go to question 16.6 b)
16.6 <u>In [name of your State], is</u> free or reduced rate legal assistance for access / <u>contact</u> applications available for applicants located in another Contracting State?	<input type="checkbox"/> Yes, free legal assistance; go to question d) <u>e)</u> 16.8 <input type="checkbox"/> Yes, reduced rate legal assistance; go to question d) <u>e)</u> 16.8 <input type="checkbox"/> No; go to question e) <u>e)</u> 16.7
16.7 If free or reduced rate legal assistance is <u>not</u> available <u>in [name of your State]</u> , in what other ways can <u>[name of your State]</u> assist an applicant financially?	<input type="checkbox"/> There is a system of costs ordering the respondent to pay <input type="checkbox"/> <i>Pro bono</i> legal assistance <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Not at all - go to <u>quessection 1716</u>
16.8 <u>In [name of your State], is</u> the applicant required to complete an application form for free or reduced rate legal assistance?	<input type="checkbox"/> Yes. Please specify how application forms can be obtained (e.g., website) or attach a copy: <input type="checkbox"/> No

<p>16.9 Please indicate on what basis free or reduced rate legal assistance may be available <u>in [name of your State]</u>. <i>Please explain where necessary</i></p>	<p><input type="checkbox"/> Income of the applicant <input type="checkbox"/> Assets of the applicant <input type="checkbox"/> Country of residence of the applicant <input type="checkbox"/> Likelihood of success of the proceedings <input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>16.10 Which costs are covered by free or reduced rate legal assistance <u>in [name of your State]</u>? <i>Please explain where necessary</i></p>	<p><input type="checkbox"/> (1) Mediation <input type="checkbox"/> (2) Translation <input type="checkbox"/> (3) Interpreters <input type="checkbox"/> (4) Service of documents <input type="checkbox"/> (5) Costs associated with locating the child <input type="checkbox"/> (6) Court fees <input type="checkbox"/> (7) Travel costs for the return of the child (see question 12.311.1 e)) <input type="checkbox"/> (8) Other (<i>please specify</i>):</p>
<p>16.11 Please list the corresponding numbers of the costs, if any, listed in question 16.10f) above which are covered by the Central Authority <u>of [name of your State]</u>?</p>	
<p>16.12 <u>In [name of your State]</u>, is free or reduced rate legal assistance available for the appeal of decisions?</p>	<p><input type="checkbox"/> No, go to question 16.14j) <input type="checkbox"/> Yes, free legal assistance <input type="checkbox"/> Yes, reduced rate legal assistance</p>
<p>16.13 <u>In [name of your State]</u>, is a new application for free or reduced rate legal assistance needed for appeals?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>16.14 <u>In [name of your State]</u>, is free or reduced rate legal assistance available for proceedings needed to enforce an access / <u>contact</u> order?</p>	<p><input type="checkbox"/> No, go to <u>quessection 1716</u> <input type="checkbox"/> Yes, free legal assistance <input type="checkbox"/> Yes, reduced rate legal assistance</p>
<p>16.15 <u>In [name of your State]</u>, is a new application for free or reduced rate legal assistance needed for enforcement applications?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Last Update: [INSERT DATE]</p>	

17. Rights of access / contact

<p>Determining rights of access / <u>contact</u></p>	
<p>17.1 Which legislation in <u>[name of your State]</u> governs the establishment and exercise of rights of access / <u>contact</u>? <i>See Article 5 of the 1980 Convention</i> <i>Please specify how legislation can be accessed (e.g., website) or attach a copy.</i></p>	<p>Please specify how legislation can be accessed (e.g., website) or attach a copy:-</p>
<p>17.2 Which judicial and / or administrative authorities can make decisions with respect to rights of access / <u>contact</u>?</p>	

<p>17.3 In <u>[name of your State]</u>, who may seek rights of access / <u>contact</u> in respect of a child? <i>Please tick all the boxes that apply.</i></p>	<p><input type="checkbox"/> Parent <input type="checkbox"/> Step-parent <input type="checkbox"/> Grandparent <input type="checkbox"/> Other family member (please specify): <input type="checkbox"/> Other (please specify):</p>
<p>17.4 Are the best interests of the child a primary consideration in access / <u>contact</u> proceedings <u>in [name of your State]</u>? <i>See Articles 3 and 9 of the United Nations Convention on the Rights of the Child</i> <i>Please explain, if necessary</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No, please specify what are the primary considerations:</p>
<p>Exercising rights of access / <u>contact</u></p>	
<p>17.5 Where necessary, what guarantees and safeguards do your the courts <u>judicial</u> or administrative authorities <u>in [name of your State]</u> have to enable them to secure rights of access / <u>contact</u> for children and applicants?</p>	<p><input type="checkbox"/> Surrender of passport or travel documents <input type="checkbox"/> Applicant to regularly report to police or other authority <input type="checkbox"/> Deposit of a monetary bond or surety <input type="checkbox"/> Supervised contact <input type="checkbox"/> Placing restrictions on how contact is exercised <input type="checkbox"/> Signing an affidavit or religious oath <input type="checkbox"/> Provision of a detailed itinerary with contact details <input type="checkbox"/> Requesting foreign consulates / embassies should not issue new passports / travel documents for the child <input type="checkbox"/> Other:</p>
<p>Supervised access</p>	
<p>17.6 Do facilities exist in <u>[name of your State]</u> for the exercise of rights of access / <u>contact</u> in a supervised environment?</p>	<p><input type="checkbox"/> Yes, please explain if necessary: <input type="checkbox"/> No, go to <u>question 1817</u></p>
<p>17.7 Under what circumstances is access / <u>contact</u> supervised <u>in [name of your State]</u>?</p>	<p><input type="checkbox"/> Where it is agreed between the parties <input type="checkbox"/> Where it is requested by one party <input type="checkbox"/> As a result of a decision by a social welfare agency <input type="checkbox"/> By order of a judicial or administrative authority <input type="checkbox"/> Other (please specify):</p>
<p>17.8 Which authorities <u>in [name of your State]</u> provide supervised access / <u>contact</u>?</p>	<p><input type="checkbox"/> Government social / welfare agency <input type="checkbox"/> Non-government organisations <input type="checkbox"/> Central Authority <input type="checkbox"/> Police <input type="checkbox"/> Courts <input type="checkbox"/> Other (please specify)</p>
<p>17.9 Who will pay the costs associated with exercising supervised access / <u>contact in [name of your State]</u>?</p>	<p><input type="checkbox"/> The applicant <input type="checkbox"/> The person(s) with day-to-day care of the child <input type="checkbox"/> The Central Authority <input type="checkbox"/> It depends upon the order of the judicial or administrative authority</p>

	<input type="checkbox"/> Other (please specify):
Last Update: [INSERT DATE]	

18. Proceedings for access / contact

Organisations of competent authorities	
<p>18.1 Does <u>[name of your State]</u> limit the judicial or administrative authorities who can hear access / <u>contact</u> applications under the Convention?</p> <p>(i.e., has <u>[name of your State]</u> "concentrated jurisdiction" in respect of access / <u>contact</u> applications under the Convention?)</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>18.2 If possible, please state exactly how many courts<u>judicial</u> or administrative authorities and how many judges or relevant decision-makers can hear access / <u>contact</u> applications under the Convention <u>in [name of your State]</u>?</p>	<p>Courts<u>Judicial</u> / administrative authorities: Judges / decision-makers:</p>
<p>18.3 Which courts<u>judicial</u> or administrative authorities <u>in [name of your State]</u> can make decisions in applications relating to access / <u>contact</u> under the Convention?</p>	
<p>18.4 Are the judges or administrative authorities who decide access / <u>contact</u> applications in <u>[name of your State]</u> specialists in family law?</p> <p>See also <u>quessection 2322</u> on Training below</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other (please specify):
Procedures	
<p>18.5 Is a special procedure applied by judicial or administrative authorities <u>in [name of your State]</u> to access / <u>contact</u> applications made under Article 21 of the Convention?</p> <p><i>Please explain where necessary</i></p>	<input type="checkbox"/> Yes: <input type="checkbox"/> No:
<p>18.6 Does documentation submitted to the court<u>judicial</u> / administrative authority <u>in [name of your State]</u> have to be translated into the official language(s) of <u>[name of your State]</u>?</p> <p>See question 3.12 a) for the official language(s) of the State</p>	<input type="checkbox"/> Yes, please state who is responsible for the organisation and cost of the translation: <input type="checkbox"/> No <input type="checkbox"/> It depends upon the type of documentation submitted (please specify):
<p>18.7 Generally, how long are proceedings relating to access / <u>contact</u> from commencement to final order <u>in [name of your State]</u> (excluding appeals)?</p>	<input type="checkbox"/> Up to 6 weeks <input type="checkbox"/> 6 to 12 weeks <input type="checkbox"/> 3 to 6 months <input type="checkbox"/> Longer than 6 months

<p>18.8 Is the applicant generally required to participate in proceedings relating to access / <u>contact</u> in <u>[name of your State]</u>? <i>Please note that attendance in person is not required under the Convention (see para. 6.5.3 of the Guide to Good Practice, Part II - Implementing Measures)</i></p>	<p><input type="checkbox"/> Yes, please specify in what circumstances: <input type="checkbox"/> No, but <u>it is</u> advisable <input type="checkbox"/> No</p>
<p>18.9 Are facilities available <u>in [name of your State]</u> to enable an applicant to participate in access / <u>contact</u> proceedings from outside <u>[name of your State]</u>?</p>	<p><input type="checkbox"/> Yes, please specify: <input type="checkbox"/> Videoconference <input type="checkbox"/> Telephone <input type="checkbox"/> Through a legal representative <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> No</p>
<p>18.10 If the applicant does participate in access / <u>contact</u> proceedings in <u>[name of your State]</u>, is simultaneous interpretation available, where necessary?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>18.11 Where the facilities set out in questions 18.9e) and 18.10f) above are required, who is responsible for the cost of providing such facilities <u>in [name of your State]</u>?</p>	<p><input type="checkbox"/> The applicant <input type="checkbox"/> The requesting Central Authority <input type="checkbox"/> The requested Central Authority <input type="checkbox"/> The courtjudicial / administrative authority <input type="checkbox"/> It depends upon the facility used (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>18.12 Can special immigration arrangements (e.g., visas) be made <u>in [name of your State]</u> to enable the applicant to attend access / <u>contact</u> proceedings in person if he/shethey so wishes?</p>	<p><input type="checkbox"/> Yes (<i>please specify</i>): <input type="checkbox"/> No</p>
<p>Participation of the child</p>	
<p>18.13 Are the responses to the questions in this section the same as for applications for return (see <u>quessection</u> 10.411)?</p>	<p><input type="checkbox"/> Yes, go to <u>quessections</u> 18.18 - 18.2917.4 <input type="checkbox"/> No, continue to question 18.14b)</p>
<p>18.14 Does the child have an opportunity to be heard in access proceedings under the Convention in <u>[name of your State]</u>?</p>	<p><input type="checkbox"/> Yes, always; go to question e)18.15 <input type="checkbox"/> It depends upon the particular case and is always at the discretion of the judge / authority hearing the case. <i>Please explain if necessary:</i> Go to question e)18.15 <input type="checkbox"/> Other (<i>please specify</i>): Go to question e)18.15 <input type="checkbox"/> No, never; go to <u>quessections</u> 17.418.18 - 18.29</p>
<p>18.15 How can the child be heard in access proceedings <u>in [name of your State]</u>?</p>	<p><input type="checkbox"/> Direct interview with judge <input type="checkbox"/> Report prepared for court by independent expert <input type="checkbox"/> Child's own legal representative <input type="checkbox"/> Other (<i>please specify</i>):</p>

18.16 How does <u>[name of your State]</u> ensure that no undue delay results from hearing the child in the course of access proceedings?	Please explain:
18.17 Can judicial or administrative authorities appoint a legal representative (attorney or <i>guardian ad litem</i>) to represent the child's best interests?	<input type="checkbox"/> Yes, please specify under what circumstances: <input type="checkbox"/> No
Appeals	
18.18 Can a decision in applications relating to access be appealed <u>in [name of your State]</u> ?	<input type="checkbox"/> Yes <input type="checkbox"/> Only in certain circumstances (<i>please specify</i>): If either of the boxes above are ticked, please specify how many levels of appeal exist and to which courts <u>judicial</u> / authorities an appeal may be made: <input type="checkbox"/> No, go to <u>quessection 1918</u>
18.19 Is there an expedited procedure or special process of appeal for Hague access cases <u>in [name of your State]</u> ? <i>Please specify the legislation and / or rules which provide for this and how they can be obtained (e.g., website) or attach a copy</i>	<input type="checkbox"/> Yes, please specify: <input type="checkbox"/> No
18.20 Who can initiate the appeal process <u>in [name of your State]</u> ?	<input type="checkbox"/> Either party to the proceedings <input type="checkbox"/> Central Authority <input type="checkbox"/> Public Prosecutor <input type="checkbox"/> Other (<i>please specify</i>):
18.21 Is leave to appeal required <u>in [name of your State]</u> ?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In certain circumstances (<i>please specify</i>):
18.22 If an access order is made, can it be suspended (<i>i.e.</i> , "stayed") pending an appeal <u>in [name of your State]</u> ?	<input type="checkbox"/> Yes, an access order is <i>automatically</i> suspended pending an appeal <input type="checkbox"/> Yes, an access order can be suspended pending an appeal at the request of either party <input type="checkbox"/> Yes, an access order can be suspended pending an appeal at the request of either party and after determination by the relevant judge / authority <input type="checkbox"/> No
18.23 <u>In [name of your State]</u> , is there a time limit by which an appeal must be filed in access proceedings?	<input type="checkbox"/> Yes, please specify: The time limit: From when the time limit starts to run (<i>e.g.</i> , from the date of judgment, from the date of the order, from the date the decision is notified to the parties <i>etc.</i>):

	<input type="checkbox"/> No
18.24 Generally, what is the expected time within which appeals are filed and decided <u>in [name of your State]</u> ?	<input type="checkbox"/> Up to 3 months <input type="checkbox"/> 3 to 6 months <input type="checkbox"/> Longer than 6 months
18.25 Is the applicant generally required to participate in appeal proceedings <u>in [name of your State]</u> ? <i>Please note that attendance in person is not required under the Convention (see para. 6.5.3 of the Guide to Good Practice, Part II – Implementing Measures)</i>	<input type="checkbox"/> Yes, please specify in what circumstances: <input type="checkbox"/> No
18.26 <u>In [name of your State], is</u> the applicant able to participate in proceedings without being physically present?	<input type="checkbox"/> Yes, please specify: <input type="checkbox"/> Video-conference <input type="checkbox"/> Telephone <input type="checkbox"/> Through a legal representative <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> No
18.27 If the applicant does participate in appeal proceedings in <u>[name of your State]</u> , is simultaneous interpretation available, where necessary?	<input type="checkbox"/> Yes <input type="checkbox"/> No
18.28 Where the facilities set out in questions 18.26 <i>i)</i> and 18.27 <i>j)</i> above are required, who is responsible for the cost of providing such facilities <u>in [name of your State]</u> ?	<input type="checkbox"/> The applicant <input type="checkbox"/> The requesting Central Authority <input type="checkbox"/> The requested Central Authority <input type="checkbox"/> The court judicial / administrative authority <input type="checkbox"/> It depends upon the facility used (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>):
18.29 Can special immigration arrangements (e.g., visas) be made <u>in [name of your State]</u> to enable the applicant to attend appeal proceedings in person if he/ she they so wishes?	<input type="checkbox"/> Yes, please specify: <input type="checkbox"/> No
Last Update: [INSERT DATE]	

19. Enforcement of rights of access / contact

19.1 Can an order relating to rights of access made in another State be registered for enforcement or be declared enforceable in <u>[name of your State]</u> ?	<input type="checkbox"/> Yes, all orders made in another State are recognised and are enforceable. Please explain or specify how relevant legislation can be accessed (e.g., website) or attach a copy: <input type="checkbox"/> Yes, if there is an international agreement in place with the foreign State. Please specify: <input type="checkbox"/> Brussels IIb Regulation (Council Regulation (EU) 2019/1111 of 25 June 2019) <input type="checkbox"/> 1996 Child Protection Convention <input type="checkbox"/> Other (<i>please specify</i>):
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	<input type="checkbox"/> Yes, subject to conditions. Please explain or specify how relevant legislation can be accessed (e.g., website) or attach a copy: <input type="checkbox"/> No, however the party can seek to have “mirror orders” made by the judicial or administrative authorities <input type="checkbox"/> No
<p>19.2 Can an agreement relating to rights of access made in another State be registered for enforcement or be declared enforceable in <u>[name of your State]</u>?</p>	<input type="checkbox"/> Yes, if there is an international agreement in place with the foreign State. Please specify: <input type="checkbox"/> Brussels IIb Regulation (Council Regulation (EU) 2019/1111 of 25 June 2019) <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Yes, subject to conditions. Please explain: <input type="checkbox"/> No, however the party can seek to have “mirror orders” made by the judicial or administrative authorities <input type="checkbox"/> No
<p>19.3 Can a party seek to have orders made in <u>[name of your State]</u> in respect of a decision from another State on rights of access?</p>	<input type="checkbox"/> Yes, the party must apply to the judicial or administrative authorities <input type="checkbox"/> Yes, the Central Authority will apply to the judicial or administrative authorities on behalf of the party <input type="checkbox"/> No
<p>19.4 What is the procedure for the applicant to commence enforcement proceedings <u>in [name of your State]</u>?</p>	<input type="checkbox"/> The Central Authority can apply for enforcement on behalf of the applicant <input type="checkbox"/> The applicant must seek enforcement <input type="checkbox"/> Other (<i>please specify</i>):
<p>19.5 What coercive measures, if any, are available <u>in [name of your State]</u> to enforce an order relating to access and contact?</p>	<input type="checkbox"/> Intervention by government agency (e.g., police, social welfare, etc.) <input type="checkbox"/> Removal of the child from the custodial person(s) <input type="checkbox"/> Criminal charges <input type="checkbox"/> Imprisonment <input type="checkbox"/> Pecuniary measures <input type="checkbox"/> An order placing the child under supervision <input type="checkbox"/> Other (<i>please specify</i>):
<p>19.6 Does the application of coercive measures require a separate order from judicial or administrative authorities <u>in [name of your State]</u>?</p>	<input type="checkbox"/> Yes. If so, who must apply for the order: <input type="checkbox"/> The applicant <input type="checkbox"/> Public Prosecutor <input type="checkbox"/> Police <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> No
<p>Last Update: [INSERT DATE]</p>	

V. Mediation and other forms of alternative dispute resolution

20. Mediation

<p>For best practice in relation to mediation in the context of the 1980 Child Abduction Convention, see the Guide to Good Practice, Part V - Mediation, available at www.hcch.net under “Child Abduction Section” then “Guides to Good Practice”.</p>	
<p>Mediation services</p>	
<p>20.1 What family matters can be dealt with by mediation in <u>[name of your State]</u>?</p>	<p><input type="checkbox"/> Return / non-return of a child following an alleged wrongful removal / retention</p> <p><input type="checkbox"/> Custody</p> <p><input type="checkbox"/> Access / contact</p> <p><input type="checkbox"/> Relocation</p> <p><input type="checkbox"/> Child support</p> <p><input type="checkbox"/> Property disputes on relationship breakdown</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>20.2 What mediation services / structures exist in <u>[name of your State]</u> where an incoming application has been received for the return of a child?</p> <p><i>See Articles 7(2)(c) and Article 10 of the 1980 Convention</i></p>	<p><input type="checkbox"/> Private mediation services / structures (<i>please specify</i>):</p> <p><input type="checkbox"/> Mediation services / structures within the judicial or administrative system (<i>please explain</i>):</p> <p><input type="checkbox"/> Mediation services / structures provided by NGOs (<i>please specify the NGO and give brief details of the service they provide</i>):</p> <p><input type="checkbox"/> Other (<i>please explain</i>):</p> <p><input type="checkbox"/> There are no mediation services / structures available</p>
<p>20.3 What mediation services / structures exist in <u>[name of your State]</u> where an incoming application has been received for access / contact with a child?</p> <p><i>See Article 21 of the 1980 Convention</i></p>	<p><input type="checkbox"/> Private mediation services / structures (<i>please specify</i>):</p> <p><input type="checkbox"/> Mediation services / structures within the judicial or administrative system (<i>please explain</i>):</p> <p><input type="checkbox"/> Mediation services / structures provided by NGOs (<i>please specify the NGO and give brief details of the service they provide</i>):</p> <p><input type="checkbox"/> Other (<i>please explain</i>):</p> <p><input type="checkbox"/> There are no mediation services / structures available</p> <p>If you answered that there are no mediation services / structures available in <u>[name of your State]</u> in response to both questions 20.2b) and 20.3e) above, go to quessection 2120</p>
<p>20.4 Is co-mediation (<i>i.e.</i>, mediation involving two mediators – one from each State) available in <u>[name of your State]</u> for the mediation of international family disputes which are within the scope of the Convention?</p>	<p><input type="checkbox"/> Yes (<i>please provide brief details of any available schemes, e.g., bi-national mediation programmes</i>):</p> <p><input type="checkbox"/> No</p>
<p>Legislation and / or rules on mediation</p>	

<p>20.5 Is mediation in family matters regulated in <u>[name of your State]</u>?</p> <p>Please tick all boxes which <i>that</i> apply</p> <p><i>EU Member States, excluding Denmark, should note that Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters applies since May 2011. EU Member States, excluding Denmark, should reference the laws, regulations and administrative provisions brought into force to comply with this Directive if known at the time of completion of this Country Profile.</i></p>	<p><input type="checkbox"/> Yes, there is general legislation relating to mediation which also applies to mediation in family matters. Please specify how the legislation can be accessed (e.g., website) or attach a copy:</p> <p><input type="checkbox"/> Yes, there is specific legislation relating to mediation in family matters. Please specify how the legislation can be accessed (e.g., website) or attach a copy:</p> <p><input type="checkbox"/> Yes, there is specific legislation relating to mediation in international family matters within the scope of the Convention. Please specify how the legislation can be accessed (e.g., website) or attach a copy:</p> <p><input type="checkbox"/> Yes, mediation in family matters is regulated in another way (<i>please specify</i>):</p> <p><input type="checkbox"/> No, go to quesse section 20.7 19.3</p>
<p>20.6 Please indicate which matters are regulated by the legislation / rules in relation to mediation in <u>[name of your State]</u>.</p> <p>Please explain where necessary</p>	<p><input type="checkbox"/> Formal accreditation of mediators</p> <p><input type="checkbox"/> Necessary qualifications / experience of mediators</p> <p><input type="checkbox"/> Process of mediation</p> <p><input type="checkbox"/> Confidentiality of mediation</p> <p><input type="checkbox"/> Status and enforceability of mediated agreements</p> <p><input type="checkbox"/> Taking into consideration the child's views in the mediation of disputes relating to him / her</p> <p><input type="checkbox"/> Availability of mediation in disputes involving allegations of domestic violence or other forms of abuse</p> <p><input type="checkbox"/> Other (<i>please explain</i>):</p>
<p>Access to mediation</p>	
<p>20.7 How can individuals obtain information identifying on suitable mediators in <u>[name of your State]</u>?</p>	<p><input type="checkbox"/> Lists of mediators are available:</p> <p style="padding-left: 20px;"><input type="checkbox"/> Through the Central Authority (see also question 20.8 19.3 b below)</p> <p style="padding-left: 20px;"><input type="checkbox"/> Via accrediting bodies (<i>please provide details</i>):</p> <p style="padding-left: 20px;"><input type="checkbox"/> Through other sources (<i>please specify</i>):</p> <p><input type="checkbox"/> Other methods of accessing information are available (<i>please specify</i>):</p> <p><input type="checkbox"/> No general information is available. Individuals must carry out research themselves</p>
<p>20.8 What role, if any, does the Central Authority of <u>[name of your State]</u> play in facilitating mediation where an incoming application has been received for the return of a child?</p> <p><u>See Articles 7(2)(c) and 10 of the 1980 Convention</u></p> <p>Please explain where necessary</p>	<p><input type="checkbox"/> Provides information about mediation to the parties</p> <p><input type="checkbox"/> Refers parties to accredited professionals to undertake mediation</p> <p><input type="checkbox"/> Seeks orders from judicial or administrative authorities for mediation between the parties</p> <p><input type="checkbox"/> Other (<i>please explain</i>)</p>

<p>20.9 What role, if any, does the Central Authority <u>of [name of your State]</u> play in facilitating mediation where an incoming application has been received for access / contact with a child? <i>See Article 21 of the 1980 Convention</i> <i>Please explain where necessary</i></p>	<p><input type="checkbox"/> Provides information about mediation to the parties</p> <p><input type="checkbox"/> Refers parties to accredited professionals to undertake mediation</p> <p><input type="checkbox"/> Seeks orders from judicial or administrative authorities for mediation between the parties</p> <p><input type="checkbox"/> Other (<i>please explain</i>)</p>
<p>20.10 In <u>[name of your State]</u>, how are the costs of mediation met in disputes where an incoming application has been received for the return of a child? <i>Please explain if necessary</i></p>	<p><input type="checkbox"/> If an individual qualifies for free or reduced rate legal assistance, this will <i>always</i> include the cost of mediation (see question 9.98.2 e) above)</p> <p><input type="checkbox"/> If an individual qualifies for free or reduced rate legal assistance, this <i>may</i> cover the cost of mediation (see question 9.98.2 e) above) (<i>please specify</i>)</p> <p><input type="checkbox"/> The Central Authority will meet the costs associated with mediation</p> <p><input type="checkbox"/> Other sources of funding are available (<i>please specify</i>)</p> <p><input type="checkbox"/> The costs of mediation must be borne by the parties</p> <p><input type="checkbox"/> Other (<i>please explain</i>)</p>
<p>20.11 How are the costs of mediation met <u>in [name of your State]</u> where an incoming application has been received for access / contact with a child? <i>Please explain if necessary</i></p>	<p><input type="checkbox"/> If an individual qualifies for free or reduced rate legal assistance, this will <i>always</i> include the cost of mediation (see question 16.1015.2 f) above)</p> <p><input type="checkbox"/> If an individual qualifies for free or reduced rate legal assistance, this <i>may</i> cover the cost of mediation (see question 16.1015.2 f) above) (<i>please specify</i>)</p> <p><input type="checkbox"/> The Central Authority will meet the costs associated with mediation</p> <p><input type="checkbox"/> Other sources of funding are available (<i>please specify</i>)</p> <p><input type="checkbox"/> The costs of mediation must be borne by the parties</p> <p><input type="checkbox"/> Other (<i>please explain</i>)</p>
<p>The mediation process</p>	
<p>20.12 At what stage of a return application is mediation available <u>in [name of your State]</u>?</p>	<p><input type="checkbox"/> At all stages, including prior to any application and as a preventive measure where necessary (<i>provide an explanation if necessary</i>)</p> <p><input type="checkbox"/> Only before an application has been made to the relevant Central Authority</p> <p><input type="checkbox"/> Only after an application has been made to the relevant Central Authority</p> <p><input type="checkbox"/> Only before an application has been filed in the relevant judicial court or administrative authority</p> <p><input type="checkbox"/> Only after an application has been filed in the relevant judicial court or administrative authority</p> <p><input type="checkbox"/> Other (<i>please explain</i>)</p>

<p>20.13 At what stage of an access / contact application is mediation available <u>in [name of your State]</u>?</p>	<p><input type="checkbox"/> At all stages, including prior to any application and as a preventive measure where necessary (provide an explanation if necessary)</p> <p><input type="checkbox"/> Only before an application has been made to the relevant Central Authority</p> <p><input type="checkbox"/> Only after an application has been made to the relevant Central Authority</p> <p><input type="checkbox"/> Only before an application has been filed in the relevant judicial court or administrative authority</p> <p><input type="checkbox"/> Only after an application has been filed in the relevant judicial court or administrative authority</p> <p><input type="checkbox"/> Other (please explain)</p>
<p>20.14 In <u>[name of your State]</u>, are cases assessed to determine their suitability for mediation?</p>	<p><input type="checkbox"/> Yes, always; go to question 20.15d)</p> <p><input type="checkbox"/> No, never; go to question 20.16e)</p> <p><input type="checkbox"/> Other (please explain) ; go to question d)20.15 or 20.16e) as appropriate</p>
<p>20.15 Who carries out the assessment of cases in <u>[name of your State]</u> to determine whether they are suitable for mediation?</p>	<p><input type="checkbox"/> Mediator(s)</p> <p><input type="checkbox"/> Other (please explain)</p>
<p>20.16 Where legal proceedings have commenced in <u>[name of your State]</u>, can such proceedings be suspended while mediation is undertaken?</p>	<p><input type="checkbox"/> Yes, provide additional information if necessary:</p> <p><input type="checkbox"/> No</p>
<p>20.17 How, if at all, are the views of the subject child(ren) taken into account in mediation in <u>[name of your State]</u>?</p> <p>See also question 20.619.2 b) above</p>	<p><input type="checkbox"/> Rules / legislation require that, if the child is of a sufficient age / maturity, the child must be seen by the mediator (see also question 20.619.2 b) above)</p> <p><input type="checkbox"/> Rules / legislation require that, if the child is of a sufficient age / maturity, the views of the child must be communicated to the mediator but this need not be directly (see also question 20.619.2 b) above). Please explain the method(s) used:</p> <p><input type="checkbox"/> It is within the discretion of the particular mediator</p> <p><input type="checkbox"/> The child's views play no part in the mediation</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>20.18 What safeguards are available in <u>[name of your State]</u> where allegations of domestic violence and / or other forms of abuse are made in a dispute which goes to mediation?</p>	<p><input type="checkbox"/> (1) Address and other contact details of the alleged victim are kept confidential</p> <p><input type="checkbox"/> (2) Other safeguards (please specify)</p>
<p>20.19 Please specify which, if any, of the safeguards set out in <u>the</u> question 19.4 g) above are required by rules / legislation in <u>[name of your State]</u> and which safeguards are left to the discretion of the mediator?</p> <p>See also question 20.619.2 b) above</p>	<p>Required by legislation / rules of <u>[name of your State]</u>:</p> <p>Left to the discretion of the mediator:</p>
<p>20.20 Can judicial or administrative authorities in <u>[name of your State]</u> take provisional or</p>	<p><input type="checkbox"/> Yes</p>

interim measures to enable an applicant to exercise contact or access in respect of a child while mediation is ongoing?	<input type="checkbox"/> No
The enforceability of mediated agreements	
20.21 Are there legal restrictions on the content of mediated agreements regarding family law matters in <u>[name of your State]</u> ?	<input type="checkbox"/> Yes, please specify: <input type="checkbox"/> No
20.22 Which Are there any additional formalities, if any, are required in <u>[name of your State]</u> to make <u>family</u> mediated agreements in a family dispute involving children enforceable?	<input type="checkbox"/> Yes (please specify): <input type="checkbox"/> (1) Notarisation of the mediated agreement <input type="checkbox"/> (2) Court approval of the mediated agreement Please specify competent court: <input type="checkbox"/> (3) Registration of the mediated agreement with the court. Please specify competent court: <input type="checkbox"/> (4) Other (please specify) <input type="checkbox"/> (5) No additional formalities are required. Mediated agreements in family disputes involving children are immediately enforceable <i>without</i> any additional formalities being required If you ticked option (2) and / or (3) above, please go to question 20.2319.5 e). If not, please proceed to question 20.2419.5 d)
20.23 Is the mediated agreement, once approved by or registered with a court in <u>[name of your State]</u> , is the mediated agreement treated as an order of that court? <i>Please explain where necessary</i>	<input type="checkbox"/> Yes, Go to question 20.25 19.5 e) <input type="checkbox"/> No, Go to question 20.24 19.5 d)
20.24 In <u>[name of your State]</u> , is it possible to turn a mediated agreement into a court order?	<input type="checkbox"/> Yes, please briefly explain what steps are required and which court would be competent: <input type="checkbox"/> No
20.25 In <u>[name of your State]</u> , ww who bears the cost of rendering the mediated agreement enforceable? Please list the number from question 20.22 19.5 b) next to the relevant answer	<input type="checkbox"/> The parties must pay: <input type="checkbox"/> The cost is covered by any free or reduced rate legal assistance provided to one / both parties: <input type="checkbox"/> Central Authority: <input type="checkbox"/> There are no costs:
Agreements mediated in another State	
20.26 Can an agreement mediated in another State in a family dispute involving children be approved by a court or otherwise formalised in <u>[name of your State]</u> in the same manner as an agreement mediated in <u>[name of your State]</u> (see question 20.22 19.5 b) above)?	<input type="checkbox"/> Yes <input type="checkbox"/> No, a different method for formalising the agreement must be used. Please specify: <input type="checkbox"/> No, it is not possible to formalise an agreement mediated in another State <input type="checkbox"/> Other (please specify):
Last Update: [INSERT DATE]	

21. Other forms of alternative dispute resolution (ADR)

<p>21.1 What other forms of ADR are available in <u>[name of your State]</u> for the resolution of international family disputes falling within the scope of the Convention?</p> <p><i>See Articles 7(2)(c) and 10 <u>of the 1980 Convention</u></i></p>	<p><input type="checkbox"/> (1) In-court conciliation</p> <p><input type="checkbox"/> (2) Out-of-court conciliation</p> <p><input type="checkbox"/> (3) Collaborative law</p> <p><input type="checkbox"/> (4) Early Neutral Evaluation</p> <p><input type="checkbox"/> (5) Other (please specify):</p> <p><input type="checkbox"/> (6) No other forms of ADR are available, go to Part VI – Direct Judicial Communications</p>
<p>21.2 What services / structures exist in respect of the other forms of ADR available in <u>[name of your State]</u>?</p> <p>Please list the relevant number(s) from <u>the question 20-a</u> above next to the service / structure which is available in respect of that method of ADR.</p>	<p><input type="checkbox"/> Private ADR services / structures (please specify):</p> <p><input type="checkbox"/> ADR services / structures within the judicial or administrative system (please explain):</p> <p><input type="checkbox"/> ADR services / structures provided by NGOs (please specify the NGO and give brief details of the service they provide):</p> <p><input type="checkbox"/> Other (please explain):</p>
<p>21.3 In relation to:</p> <ul style="list-style-type: none"> • legislation on ADR • access to ADR • the ADR process • the enforceability of agreements reached as a result of ADR; and • the enforceability of agreements reached as a result of ADR in another State <p>are the responses the same as for the section on mediation above – see <u>quessections 20.5-19.2 to 19.6-20.26</u>?</p>	<p><input type="checkbox"/> Yes, go to Part VI – Direct Judicial Communications</p> <p><input type="checkbox"/> Some of the responses are the same, go to question 21.4d</p> <p><input type="checkbox"/> No, go to question 21.4d</p>
<p>21.4 Please briefly specify in what way the answers to the questions in <u>quessections 20.5-19.2 to 20.26-19.6</u> above are different in relation to other forms of ADR in <u>[name of your State]</u>.</p>	
<p>Last Update: [INSERT DATE]</p>	

VI. Direct judicial communications

22. Direct judicial communications

<p>22.1 Has a Member of the International Hague Network of Judges been designated for <u>in</u> <u>[name of your State]</u>?</p> <p><i>For more information go to < www.hcch.net > under “1980 Child Abduction Section” then or “Judicial Communications”.</i></p>	<p><input type="checkbox"/> Yes</p> <p>Name(s):</p> <p><i>Please do not list the contact details of the judge(s) here. Instead, please ensure that the name, position, court and contact details have been provided to the Permanent Bureau</i></p> <p><input type="checkbox"/> No</p>
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<p>22.2 Is there a legislative basis upon which judges in <u>[name of your State]</u> can engage in direct judicial communications?</p>	<p><input type="checkbox"/> Yes, please specify how the legislation can be accessed (e.g., website) or attach a copy: Go to Part VII – Other Information</p> <p><input type="checkbox"/> No, go to question 22.3e)</p>
<p>22.3 In the absence of legislation, can judges in <u>[name of your State]</u> engage in direct judicial communications?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No (<i>please explain</i>):</p>
<p>22.4 <u>What means of communication are available to judges in [name of your State] to liaise with the International Hague Network of Judges?</u></p>	<p><input type="checkbox"/> Telephone</p> <p><input type="checkbox"/> Secure e-mail</p> <p><input type="checkbox"/> Registered mail</p> <p><input type="checkbox"/> Other (<i>please specify</i>): _____</p>
<p>Last Update: [INSERT DATE]</p>	

VII. Other information

23. Training

<p>23.1 What measures are <u>available in [name of your State] being taken</u> to ensure that persons responsible for implementing the <u>1980</u> Convention (e.g., <i>judges, lawyers and Central Authority personnel</i>) have received appropriate information and training?</p> <p><i>Please tick all the boxes that apply.</i></p> <p><i>Please contact the Permanent Bureau for information in relation to forms of assistance which may be available for this purpose</i></p>	<p><input type="checkbox"/> Training as required for Central Authority staff</p> <p><input type="checkbox"/> Training as required for competent authorities</p> <p><input type="checkbox"/> Updates as required on legal developments related to the Convention provided to staff responsible for its implementation</p> <p><input type="checkbox"/> Training as required for lawyers</p> <p><input type="checkbox"/> Training as required for law enforcement</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p>Specifically in respect of judges:</p> <p><input type="checkbox"/> Sending a basic package of information on the 1980 Convention to judges</p> <p><input type="checkbox"/> Training through a dedicated judicial studies board</p> <p><input type="checkbox"/> Participation in judicial training seminars</p> <p><input type="checkbox"/> Participation in the International Hague Network of Judges</p> <p><input type="checkbox"/> Accessing <i>The Judges’ Newsletter on International Child Protection</i> (available at www.hcch.net under “Child Abduction Section” then “Judges’ Newsletter on International Child Protection”)</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>23.2 Is your the Central Authority of <u>[name of your State]</u> willing to participate in a “twinning arrangement” with another Central Authority?</p> <p><i>A “twinning arrangement” is where two Central Authorities engage in discussions and / or visits to</i></p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

exchange information with the view to improving operations in both Central Authorities	
Last Update: [INSERT DATE]	

24. Other implementing measures

24.1	Does <u>[name of your State]</u> use an electronic case management system?	<input type="checkbox"/> Yes, please specify: <input type="checkbox"/> No
24.2	Does <u>[name of your State]</u> use INCADAT? <i>For more information, go to www.incadat.com</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
24.3	Are statistics related to applications under the Convention in <u>[name of your State]</u> publicly available?	<input type="checkbox"/> Yes, please specify how the statistics can be accessed (e.g., website, annual report): <input type="checkbox"/> No
Last Update: [INSERT DATE]		

25. Other services

What general services / resources are available in <u>[name of your State]</u> to assist those involved in international child abduction cases? <i>Please indicate, where available, contact details, websites and costs for such services</i>	<input type="checkbox"/> International Social Service (ISS) (<i>please provide contact information</i>): <input type="checkbox"/> Specific NGOs dealing with child abduction: <input type="checkbox"/> Financial assistance: <input type="checkbox"/> Social / welfare assistance: <input type="checkbox"/> Immigration services: <input type="checkbox"/> Other (<i>please specify</i>):
Last Update: [INSERT DATE]	

VIII. Electronic resources

Please use the space below to provide any additional links to relevant legislation, rules of private international law regarding child abduction , <u>guidelines or protocols regarding the protection of children, and</u> relevant websites (e.g., of courts <u>judicial, administrative</u> and other competent authorities, public bodies, <u>agencies, non-governmental organisations, associations</u>) and any other electronic resource pertinent <u>relevant</u> to child abduction <u>matters</u> .
Last Update: [INSERT DATE]