

2015 Questionnaire on Council Regulation 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations

IMPORTANT: When completing this questionnaire, please follow the instructions outlined below:

- When providing information in regards to applications, requests for measures or time limits (questions 3 to 27), please do so only by using numerical values.
- When a question requires numerical information to be provided in regards to applications, requests for measures or time limits (questions 3 to 27) and that question applies to your MS, but there are no applications, requests or time limits to inform of, please use 0 (zero)¹.
- When a question requires numerical information to be provided in regards to applications, requests for measures or time limits (questions 3 to 27), and that question is not applicable to your MS or you are unable to provide that information, please use X².
- Concerning all questions which require information to be provided in regards to applications, requests for measures or time limits (questions 3 to 27) for the year 2013, please be aware that your MS may have already provided that information in the 2014 questionnaire on the same matter³.

¹ MS that provide 0 as an answer to one of the concerned questions can be considered when calculating the average value for all MS in regards to that question.

² MS that provide X (or any other non-numerical value) as an answer to one of the concerned questions, cannot be considered when calculating the average value for all MS in regards to that question.

³ Even if the information for the year 2013 was already provided, not stating the information again in this questionnaire will be considered as if the value X was provided as the answer to the questions where the concerned information was to be provided.

Name of the Member State:

Name of the person filling out the questionnaire and contact details:
.....

A. "Maintenance Section" of the Judicial Atlas Webpage	
1. Is the information contained in the Atlas for your State complete and up-to-date?	<input type="checkbox"/> Yes - no further action needed <input type="checkbox"/> No - please specify additions and modifications:
2. Comments or suggestions for improvement:	

B. Statistics - **Incoming** maintenance applications and requests between Central Authorities

The following questions relate to applications addressed to the Central Authority(ies) of your State (requested Central Authority(ies))

3. How many applications by a creditor to recognise a decision, a court settlement, an authentic instrument (Articles 56(1)(a) and 48(2)) have been received annually by the Central Authority(ies) of your State?

Year	Total number
2014	
2013	

For applications received in 2013, please complete the following table

Number of applications by a public body (Article 64)	Number of applications based on a decision	Number of applications based on a court settlement	Number of applications based on an authentic instrument	Number of applications concerning maintenance obligations arising from a <u>parent-child relationship towards a person under 21</u> (Article 46(1))	Number of applications where recognition was refused	Number of applications still pending

<p>4. How many applications by a <u>debtor</u> for the recognition of a decision, a court settlement, an authentic instrument leading to the suspension, or limiting the enforcement of a previous decision in your State (Articles 56(2)(a) and 48(2)) have been received annually by the Central Authority(ies) of your State?</p>	Year		Total number											
	2014													
	2013													
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5. How many applications to recognise and declare enforceable a decision, a court settlement, an authentic instrument (Articles 56(1)(a) and 48(2)) have been received annually by the Central Authority(ies) of your State?	Year	Total number	
	2014		
	2013		

For applications received in 2013, please complete the following table

Number of applications by a public body (Article 64)	Number of applications based on a decision	Number of applications based on a court settlement	Number of applications based on an authentic instrument	Number of applications concerning maintenance obligations arising from <u>a parent-child relationship towards a person under 21</u> (Article 46(1))	Number of applications where recognition and enforceability were refused	Number of applications still pending

6. How many applications to enforce a decision, a court settlement, an authentic instrument of your State or recognised in your State (Articles 56(1)(b) and 48(2)) have been received annually by the Central Authority(ies) of your State?	Year		Total number			
	2014					
	2013					
	For applications received in <u>2013</u> , please complete the following table					
Number of applications by a public body (Article 64)	Number of applications based on a decision	Number of applications based on a court settlement	Number of applications based on an authentic instrument	Number of applications concerning maintenance obligations arising from a <u>parent-child relationship towards a person under 21</u> (Article 46(1))	Number of applications where the decision/court settlement/authentic instrument was not enforced	Number of applications still pending

7. How many applications to establish a decision in your State <u>where there is no existing decision</u> (Article 56(1)(c)) have been received annually by the Central Authority(ies) of your State?	Year		Total number										
	2014												
	2013												
	<p>For applications received in <u>2013</u>, please complete the following table</p> <table border="1"> <tr> <td>Number of applications including the establishment of parentage</td> <td>Number of applications concerning maintenance obligations arising from a <u>parent-child relationship towards a person under 21</u> (Article 46(1))</td> <td>Number of applications where free legal aid was refused under Article 46(2)</td> <td>Number of applications where a decision establishing maintenance was obtained</td> <td>Number of applications still pending</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>				Number of applications including the establishment of parentage	Number of applications concerning maintenance obligations arising from a <u>parent-child relationship towards a person under 21</u> (Article 46(1))	Number of applications where free legal aid was refused under Article 46(2)	Number of applications where a decision establishing maintenance was obtained	Number of applications still pending				
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8. How many applications to establish a decision in your State <u>where the recognition and declaration of enforceability of a decision given in a State other than your State is not possible</u> (Article 56(1)(d)) have been received annually by the Central Authority(ies) of your State?	<table border="1"> <tr> <th>Year</th> <th>Total number</th> </tr> <tr> <td>2014</td> <td></td> </tr> <tr> <td>2013</td> <td></td> </tr> </table>		Year	Total number	2014		2013		
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<p>9. How many applications <u>by a creditor</u> to modify a decision given in your State (Article 56(1)(e)) have been received annually by the Central Authority(ies) of your State?</p>	Year		Total number								
	2014										
	2013										
	<p>For applications received in <u>2013</u>, please complete the following table</p> <table border="1"> <tr> <td>Number of applications concerning maintenance obligations arising from <u>a parent-child relationship towards a person under 21</u> (Article 46(1))</td> <td>Number of applications where free legal aid was refused under Article 46(2)</td> <td>Number of applications where modification was obtained</td> <td>Number of applications still pending</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </table>				Number of applications concerning maintenance obligations arising from <u>a parent-child relationship towards a person under 21</u> (Article 46(1))	Number of applications where free legal aid was refused under Article 46(2)	Number of applications where modification was obtained	Number of applications still pending			
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10. How many applications by a debtor to modify a decision given in your State (Article 56(2)(b)) have been received annually by the Central Authority(ies) of your State?

Year	Total number
2014	
2013	

For applications received in 2013, please complete the following table

Number of applications where modification was obtained	Number of applications still pending

11. How many applications by a creditor to modify a decision given in a State other than your State (Article 56(1)(f)) have been received annually by the Central Authority(ies) of your State?	Year	Total number	
	2014		
	2013		

For applications received in 2013, please complete the following table

Number of applications concerning maintenance obligations arising from a <u>parent-child relationship towards a person under 21</u> (Article 46(1))	Number of applications where free legal aid was refused under Article 46(2)	Number of applications where modification was obtained	Number of applications still pending

12. How many applications by a debtor to modify a decision given in a State other than your State (Article 56(2)(c)) have been received annually by the Central Authority(ies) of your State?

Year	Total number
2014	
2013	

For applications received in 2013, please complete the following table

Number of applications where modification was obtained	Number of applications still pending

<p>13. Time requirements for processing applications received <u>in 2013</u> by your Central Authority(ies)</p> <p><i>The time for processing is the time that lapses between the Central Authority(ies) of your State receiving the application and sending back the documents establishing execution to the requesting Central Authority</i></p>	<p>Total number of applications</p>	<p>Number of applications where the target set up in Article 58(3) was respected⁴</p>	<p>Number of applications where the target set up in Article 58(4) was respected⁵</p>	<p>Number of applications not processed as a result of the failure of the requesting Central Authority to respect the deadline under Article 58(9)⁶</p>	<p>Number of applications fully processed within 6 months</p>	<p>Number of applications fully processed within 9 months</p>

⁴ Acknowledgement of receipt of the application, information on initial steps, request of further necessary information, appropriate contact details were provided within 30 days.

⁵ Information on the status of the application was provided within 60 days from the acknowledgement of receipt.

⁶ The requesting Central Authority did not provide additional documents or information requested within 90 days or a longer specified period.

14. How many requests for specific measures (Article 53) have been received annually by the Central Authority(ies) of your State?	Year		Total number																
	2014																		
	2013																		
	<p>For requests received in <u>2013</u>, please complete the following table</p> <table border="1"> <tr> <th>Number of requests for measures under Article 51(2)(b)⁷</th> <th>Number of requests for measures under Article 51(2)(c)⁸</th> <th>Number of requests for measures under Article 51(2)(g)⁹</th> <th>Number of requests for measures under Article 51(2)(h)¹⁰</th> <th>Number of requests for measures under Article 51(2)(i)¹¹</th> <th>Number of requests for measures under Article 51(2)(j)¹²</th> <th>Number of requests where your central authority(ies) recovered its (their) costs under Article 54(2)</th> <th>Number of requests which resulted in an application</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>				Number of requests for measures under Article 51(2)(b) ⁷	Number of requests for measures under Article 51(2)(c) ⁸	Number of requests for measures under Article 51(2)(g) ⁹	Number of requests for measures under Article 51(2)(h) ¹⁰	Number of requests for measures under Article 51(2)(i) ¹¹	Number of requests for measures under Article 51(2)(j) ¹²	Number of requests where your central authority(ies) recovered its (their) costs under Article 54(2)	Number of requests which resulted in an application							
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⁷ To help locate the debtor or the creditor.

⁸ To help obtain relevant information concerning the income or other financial circumstances, including the location of assets, of the debtor or the creditor.

⁹ To facilitate the obtaining of documentary or other evidence.

¹⁰ To provide assistance in establishing parentage.

¹¹ To initiate or facilitate the institution of proceedings to obtain a provisional measure which is territorial in nature.

¹² To facilitate the service of documents.

<p>15. Time for processing requests to take specific measures received <u>in 2013</u> by your Central Authority(ies)</p> <p><i>The time for processing is the time that lapses between the Central Authority(ies) of your State receiving the request and sending back the documents establishing execution to the requesting Central Authority</i></p>	Time for processing	Number
	Processed in less than 2 months	
	Processed 2-4 months	
	Processed 4-6 months	
	Processed 6-12 months	
	Processed in more than 12 months	
	Information without delay that execution is not possible (Article 53 (2))	
	Requests still pending	

C. Statistics - **Outgoing** maintenance applications and requests between Central Authorities

The following questions relate to applications sent by the Central Authority(ies) of your State (requesting Central Authority(ies))

16. How many applications by a creditor to recognise a decision, a court settlement, an authentic instrument (Articles 56(1)(a) and 48(2)) have been sent annually by the Central Authority(ies) of your State?

Year	Total number
2014	
2013	

For applications sent in 2013, please complete the following table

Number of applications by a public body (Article 64)	Number of applications based on a decision	Number of applications based on a court settlement	Number of applications based on an authentic instrument	Number of applications concerning maintenance obligations arising from a <u>parent-child relationship towards a person under 21</u> (Article 46(1))	Number of applications where recognition was refused	Number of applications still pending

17. How many applications by a <u>debtor</u> for the recognition of a decision, a court settlement, an authentic instrument leading to the suspension, or limiting the enforcement of a previous decision in the requested Member State (Articles 56(2)(a) and 48(2)) have been sent annually by the Central Authority(ies) of your State?	Year		Total number	
	2014			
	2013			
	For applications sent in <u>2013</u> , please complete the following table			
Number of applications based on a decision	Number of applications based on a court settlement	Number of applications based on an authentic instrument	Number of applications where recognition was refused	Number of applications still pending

18. How many applications to recognise and declare enforceable a decision, a court settlement, an authentic instrument (Articles 56(1)(a) and 48(2)) have been sent annually by the Central Authority(ies) of your State?	Year		Total number														
	2014																
	2013																
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19. How many applications to enforce a decision, a court settlement, an authentic instrument given or recognised in that in the requested Member State (Articles 56(1)(b) and 48(2)) have been sent annually by the Central Authority(ies) of your State?	Year		Total number			
	2014					
	2013					
	For applications sent in <u>2013</u> , please complete the following table					
Number of applications by a public body (Article 64)	Number of applications based on a decision	Number of applications based on a court settlement	Number of applications based on an authentic instrument	Number of applications concerning maintenance obligations arising from a <u>parent-child relationship towards a person under 21</u> (Article 46(1))	Number of applications where the decision/court settlement/authentic instrument was not enforced	Number of applications still pending

20. How many applications to establish a decision in the requested Member State where there is no existing decision (Article 56(1)(c)) have been sent annually by the Central Authority(ies) of your State?

Year	Total number
2014	
2013	

For applications sent in 2013, please complete the following table

Number of applications including the establishment of parentage	Number of applications concerning maintenance obligations arising from a <u>parent-child relationship towards a person under 21</u> (Article 46(1))	Number of applications where free legal aid was refused under Article 46(2)	Number of applications where a decision establishing maintenance was obtained	Number of applications still pending

21. How many applications to establish a decision in the requested Member State <u>where the recognition and declaration of enforceability of a decision given in a State other than the requested Member State is not possible</u> (Article 56(1)(d)) have been sent annually by the Central Authority(ies) of your State?	Year	Total number		
	2014			
	2013			
	For applications sent in <u>2013</u> , please complete the following table			
	Number of applications concerning maintenance obligations arising from <u>a parent-child relationship towards a person under 21</u> (Article 46(1))	Number of applications where free legal aid was refused under Article 46(2)	Number of applications where a decision establishing maintenance was obtained	Number of applications still pending

22. How many applications by a creditor to modify a decision given in the requested Member State (Article 56(1)(e)) have been sent annually by the Central Authority(ies) of your State?	Year		Total number	
	2014			
	2013			
	For applications sent in <u>2013</u> , please complete the following table			
Number of applications concerning maintenance obligations arising from a <u>parent-child relationship towards a person under 21</u> (Article 46(1))		Number of applications where free legal aid was refused under Article 46(2)	Number of applications where modification was obtained	Number of applications still pending

23. How many applications by a debtor to modify a decision given in the requested Member State (Article 56(2)(b)) have been sent annually by the Central Authority(ies) of your State?

Year	Total number
2014	
2013	

For applications sent in 2013, please complete the following table

Number of applications where modification was obtained	Number of applications still pending

24. How many applications by a creditor to modify a decision given in a State other than the requested Member State (Article 56(1)(f)) have been sent annually by the Central Authority(ies) of your State?	Year		Total number	
	2014			
	2013			
	For applications sent in <u>2013</u> , please complete the following table			
	Number of applications concerning maintenance obligations arising from a <u>parent-child relationship towards a person under 21</u> (Article 46(1))	Number of applications where free legal aid was refused under Article 46(2)	Number of applications where modification was obtained	Number of applications still pending

25. How many applications by a debtor to modify a decision given in a State other than the requested Member State (Article 56(2)(c)) have been sent annually by the Central Authority(ies) of your State?

Year	Total number
2014	
2013	

For applications sent in 2013, please complete the following table

Number of applications where modification was obtained	Number of applications still pending

26. How many requests for specific measures (Article 53) have been sent annually by the Central Authority(ies) of your State?	Year		Total number																			
	2014																					
	2013																					
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¹⁷ To initiate or facilitate the institution of proceedings to obtain a provisional measure which is territorial in nature.

¹⁸ To facilitate the service of documents.

<p>27. Time for processing requests to take specific measures sent in <u>2013</u> by your Central Authority(ies)</p> <p><i>The time for processing is the time that lapses between the requested Central Authority receiving the request and sending back the documents establishing execution to your Central Authority(ies)</i></p>	Time for processing	Number
	Processed in less than 2 months	
	Processed 2-4 months	
	Processed 4-6 months	
	Processed 6-12 months	
	Processed in more than 12 months	
	Information without delay that execution is not possible (Article 53 (2))	
	Requests still pending	

<p>28. Is/are your Central Authority(ies) experiencing any problems with the timely execution of applications or requests sent to other Member States?</p>	<p><input type="checkbox"/> Yes – please specify the problem and suggest solutions:</p> <p><input type="checkbox"/> No</p>
<p><input type="checkbox"/> If numbers unknown – please explain:</p>	

D. Organisational changes in your State since the last Activity Report	
<p>29. Please describe any organisational changes and any changes in your financial and human resources in connection with the activity of the Central Authority(ies) in your country.</p>	
<p>30. If more than one central authority has been designated in your Member State, indicate any changes in the responsibilities of the different central authorities</p>	

E. Working method in general since the last Activity Report	
31. Please describe, the best working practices (if any) established, within your Central Authority(ies) or in its(their) dealings with other Central Authorities	
32. Have you experienced any particular problems in relation to working methods, either in your Central Authority(ies) or in your dealings with other Central Authorities?	<input type="checkbox"/> Yes - please specify the problems and suggested solutions: <input type="checkbox"/> No
33. Have you experienced any specific language or communication-related problems?	<input type="checkbox"/> Yes - please specify the problems and suggested solutions: <input type="checkbox"/> No

F. Co-operation in general since the last Activity Report (Articles 50 and 51(1))	
34. Have any of the duties as set out in Chapter VII raised problems in practice either in your State, or in Member States with whom you have co-operated?	<input type="checkbox"/> Yes - please specify the problems and suggested solutions: <input type="checkbox"/> No

<p>35. Please describe the actions taken (if any) to strengthen cooperation with other Central Authorities.</p> <p><i>For example, has(have) your Central Authority(ies) shared its (their) expertise with a Central Authority from another Member State or benefited from another Central Authority sharing its (their) expertise with your Central Authority(ies)? Has(have) your Central Authority(ies) organised or participated in any other networking initiatives between Central Authorities such as meetings via conference call?</i></p>	
<p>36. Are there any Member States with whom you are having particular difficulties in achieving successful co-operation?</p>	<p><input type="checkbox"/> Yes - please specify the problems, in particular, whether they appear to be systematic and suggested solutions:</p> <p><input type="checkbox"/> No</p>

G. Specific functions (Article 51(2)) and requests for specific measures (Article 53) since the last Activity Report

<p>37. Article 51(2)(a)</p>	
<p>Do the measures your Central Authority(ies) take to provide or facilitate the provision of legal aid result in delays in proceedings either in your State, or where cases originate in your State, in any requested States you have dealt with?</p>	<p><input type="checkbox"/> Yes - please specify the problems and suggested solutions:</p> <p><input type="checkbox"/> No</p>

<p>Are you aware of any other difficulties in your State, or, where cases originate in your State, in any requested States you have dealt with, regarding the obtaining of legal aid?</p>	<p><input type="checkbox"/> Yes - please specify the problems and suggested solutions:</p> <p><input type="checkbox"/> No</p>
<p>38. Articles 51(2)(b) and 53</p>	
<p>Has (have) your Central Authority(ies) encountered any difficulties with locating debtors or creditors, either as a requesting or requested State, in particular in relation to Articles 61, 62 and 63?</p>	<p><input type="checkbox"/> Yes - please specify the difficulties encountered and what steps could be or have been taken to overcome these difficulties:</p> <p><input type="checkbox"/> No</p>
<p>Has (have) your Central Authority(ies), as a requested Central Authority(ies), worked with any public authorities, administrations or other legal person to discover the whereabouts of debtors or creditors?</p>	<p><input type="checkbox"/> Yes – please specify if you have encountered any particular difficulties in working with them:</p> <p>Is there any good or bad practice you wish to share on this matter?</p> <p><input type="checkbox"/> No</p>
<p>Where the debtor or the creditor is not located in your State, which information and/or feedback is provided to the requesting Central Authority as to the steps that have been taken to try to locate the debtor or the creditor and the results of those enquiries?</p>	
<p>39. Articles 51(2)(c) and 53</p>	

<p>Has (have) your Central Authority(ies) encountered any difficulties with obtaining relevant information concerning the income and other financial circumstances of the debtor or creditor, including the location of assets, in particular in relation to Articles 61, 62 and 63?</p>	<p><input type="checkbox"/> Yes - please specify any particular difficulties encountered and what steps could be or have been taken to overcome these difficulties:</p> <p><input type="checkbox"/> No</p>
<p>Has (have) your Central Authority(ies), as a requested Central Authority(ies), worked with any public authorities, administrations or other legal person to obtain such information?</p>	<p><input type="checkbox"/> Yes – please specify if you have encountered any particular difficulties in working with them:</p> <p>Is there any good or bad practice you wish to share on this matter?</p> <p><input type="checkbox"/> No</p>
<p>Where no information on the financial circumstances of the debtor or the creditor is obtained in your State, which information and/or feedback is provided to the requesting Central Authority as to the steps that have been taken to try to obtain the information and the results of those enquiries?</p>	

<p>40. Article 51(2)(d)</p> <p>Are you aware of cases where amicable solutions with a view to obtaining voluntary payment of maintenance could be found?</p>	<p><input type="checkbox"/> Yes – please specify whether such solutions were found by use of:</p> <p><input type="checkbox"/> mediation</p> <p><input type="checkbox"/> conciliation</p> <p><input type="checkbox"/> other similar processes (please specify)</p> <p><input type="checkbox"/> No</p>
<p>41. Article 51(2)(e)</p> <p>Please describe any relevant actions taken to facilitate the ongoing enforcement of maintenance decisions, including any arrears.</p>	
<p>42. Article 51(2)(f)</p> <p>Please describe any relevant actions taken to facilitate the collection and expeditious transfer of maintenance payments.</p>	
<p>43. Articles 51(2)(g) and 53</p> <p>Please describe any relevant actions taken to facilitate the obtaining of documentary or other evidence, without prejudice to Regulation (EC) No 1206/2001.</p>	

44. Articles 51(2)(h) and 53 Please describe any relevant actions taken to provide assistance in establishing parentage where necessary for the recovery of maintenance.	
45. Articles 51(2)(i) and 53 Please describe any relevant actions taken to initiate or facilitate the institution of proceedings to obtain any necessary provisional measures which are territorial in nature and the purpose of which is to secure the outcome of a pending maintenance application.	
46. Articles 51(2)(j) and 53 Please describe any relevant actions taken to facilitate the service of documents, without prejudice to Regulation (EC) No 1393/2007.	

H. Public bodies performing functions of the Central Authority (Article 51 paragraph 3) and power of attorney (Article 52) since the last Activity Report	
47. If you have public bodies which perform the functions of the Central Authority (Article 51(3)), please describe any changes in their tasks.	

<p>48. Have you experienced any particular problems in implementing Article 51(3)?</p>	<p><input type="checkbox"/> Yes – please specify the problems and how in your view these problems could be resolved:</p> <p><input type="checkbox"/> No</p>
<p>49. Does (do) your Central Authority(ies) require a power of attorney from the applicant (Article 52)?</p>	<p><input type="checkbox"/> Yes – please specify, if it is required by your Central Authority(ies):</p> <p><input type="checkbox"/> When it acts (they act) on behalf of the applicant in judicial proceedings;</p> <p><input type="checkbox"/> When it acts (they act) on behalf of the applicant in proceedings before other authorities than judicial ones – please specify which ones:</p> <p><input type="checkbox"/> In order to designate a representative to act on behalf of the applicant in judicial proceedings;</p> <p><input type="checkbox"/> In order to designate a representative to act on behalf of the applicant in proceedings before other authorities than judicial ones – please specify which ones:</p> <p><input type="checkbox"/> No</p>

I. General appreciation of the Maintenance Regulation since the last Activity Report	
50. Has(ve) your Central Authority(ies) encountered any difficulties with the interpretation and/or application of any of the Maintenance Regulation provisions?	<input type="checkbox"/> Yes - please specify: <input type="checkbox"/> No
51. Any other comments on the application of the Maintenance Regulation?	