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| Title | **2007 Child Support Convention and Maintenance Protocol: Questionnaire in preparation of the Experts’ Group meeting of 29 to 31 January 2024 on international transfer of maintenance funds** |
| Document | **Prel. Doc. No** **11A of** **November 2023** |
| Author | PB |
| Agenda Item | Item III.1.f |
| Mandate(s) | C&D No 37 of CGAP 2023 |
| Objective | To prepare for the Experts’ Group meeting of January 2024 by collecting information on current arrangements regarding international transfer of maintenance funds. Responses to the questionnaire should be sent to the PB by e-mail to [secretariat@hcch.net](mailto:secretariat@hcch.net) **no later than 12 January 2024** |
| Action to be Taken | For Decision ☐  For Approval ☐  For Discussion ☐  For Action / Completion ☒  For Information ☐ |
| Annexes | N/A |
| Related Documents | - [Prel. Doc. No 7E of February 2023](https://assets.hcch.net/docs/b2ea41a3-833f-417d-b0ca-e65ef1173867.pdf) – Report of the Experts’ Group on International Transfer of Maintenance Funds, meeting of 13 to 15 February 2023 |

**2007 Child Support Convention and Maintenance Protocol: Questionnaire in preparation of the Experts’ Group meeting of 29 to 31 January 2024 on international transfer of maintenance funds**

1. At its 2023 meeting, the Council on General Affairs and Policy (CGAP) of the HCCH concluded and decided as follows regarding the work of the Experts’ Group (EG) on international transfer of maintenance funds:

“37. CGAP took note of the *Aide-mémoire* of the ITMFEG meeting of February 2023. The ITMFEG will meet once again and report to CGAP at its 2024 meeting.”

1. In preparation of the 29 to 31 January 2024 videoconference meeting of the EG, Members are invited to review Prel. Doc. No 7E of February 2023,0F[[1]](#footnote-2) which includes the Report and Conclusions & Recommendations adopted by the Group.
2. Membership of the EG is open to all Members of the HCCH regardless of whether they are Contracting Parties to the HCCH 2007 Child Support Convention or not. To ensure the widest possible representation, any contributions or proposals from Members which have not yet participated in the work of the EG are also welcome.

***Instructions for completion of the questionnaire***

1. This questionnaire is intended to assist in the preparation of the EG’s meeting of 29 to 31 January 2024 on the international transfer of maintenance funds. The questionnaire is not intended to be a follow-up to the 2022 questionnaire. Therefore, Members are kindly requested to provide fresh responses which will provide an updated picture as to the state of play by January 2024.
2. The questionnaire is being sent to National and Contact Organs of all Members as well as Central Authorities under the HCCH 2007 Child Support Convention. For Contracting Parties to the Convention, Central Authorities are ultimately responsible for submitting the completed questionnaire to the Permanent Bureau (PB) while for non-Contracting Parties, National Organs are responsible for submitting the completed questionnaire.
3. The questionnaire should be completed **no later than 12 January 2024**, in Word format, as this is important for compilation purposes. Any questions concerning the questionnaire may be directed to [secretariat@hcch.net](mailto:secretariat@hcch.net).
4. The PB intends, except where indicated otherwise or where expressly asked not to do so, to place all responses to the questionnaire on the HCCH website ([www.hcch.net](http://www.hcch.net)). Please therefore clearly identify any responses which you do not want to be placed on the website.

Questionnaire

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| **Name of State or territorial unit:**[[2]](#footnote-3) | Please insert text here |
| *For follow-up purposes. This information will not be published as part of the questionnaire response.* | |
| Name of contact person: | Please insert text here |
| Name of Authority / Office: | Please insert text here |
| Telephone number: | Please insert text here |
| E-mail address: | Please insert text here |

For the purpose of the 29 to 31 January 2024 meeting of the EG, Members are invited to report on consideration given to and / or implementation of the following arrangements in their jurisdiction:

* 1. Developments in general regarding the international transfer of maintenance funds (see *Aide-mémoire* 2023[[3]](#footnote-4) paras 1 to 7):

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* 1. Elimination of the use of cheques (see C&R 2022[[4]](#footnote-5) No 1 and *Aide-mémoire* 2023 paras 8 and 9)

Not being considered. Please explain:

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Is being considered. Please explain:

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Has already been implemented. Please explain:

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* 1. Solutions with regard to increased transparency and cost reduction of transfer and currency conversion (see C&R 2022 Nos 2 and 10 and *Aide-mémoire* 2023 paras 10 to 13)

Not being considered. Please explain:

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Is being considered. Please explain:

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Has already been implemented. Please explain:

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* 1. Solutions where creditors would not bear the costs related to the transfer of funds (see C&R 2022 Nos 2 and 11 and *Aide-mémoire* 2023 paras 14 and 15)

Not being considered. Please explain:

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Is being considered. Please explain:

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Has already been implemented. Please explain:

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* 1. Requested Central Authority arrangements with their bank to cover transfer fees or other arrangements to that effect (see C&R 2022 No 3 and *Aide-mémoire* 2023 paras 16 and 17)

Not being considered. Please explain:

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Is being considered. Please explain:

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Has already been implemented. Please explain:

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* 1. Requesting Central Authority providing confirmation to the requested Central Authority that the amounts received are the same as the amounts sent and, where applicable, information on the reasons for any difference (see C&R 2022 No 3 and *Aide-mémoire* 2023 paras 18 to 21)

Not being considered. Please explain:

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Is being considered. Please explain:

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Has already been implemented. Please explain:

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* 1. Establishment of a centralised point (*e.g.*, bank account, central bank) for international transfer dedicated to both incoming and outgoing transfer of funds (see C&R 2022 Nos 4 and 5 and *Aide-mémoire* 2023 paras 22 to 24)

Not being considered. Please explain:

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Is being considered. Please explain:

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Has already been implemented. Please explain:

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* 1. Use of the possibilities afforded by the *Universal Postal Union Postal Payment Services Agreement* of 6 October 2016 (see C&R 2022 No 4 and *Aide-mémoire* 2023 para. 25)

Not being considered. Please explain:

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Is being considered. Please explain:

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Has already been implemented. Please explain:

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* 1. Provision of payment transfer services to any debtors transferring payments within the scope of the HCCH 2007 Child Support Convention (see C&R 2022 No 5 and *Aide-mémoire* 2023 paras 26 to 28)

Not being considered. Please explain:

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Is being considered. Please explain:

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Has already been implemented. Please explain:

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* 1. Implementation of payment transfer monitoring systems (see C&R 2022 No 6 and *Aide-mémoire* 2023 paras 29 to 34)

Not being considered. Please explain:

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Is being considered. Please explain:

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Has already been implemented. Please explain:

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* 1. Implementation of unique case references, known to both the requesting and requested States, attached to each transfer of funds (see C&R 2022 No 7 and *Aide-mémoire* 2023 paras 35 and 36)

Not being considered. Please explain:

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Is being considered. Please explain:

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Has already been implemented. Please explain:

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* 1. Implementation of currency conversion of payments done by the relevant authority in the requested State at the time of transfer (see C&R 2022 No 8 and *Aide-mémoire* 2023 paras 1 to 7 and *Aide-mémoire* 2023 para. 37)

Not being considered. Please explain:

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Is being considered. Please explain:

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Has already been implemented. Please explain:

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* 1. Provision of information about international banking to creditors and debtors (see C&R 2022 No 12 and *Aide-mémoire* 2023 para. 38)

Not being considered. Please explain:

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Is being considered. Please explain:

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Has already been implemented. Please explain:

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* 1. Implementation of a legal framework enabling the Central Authority, acting both as requesting and requested Central Authority, to handle the transfer of funds – or at least major parts of the process – in as automated a manner as possible (see C&R 2022 No 13 and *Aide-mémoire* 2023 paras 39 and 40)

Not being considered. Please explain:

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Is being considered. Please explain:

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Has already been implemented. Please explain:

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* 1. Implementation of an arrangement with banks that are transparent in relation to their fees and / or are part of the SWIFT Global Payment Initiative (GPI) (see C&R 2022 No 14 and *Aide-mémoire* 2023 para. 41)

Not being considered. Please explain:

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Is being considered. Please explain:

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Has already been implemented. Please explain:

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* 1. Any other developments in your State including bilateral solutions put in place between States and ongoing trials between States – in particular in relation to the Central Authority Payment (CAP) service of the United States of America (see *Aide-mémoire* 2023 paras 45 and 46):

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Thank you!

1. “Report of the Experts’ Group on international transfer of maintenance funds”, Prel. Doc. No 7E of February 2023 for the attention of CGAP 2023, available on the HCCH website at [www.hcch.net](http://www.hcch.net) under “Governance” then “Council on General Affairs and Policy”. [↑](#footnote-ref-2)
2. In this questionnaire, references to the term “State”, where relevant, are to be considered as also applicable to a territorial unit. [↑](#footnote-ref-3)
3. See Annex I of “Report of the Experts’ Group on International Transfer of Maintenance Funds, meeting of 13 to 15 February 2023”, Prel. Doc. No 7E of February 2023 for the attention of CGAP 2023, available on the HCCH website at [www.hcch.net](http://www.hcch.net) under “Governance” then “Council on General Affairs and Policy”. [↑](#footnote-ref-4)
4. See Annex II, *ibid*. [↑](#footnote-ref-5)