

Request for Judicial and/or Administrative Assistance for the Recovery Abroad of Maintenance

Convention on the Recovery Abroad of Maintenance
signed at New York on 20 June 1956

<p>X01 Identity of the Transmitting Agency</p> <p>X02 address</p> <p>X03 ✍</p> <p>X04 telefax</p> <p>X05 telex</p> <p>X06 e-mail</p>	<p>Y01 Identity of the Receiving Agency</p> <p>Y02 address</p> <p>Y03 ✍</p> <p>Y04 telefax</p> <p>Y05 telex</p> <p>Y06 e-mail</p>
<p>X07 contact person</p> <p>X07.1 language(s)</p> <p>X08 ✍</p> <p>X09 telefax</p> <p>X10 e-mail</p>	<p>To be completed by the Receiving Agency:</p> <p>Y07 contact person</p> <p>Y07.1 language(s)</p> <p>Y08 ✍</p> <p>Y09 telefax</p> <p>Y10 e-mail</p>

Transmitting Agency Reference No: _____

Particulars of Maintenance Claimant/Creditor and Respondent/Debtor:

Full name of Claimant/Creditor: _____

Full name of Respondent/Debtor: _____

Please tick appropriate boxes.

1 This request concerns:

a An application for the recovery of maintenance based on an order or other judicial or administrative act. The recognition and/or enforcement is sought by reason of:

the *Convention concernant la reconnaissance et l'exécution des décisions en matière d'obligations alimentaires envers les enfants*, done at The Hague on 15 April 1958; or

the *Convention on the Recognition and Enforcement of Decisions Relating to Maintenance Obligations*, done at The Hague on 2 October 1973;

other multilateral or bilateral international instrument(s):

Name and date of the instrument(s): _____

other basis (e.g. comity, co-operation)

Please specify: _____

b If recognition and/or enforcement of the order or other judicial or administrative act is not possible, or is refused, please take appropriate measures to recover maintenance for the applicant, including the institution in your country of an action for maintenance.

c No order or other judicial or administrative act exists. Please take appropriate measures to recover maintenance for the applicant, including the institution in your country of an action for maintenance.

d Variation of a maintenance order.

2 Legal aid/exemption from costs or expenses

a In the proceedings which established the maintenance obligation, the Claimant/Creditor benefited from legal aid or exemption from costs or expenses.

b According to the present situation, the Claimant/Creditor would qualify in the requesting State for legal aid or exemption from costs or expenses in maintenance proceedings.

3 Other matters to which the Transmitting Agency draws attention for the consideration of the Receiving Agency:

4 Enclosed relevant documentation (translated where necessary into the language required by the Receiving Agency):

- ✍ 1 Petition/application for maintenance
- ✍ 2 Judicial or administrative maintenance decision
- ✍ 3 Certificate by Transmitting Agency that the decision is no longer subject to ordinary forms of review in the State of origin
- ✍ 4 Certificate that the decision is enforceable
- ✍ 5 Certificate of summons
- ✍ 6 Certificate of service of decision establishing maintenance liability
- ✍ 7 Acknowledgement of parentage
- ✍ 8 Birth certificate(s)
- ✍ 9 Marriage certificate
- ✍ 10 Power of Attorney
- ✍ 11 Current statement of amounts paid and amounts due
- ✍ 12 Family civil status certificate
- ✍ 13 Certificate of continuing schooling for each child for whom maintenance is payable
- ✍ 14 Information regarding transmission of payments collected
- ✍ 15 Most recent tax assessment or notice of non-liability
- ✍ 16 Information concerning the location of the Respondent/Debtor
- ✍ 17 Claimant's/Creditor's description of real/personal property belonging to the Respondent/Debtor

The documents included herewith are regular as to form, in accordance with the law of the State of the Claimant.

The Receiving Agency is requested to acknowledge receipt of this application (see form attached) and, within 60 days of its receipt, to inform the Transmitting Agency of the steps undertaken in respect of it. Thereafter the Receiving Agency is requested to keep the Transmitting Agency informed of the progress of the application, and of any changes in circumstances that may affect payments under the application.

The Transmitting Agency is requested to promptly inform the Receiving Agency of any variations in the level of maintenance liability that arises from a later decision or agreement between the parties, or from any other cause.

Date: _____

Signature:

(Seal)

Acknowledgement of Receipt of an Application for the Recovery Abroad of Maintenance

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Y01 Identity of the Receiving Agency Y02 address Y03 ✍ Y04 telefax Y05 telex Y06 e-mail	X01 Identity of the Transmitting Agency X02 address X03 ✍ X04 telefax X05 telex X06 e-mail
Y07 person to contact Y07.1 language(s) Y08 ✍ Y09 telefax Y10 e-mail	X07 person to contact X07.1 language(s) X08 ✍ X09 telefax X10 e-mail

The undersigned Receiving Agency has the honour to acknowledge receipt of your application, reference No _____ dated _____.

This application has been given reference No _____.

✍ The file is complete and is under consideration.

✍ Additional information and documentation as specified hereunder is required:

The early provision of this additional information would facilitate completion of the recognition and enforcement process.

✍ The application has been examined and is being returned because the relief requested cannot be granted in the requested State for the following reason(s):

The Receiving Agency requests that the Transmitting Agency inform it within 30 working days of any change in the status of the application.

Date: _____

Signature:

(Seal)