

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

Survey response 1

Name of State or territorial unit:
Sweden

Questionnaire

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

<p>Due to a change in the domestic enforcement code it is now possible to apply for execution by e-mail. This is if you apply directly to the enforcement agency. It is no longer required that an application for execution is signed by the applicant or that the enforceable title (judgement/decision) is certified.</p> <p>The central authority with the Swedish enforcement agency has created an informal network to better understand the processes at each agency and to improve information to other states regarding the enforcement and payment processes in Sweden.</p>

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

Is being considered.

Please explain:

Ongoing discussions with our main bank regarding solutions on how to eliminate or minimize the use of cheques.
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c. Solutions with regard to increased transparency and cost reduction of transfers and currency conversion (see C&R 2019 Nos 2 and 10; aide-mémoire 2021, paras 24-25)

Is being considered.

Please explain:

Ongoing discussions with our main bank regarding solutions on how to decrease currency conversion fees
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d. Solutions where creditors would not bear the costs related to the transfer of funds (see C&R 2019 No 2; aide-mémoire 2021, paras 26-29)

Not being considered.

Please explain:

<p>Enforcement agency: Our creditors will bear the costs in general but fees in relation to conversions of systemfiles etc will be considered our cost.</p> <p>CA: If a debtor pays voluntarily, we encourage the him/her to take responsibility for the costs connected to transfer of funds, while the creditor has to take responsibility for cost connected to the money received by his/her bank and costs for paying out the funds.</p>

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

Not being considered.

Please explain:

<p>The Swedish Enforcement Authority is part of a national agreement with the banks via The Swedish National Debt Office (Riksgäldskontoret).</p> <p>In cases where CA in Sweden is the requested central authority a debtor either pays voluntarily direct to the creditor (or to the account given in the application) or through the Swedish enforcement authority. Therefore the CA is not involved in the transfer of money when acting as the requested CA.</p>

f. Requesting Central Authority providing confirmation to the requested Central Authority that the amounts received are the same as the amounts sent and, where applicable, information on the reasons for any difference (see C&R 2019 No 3; aide-mémoire 2021, paras 15-17)
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Not being considered.

Please explain:
Do not know if the banks are doing any reconciliation of the amounts
CA: We do not do send any regular confirmation the the requested CA that we have recieved the amount paid. If arrears differ or if we have not recieved anything for a year we ask for information. In that check of what arrears do we have in our system and what arrears do the enforcing agency in the requested state have it is possible to find differences.
We do not receive any confirmations from other CAs either.

g. Establishment of a centralised point (e.g., bank account, central bank) for international transfers dedicated to both incoming and outgoing transfer of funds (see C&R 2019 Nos 4 and 5; aide-mémoire 2021, paras 33-35)
Not being considered.

Please explain:
For this to be a reality in Sweden, the Swedish central authority need to reorganize, and take a bigger responsibility when it comes to outgoing payments. This would cost money to do and therefore it is not a priority at the moment.

Swedish Enforcement Authority have various bank accounts in different currencies and we have agreements with two main banks (one for outgoing payments and one for incoming payments).

h. Provision of payment transfer services to any debtors transferring payments within the scope of the HCCH 2007 Child Support Convention (see C&R 2019 No 5; aide-mémoire 2021, para. 18)
Not being considered.

Please explain:

n/a

i. Implementation of payment transfer monitoring systems (see C&R 2019 No 6; aide-mémoire 2021, paras 36-37)
Not being considered.

Please explain:

Enforcement agency: We do not have any monitoring systems implemented apart from our online banking systems.
CA: We monitor payments as requesting central authority. As requested we do not monitor payments and we therefore trust that the creditor or the CA of the requesting state monitor what the arrears are.

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

Please explain:

The debtors name is attached to the payment. If the applicant has attached a reference number to the application of enforcement, the reference number is also attached

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

Please explain:

Ongoing discussions with our main bank regrading currency conversion.

l. Implementation of bundled payments to reduce costs of transfers (see C&R 2019 No 11; aide-mémoire 2021, paras 38-40)
Not being considered.

Please explain:

Our internal systems do not support bunk payments.

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