

GROUPE DE TRAVAIL CHARGÉ DES FORMULAIRES
—
RAPPORT

Coordonné par le Bureau Permanent

* * *

FORMS WORKING GROUP
—
REPORT

Co-ordinated by the Permanent Bureau

*Document préliminaire No 2 A de juillet 2009 à l'intention
de la Commission spéciale de novembre 2009 sur la mise en œuvre de
la Convention de 2007 sur le recouvrement des aliments et
du Protocole de 2007 sur la loi applicable aux obligations alimentaires*

*Preliminary Document No 2 A of July 2009 for the attention
of the Special Commission of November 2009 on the implementation of
the 2007 Child Support Convention and of
the 2007 Protocol on the Law Applicable to Maintenance Obligations*

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Report of the Forms Working Group

*Australia, Canada, Costa Rica, France, Germany,
Netherlands, United Kingdom, United States of America (Co-Chair), Slovakia,
Sweden (Co-Chair), DIJuF, IAWJ and NCSEA*

I INTRODUCTION

1. Since the beginning of the Special Commission on the International Recovery of Child Support and other Forms of Family Maintenance (hereinafter the Special Commission), the value of model forms to be used primarily between Central Authorities, whether mandatory or recommended, for the transmission and receipt of applications has been emphasised again and again.¹ Model forms are widely used under other Hague Conventions.² They facilitate the presentation of information and provide the opportunity to summarise and list documents for specific applications while reducing documentary requirements to a necessary minimum. While they may not act as substitutes for certain required documents, they may reduce the need for full translations. The familiarity of model forms, even when translated into different languages, facilitates the handling of applications. The forms developed for the Diplomatic Session and up-dated for the purpose of the November 2009 Special Commission make as much use as possible of “tick-boxes” and require “open-text” answers as little as possible, such as for names of parties and competent authorities and their contact details. Thus making these forms available in different languages will allow countries to overcome language barriers; it will be possible to complete a form in English and to read it in Spanish, with the exception of the “open-text” answer, which, in most cases being names and numbers, would not need to be translated.³ Model forms will encourage consistent practices, regular operation and uniform interpretation of the Convention as long as there is only one single set of model forms used under the Convention. They will assist with the swift transmission of documents and information. Finally, the use of model forms will be an essential

¹ See “Forms Sub-Committee Report” in “Report of the Administrative Co-operation Working Group of the Special Commission of April 2005 on the International Recovery of Child Support and other Forms of Family Maintenance”, Prel. Doc. No 15 of March 2005, at pp. 16-23, “Report of the Forms Working Group of the Special Commission on the International Recovery of Child Support and other Forms of Family Maintenance”, Prel. Doc. No 17 of May 2006 and “Report of the Forms Working Group”, Prel. Doc. No 31-A of July 2007. The development of model forms for the recovery of maintenance began during the Special Commission of November 1995 on the operation of the Hague Conventions relating to maintenance obligations and of the *New York Convention of 20 June 1956 on the Recovery Abroad of Maintenance*. The value of model forms was re-emphasised during the Special Commission on Maintenance Obligations of April 1999. See “Report on and Conclusions of the Special Commission on Maintenance Obligations of April 1999”, drawn up by the Permanent Bureau, at paras 14-21.

² See, for example, the Request and Certificate Forms of the *Hague Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters*, the Return Request Form, the Access Request Form and the Acknowledgment Form Requesting Additional Information under the *Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction*, and the Statement of Consent to the Adoption and the Certificate of Conformity of Intercountry Adoption Recommended Model Forms under the *Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption*. These Forms are available under the “Service”, “Child Abduction” and “Intercountry Adoption” Sections of the website of the Hague Conference.

³ “Open-text” answers would be completed using alphabetical characters agreed-upon by the users.

component of the development of a multilingual international electronic case management and communication system in support of the future Hague Convention.⁴

II WORKING GROUP ACTIVITIES SINCE NOVEMBER 2007

1. Recommendations of the Twenty-First Session of the Hague Conference on Private International Law

"The Twenty-First Session,

1. Commends the work of the Working Group on Forms established by the Special Commission on the International Recovery of Child Support and Other Forms of Family Maintenance.
2. Gives its general endorsement to the forms set out in Preliminary Document No 31 of July 2007, "Report of the Forms Working Group – Report & Recommended Forms", in particular with regard to their uniform structure.
3. Recommends that the Working Group on Forms should continue its work and give further consideration to the draft forms, with a view to their adoption by a future Special Commission and publication by the Permanent Bureau of the Hague Conference on Private International Law in accordance with Article 11(4) of the *Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance*.

[...]

8. Recommends that the Working Group on Forms and the Administrative Co-operation Working Group should continue their work under the direction of the Permanent Bureau and subject to the authority and control of the Council on General Affairs and Policy to which, through the Permanent Bureau, they will report on their activities."

2. Organisation of the work

2. Since November 2007, the Working Group met by conference calls on four occasions: 1, 9 and 16 June and 7 July 2009.⁵
3. The Working Group, which is an independent Working Group of the Special Commission, is now subject to the authority and control of the Council on General Affairs and Policy of the Conference to which, through the Permanent Bureau, it reports on its activities. In line with the Recommendation of the Twenty-First Session, the coordination of the Working Group continued to be undertaken by the Permanent Bureau. All the forms reviewed in 2009 have been prepared simultaneously in both French and English. The final versions of the forms have been prepared in Spanish for the November 2009 Special Commission.

⁴ See Info. Doc. of June 2006, "Development of an International Electronic Case Management and Communication System in Support of the Future Hague Convention on the International Recovery of Child Support and other Forms of Family Maintenance", prepared by the Permanent Bureau, for the attention of the Special Commission of June 2006 on the International Recovery of Child Support and other Forms of Family Maintenance and Info. Doc. No 4 of April 2009, "Draft Business Plan for the Development of iSupport - The Electronic Case Management and Communication System for the *Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance* and the *Hague Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations*", prepared by the Permanent Bureau for the attention of the Council of March / April 2009 on General Affairs and Policy of the Conference.

⁵ Since the beginning of its work the Working Group has met by conference calls on 27 occasions: 27 January, 3, 9, 17 and 23 February, 3 March, 25 May, 8 June, 6 and 20 July, 28 September, 26 October and 23 November 2005; 24 January, 15 March, 26 April et 30 August 2006; 22 March, 12 and 26 April, 31 May, 5 and 19 July 2007; 1, 9 and 16 June and 7 July 2009. It has met in person on 4 occasions: 15 April 2005, 28 June 2006 and 6-7 and 13 May 2007.

4. Through-out its work, the membership of the Working Group was equally balanced between States of civil law tradition and States of common law tradition while keeping an appropriate representation of judicial and administrative systems. The following is a full list of the members of the Working Group:

Meg HAYNES, United States of America (Co-Chair)⁶
Anna SVANTESSON, Sweden (Co-Chair)⁷

Jorge AGUILAR CASTILLO, Costa Rica
Ana-Sabine BOEHM, DIJuF⁸
Victoria DAMRELL, United Kingdom⁹
Hilde DRENTH, Netherlands
Kay FARLEY, NCSEA¹⁰
Helena KASANOVA, Slovakia
Simon KAY, Australia¹¹
Katie LEVASSEUR, Canada (Civil Law)
Claire-Agnès MARNIER, France¹²
Tracy MORROW, Canada (Common Law)
Hans-Michael VEITH, Germany
Patricia WHALEN, IAWJ¹³

William DUNCAN, Permanent Bureau
Philippe LORTIE, Permanent Bureau
Hannah ROOTS, Permanent Bureau
Nicolas SAUVAGE, Permanent Bureau
Jenny DEGELING, *Rapporteur*.

III SHORT OVERVIEW OF THE FORMS DEVELOPED FOR THE SPECIAL COMMISSION

5. With a view to facilitating the implementation of the Convention in all future Contracting States, all the forms developed by the Working Group, including the Transmittal Form (Art. 12(2)) and the Acknowledgment Form (Art. 12(3)), which are now mandatory forms under Annex 1 and Annex 2 of the Convention, are respectful of the civil law and the common law legal traditions and are compatible with either administrative and judicial systems. They all follow the same model. They can all be used for either child support and / or other forms of family maintenance.¹⁴ The Forms have been prepared simultaneously in both English and French and have been translated into Spanish. As the forms follow diligently the text of the Convention they can be easily translated into any other language the Convention is translated into. In addition to the Transmittal Form, the Acknowledgement Form and Status Reports, the Convention provides for nine different applications (Art. 10). Working towards the development of harmonised forms to facilitate the work of Central Authorities, the Working Group has

⁶ In June 2009, Meg Haynes (United States of America) replaced Shireen Fisher (IAWJ) Co-Chair from January 2005 until May 2009.

⁷ In June 2009, Anna Svantesson (Sweden) replaced Zoe Cameron (Australia) Co-Chair from April 2006 until September 2008. In June 2006, Zoe Cameron replaced Sheila Bird (Australia) Co-Chair from January 2005 until April 2006.

⁸ *Deutsches Institut für Jugendhilfe und Familienrecht e.V.* (Institute for Youth Human Services and Family Law).

⁹ In June 2009, Victoria Damrell (United Kingdom) replaced Philip Ashmore (United Kingdom) member from January 2005 until May 2009.

¹⁰ National Child Support Enforcement Association.

¹¹ In May 2009, Simon Kay (Australia) replaced Zoe Cameron (Australia) member from January 2005 until September 2008.

¹² In May 2009, Claire-Agnès Marnier (France) replaced Edouard De-Leiris (France) member from January 2005 until May 2009.

¹³ International Association of Women Judges.

¹⁴ According to some members of the Working Group, the forms developed could be used in court or administrative tribunal proceedings in some jurisdictions.

managed to produce a minimal number of four forms to cover these nine applications. Since 2005, the Working Group has developed the following forms:

- 1) Transmittal Form (Art. 12(2)) – Annex 1 of the Convention;
- 2) Acknowledgment Form (Art. 12(3)) – Annex 2 of the Convention;
- 3) Application for Recognition or Recognition and Enforcement of a Decision (Arts 10(1) *a*) and (2) *a*), and 30)¹⁵ with a specific Status Report (Art. 12) and the following accompanying documents:¹⁶
 - Abstract of a Decision (Art. 25(3) *b*))
 - Statement of Enforceability of a Decision (Art. 25(1) *b*))
 - Statement of Proper Notice (Art. 25(1) *c*));
- 4) Application for Enforcement of a Decision Made or Recognised in the Requested State (Art. 10(1) *b*)) with a specific Status Report (Art. 12);
- 5) Application for Establishment of Decision (Art. 10(1) *c*) and *d*)) with a specific Status Report (Art. 12);
- 6) Application for Modification of a Decision (Art. 10(1) *e*) and *f*) and (2) *b*) and *c*)) with a specific Status Report (Art. 12);
- 7) Financial Circumstances Form (Arts 11(2) *a*) and *b*) and 17 *a*)).

1. Harmonised and consistent forms – common features

6. The Working Group has developed harmonised and consistent forms to facilitate processing by Central Authorities. In that respect, required information, such as contact details of Central Authorities, description of the parties, payment information, description of a decision, restricted information or attestation, is always presented in the same fashion regardless of the form. For example, sections 1 to 5 of all Applications follow the same language and structure.¹⁷ Only section 6 and following differ from one Application to another. Forms of the same kind always follow the same format. Harmonised and consistent forms will also facilitate the adoption of the forms and their amendments. Finally, the forms are medium neutral, as is the text of the Convention.

a) Medium neutral language

7. Over the years the Working Group examined the practical issues surrounding electronic communication of forms and other accompanying documents and presented recommendations and advice to the Drafting Committee on these matters. The text of the Convention allows the implementation of information technologies without endangering due process principles. The result is a text that avoids as much as possible the use of requirements such as “signature” (where what is usually needed is a simple identification), “writing”, “original”, “sworn” and “certified”. The language of the Convention is media-neutral thereby making possible the swift transmission of documents by the most rapid means of communication available (*i.e.*, technology-neutral).¹⁸

8. The term “signature” has been replaced by an identification / “authentication” requirement where a signature is required to make the link between the information or document and its author or originator.¹⁹ On the other hand, where the signature signifies “consent” to a legal act or “approval” of the contents of information or documents a

¹⁵ Where the same form can be used for different applications a footnote is included to remind the person using the form to keep only the relevant article number and to delete the other numbers.

¹⁶ During its 16-18 May 2007 meeting, the Drafting Committee reviewed the Transmittal Form under Art. 12(2) and the Application for Recognition or Recognition and Enforcement for the purpose of Art. 10(1) *a*) and related documents under Art. 25.

¹⁷ The same can be said about sections 1 to 7 all the Status of Application Reports.

¹⁸ See P. Lortie “The Development of Medium and Technology Neutral Int’l Treaties in Support of Post-Convention Information Technology Systems - The Example of the 2007 Hague Convention and Protocol”, *Yearbook of Private Int’l Law*, 2008, p. 359.

¹⁹ See, for example, Art. 11(1) *h*) of the Convention.

system of attestation will be used.²⁰ It is to be noted that signatures will be of little use in the State where the information is being sent (*i.e.* the requested State or the State addressed). First, the competent authorities in the receiving State will not be in a position to verify whether the signature belongs to the person it pertains to. Secondly, if the person signing the document makes a false declaration the consequences of this false declaration could only be effectively resolved in the State where that false declaration would have been made.

b) Content common to all the forms

9. The Transmittal Form, the Acknowledgment Form, both adopted by the Diplomatic Session, all the Application reviewed by the Forms Working Group, and the specific Status Report Form (Art. 12(4)) designed for each application, and the Financial Circumstances Form have common features deriving from the text of the Convention. They all include a “Confidentiality and Personal Data Protection Notice” that follows the text of Articles 38, 39 and 40 of the Convention. As the application forms for the purpose of Chapter III are to be used by and made through Central Authorities (Art. 9), they all include a section where it is possible to provide the contact details of the Central Authority and the name of the contact person in that Central Authority (Art. 11(1) *h*)). A file reference number is always included for follow-up purposes in combination with the names of the applicant, the person(s) for whom maintenance is sought or payable and the debtor. The Forms Working Group deliberately chose to always identify in the forms the applicant separately as he or she could either be the person for whom maintenance is sought, a representative of that person or the debtor (*i.e.* in the case of an Application for Recognition or Recognition and Enforcement and an Application for Modification²¹). Furthermore, in all the applications there is always an indication as to who is the respondent. Finally, at the very end of each form the name of the authorised representative of the Central Authority who is processing the form and the date upon which the form is transmitted will appear.

c) Content common to all applications, including the Financial Circumstances Form

10. The content of all the forms, including the Financial Circumstances Form, follow Article 11. The title of the application indicates clearly the nature of the application (Art. 11(1) *a*)). All the information to identify the applicant, the debtor and any person for whom maintenance is sought or payable is provided for (Art. 11(1) *b*)-*d*)). A section indicates the nature of the maintenance obligation relied on (Art. 11(1) *e*)). At the end of all the forms an attestation is included indicating that the form complies with the requirements of the Convention (Art. 12(2)). It also specifies that the information contained in the form and the attached documents correspond to and are in conformity with the information and documents provided by the applicant to the requesting Central Authority. This attestation concerning the regularity of the application and the information and documents contained therein is designed to minimise the need for the requested Central Authority to inquire into the validity of the application. The attestation also includes an indication that the form is forwarded on behalf and with the consent of the applicant. The attestation, used in combination with a “tick-box” indicating that the application has been completed directly by the applicant and transmitted through the Central Authority may provide a functional equivalent to sworn statements as required by some States. All the applications, including the Financial Circumstances Form, include a final page – “Restricted information on the Applicant” page - where it is possible to

²⁰ See, for example, the first sentence of Art. 12(2) and the first sentence of Art. 16(3). It is to be noted that an attestation in relation to Art. 12(2) is included in all the forms developed for the applications provided for under Art. 10.

²¹ It is to be noted that both the Application for Recognition or Recognition and Enforcement and the Application for Modification provide for the debtor to be the applicant (Art. 10(2) *a*), *b*) and *c*)) and for the debtor to be represented by a representative.

provide personal information concerning the applicant that should not be disclosed except in accordance with Article 40(3).

d) Content common to all Status Reports on Applications (Art. 12)

11. All the Status Reports follow the same structure. They all provide for a Report on the status of the application in the requested State either in accordance with the rules provided for under the Convention (*e.g.*, recognition and enforcement and modification) or under domestic law. It will be possible to use the Status Report on an Application in combination with the Acknowledgement Form (Annex 2) for the purpose of Article 12(3) or alone for the purpose of Article 12(4) and (5). A tick box indicates whether it is a first report or a subsequent report and, in the latter case, it will be possible to indicate the date of the last report for follow-up purposes. The Status Reports indicate the steps that have already been taken (past), those that are being taken (present) and the steps that will be taken (future). Finally, a section allows the requested Central Authority to indicate the reasons for any refusal to process an application (*e.g.*, requirements of the Convention manifestly not fulfilled (Art. 12(8) and additional documents or information not provided in time (Art. 12(9))).

e) Content common to all documents in support of an Application for Recognition or Recognition and Enforcement

12. The Abstract of a Decision, Statement of Enforceability of a Decision and Statement of Proper Notice include the same content with regard to the identification of the State of origin of the decision, the identification and contact details of the competent authority producing the document and the identification of the decision and the name of the debtor in relation to the decision. Finally, at the very end of these documents will appear the name of the official from the competent authority of the State of origin who will have produced the document and the date on which the document was made in addition to the name of the authorised representative of the Central Authority who is processing the document and the date upon which the document is transmitted.

2. Specific features of individual forms

a) Application for Recognition or Recognition and Enforcement of a Decision (Art. 10(1) a) and (2) a) and 30)

13. Since the Diplomatic Session, this application has been reviewed so as also to be used for the purpose of an Application for Recognition of a decision by the debtor (Art. 10(2) a)) and for an Application for Recognition and Enforcement of a maintenance arrangement (Art. 30). If the application is to be made by the creditor for recognition only (Art. 10(1) a)), it will be possible to tick a box to indicate that it is not necessary to initiate enforcement measures. It is important to note that the application provides a list of the bases for recognition and enforcement (Art. 20) to be completed by the requesting Central Authority in order to assist the competent authority in the State addressed. It is also possible to indicate in the form whether the respondent appeared in the proceedings in the State of origin, if not it refers to the attached Statement of Proper Notice. Two tick boxes are included in the application form for the applicant to indicate whether he or she has benefited from legal assistance in the State of origin (Art. 17 and 25(1) f)). The Status Report for that application contains a section where it is possible to indicate the findings of the *ex officio* review made in accordance with Article 23(4)²² and a section where it would be possible to indicate the grounds for challenge or appeal raised by the respondent (Art. 23(7)). Apart from the Financial Circumstances Form (Arts 11(2) a) and b) and 17 a)), and those listed in the Transmittal Form, no other document can be attached to this form. During the review of the Forms in the light of the final text of the Convention, it was suggested to include in the Abstract of a Decision an indication to

²² States that would apply Art. 24 could easily amend the text of the recommended form for their own purpose.

know whether the applicant had benefited from legal assistance in the State of origin. The suggestion was rejected because some Contracting States could object to the use of the Abstract of a Decision thus preventing the transmission of the information required for the purpose of Article 17. Instead, the Forms Working Group felt that this information should appear in the Application for Recognition or Recognition and Enforcement which should be used by a larger number of States.

b) Abstract of a Decision (Art. 25(3) b))

14. The Abstract of a Decision, to be completed by the competent authority of the State of origin, provides all the necessary information concerning: (1) a decision the terms of which would apply to a single person or to a group of persons; (2) a decision that would have different terms for different persons; or, (3) a decision that combines common terms for a group of persons and individual terms for separate persons within the same group. The Abstract can cover any kind of payments whether they are maintenance payments *per se*, arrears, interest, health insurance, school fees, or any other specified payments, arrangements or conditions. The Abstract provides for standard periods for these payments (*e.g.*, week, two weeks, month, etc.) but allows the possibility to specify other periods if necessary. It is to be noted that the Abstract of a Decision does not provide for the possibility to include a detailed description of the enforceability of the decision. That it is because the Convention only requires knowing whether a decision is enforceable in the State of origin (Art. 25(1) *b*)). Finally, the Abstract provides for any decisions on indexation of maintenance, interest, and costs and expenses. It will also be possible to indicate the time until which the decision shall remain in effect. The Abstract of a Decision could in effect be used as a template for a model decision.

c) Statement of Enforceability of a Decision (Art. 25(1) b))

15. The Statement of Enforceability, also to be completed by the competent authority of the State of origin, indicates in a very simple way whether the decision is enforceable in the State of origin.

d) Statement of Proper Notice (Art. 25(1) c))

16. In accordance with the Convention (Art. 22 *e*)), the Statement of Proper Notice indicates that the respondent did not appear and was not represented in the proceedings in the State of origin, but had proper notice of the proceedings and an opportunity to be heard or that the respondent did not appear and was not represented in the proceedings in the State of origin, but had proper notice of the decision and an opportunity to challenge it on fact and law. This document will also be completed by the competent authority of the State of origin.

e) Application for Enforcement of a Decision Made or Recognised in the Requested State (Art. 10(1) b))

17. As the Convention does not set out any documentary requirements for this Application, the Working Group developed a list of documents to be attached to this application, such as the decision made in the requested State, the decision (or registration) made in the requested State to recognise the decision of another State including the decision of the State of origin, statement of arrears and Financial Circumstances Form. Any other document could be attached to the Application. It is important to note that, save for an application made under Articles 10(1) *a*) and 10(2) *a*), any information to be included in or document to be attached to an application would have to be specified by declaration in accordance with Article 63 by the requested State (Art. 11(1) *g*)).²³ The decision to be referred to in Section 6 of the Application should be either the decision made in the requested State or the decision (or registration) made in the requested State to recognise the decision of another State. In the latter case, the Forms Working Group suggests, as a good practice, to also attach a copy of the decision from the State of origin.

²³ The Country Profile of each Contracting State would indicate the documentary requirements for each application.

f) Application for Establishment of Decision (Art. 10(1) c) and d))

18. As the Convention does not set out any documentary requirements for this Application, the Working Group also developed a list of possible documents that could be attached to this application.²⁴ By ticking a box an applicant could indicate whether he or she seeks enforcement of the decision once established without the need to transmit an additional application for enforcement.

g) Application for Modification of a Decision (Art. 10(1) e) and f) and (2) b) and c))

19. As the Convention does not set out any documentary requirements for this Application, again the Forms Working Group developed a list of possible documents that could be attached to the Application.²⁵ When completing the application, the applicant will be invited to select pre-defined (1) modifications that are sought and (2) changes that have occurred since the decision was made or last modified, in support of the Application for Modification. If the applicant wishes to provide additional information in this respect, he or she can attach written submissions in support of the application under Section 9 of that form. The same application can be used for any of the applications under Article 10(1) e) and f) and 10(2) b) and c). Thus the same form can be used whether the applicant is the creditor or the debtor. In the case of an application made under Article 10(2) c), the applicant will be invited to identify the requirements of Article 18 that apply or may apply.

h) Financial Circumstances Form (Arts 11(2) a) and b) and 17 a))

20. The same Financial Circumstances Form can be used for any of the Applications.²⁶ Thus, the Financial Circumstances Form being multifunctional is rather comprehensive. However, the form does not have to be completed in full for each application. A section of the Form indicates which parts have to be completed for each application. It will also depend on the requirements of each States for financial information (e.g., to establish the quantum or the provision of legal assistance). In that respect, the Working Group recommends using the Country Profile in combination with the Financial Circumstances Form.²⁷ During the review of the Forms in the light of the final text of the Convention, it was suggested to include a statement to know whether the applicant is insured for legal assistance. The Forms Working Group was of the view that such a statement would be too difficult for Central Authorities to manage. Furthermore, it was of the opinion that such insurance coverage should not affect the possibility of seeking legal assistance, with the exception of States where legal assistance cannot be provided to applicants who have such insurance coverage. It was suggested that the country profile include a section in that respect.

IV PRACTICAL HANDBOOK FOR CASE WORKERS

21. The Special Commission of November 2009 will have for its consideration a Draft Practical Handbook for Case Workers. One chapter of the Handbook provides instructions on how to complete the recommended forms. The views of the Forms Working Group were sought on this chapter.

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ With the exception of the application by the debtor for recognition of a decision, or an equivalent procedure leading to the suspension, or limiting the enforcement, of a previous decision in the requested State (Art. 10(2) a)).

²⁷ See Prel. Doc. No 17 of May 2006, *supra*, note 1, at para. 14, for additional information on this form.

V FUTURE WORK

22. The Working Group has made a list of possible future work to be undertaken on a priority and non priority basis. The Working Group suggests the development of the following items:

1. Priority

- Model decision
- Form to locate the debtor (Art. 6(2) *b*)
- Form to obtain relevant information concerning the income and, if necessary, other financial circumstances of the debtor or creditor, including the location of assets (Art. 6(2) *c*)
- Model form for record of payments made by the debtor
- Statement of arrears and / or amounts due and paid statement (Art. 25(1) *d*)
- Form regarding the automatic adjustment by indexation (Art. 25(1) *e*)

2. Non-priority

- Instruction page for each form
- Request for specific measures (Art. 7)
- Statements of enforceability with respect to authentic instruments as well as private agreements (Art. 30(3) *b*)
- Model power of attorney (Art. 42)
- Form to provide assistance in establishing parentage (Art. 6(2) *h*)
- Document establishing that the conditions of Article 36(2) are fulfilled and that benefits have been provided to the creditor (Art. 36(4))