KEY - necessary information: as needed: to be adapted for EU Regulation use

one of these must be ticked

Status of Application Report – Article 12[1]

(Application for Recognition or Recognition and Enforcement
(☐ Article 10(1) *a)* ☐ Article 10(2) *a)* ☐ Article 30))

CONFIDENTIALITY AND PERSONAL DATA PROTECTION NOTICE

Mandatory in risk cases

Personal data gathered or transmitted under the Convention shall be used only for the purposes for which it was gathered or transmitted. Any authority processing such information shall ensure its confidentiality, in accordance with the law of its State.

An authority shall not disclose or confirm information gathered or transmitted in application of this Convention if it determines that to do so could jeopardise the health, safety or liberty of a person in accordance with Article 40.

☐ ***A determination of non-disclosure has been made by a Central Authority in accordance with Article 40.***

1. Requested Central Authority	**2. Contact person in requested State**
a. Address	**a. Address (if different)**
b. Telephone number	**b. Telephone number (if different)**
c. Fax number	**c. Fax number (if different)**
d. E-mail	**d. E-mail (if different)**
e. Reference number	**e. Language(s)**
☐ **First Report / ☐ Subsequent Report – Date of last Report: _____ (dd/mm/yyyy)**	

iSupport will contain a dropdown menu listing all CAs of Convention States with all contact details

Additional information on contact person inside CA

functional iSupport number & the internal reference number of the requested CA

iSupport will insert here the functional iSupport number & the internal reference number of the requesting Central Authority

3. File identification

a. Requesting Central Authority file reference number: _____

b. Family name(s) of applicant: _____

or

b. Name of public body: _____

and

c. Family name(s) of the person(s) for whom maintenance is sought or payable: _____
_____
_____

d. Family name(s) of debtor: _____

[1] The Status of Application Report can be used for the purpose of Article 12(3), (4) and (5). If the Report is being used to provide updates, only include additional information that was not included in the previous reports. Art. 58 Regulation

4. Status of the application in the requested State

a. ☐ **On _____ (dd/mm/yyyy) the competent authority declared the decision enforceable or registered the decision for enforcement (☐ declaration or registration attached for information purposes only; ☐ applicant has been notified of the declaration or registration; ☐ applicant will be notified of the declaration or registration)**

b. ☐ **On or by _____ (dd/mm/yyyy) the competent authority is due to declare whether the decision is enforceable or is to be registered for enforcement**

c. ☐ **On _____ (dd/mm/yyyy) the respondent lodged a challenge or an appeal against the declaration or registration**

d. ☐ **On _____ (dd/mm/yyyy) the competent authority issued a decision refusing recognition and enforcement (☐ decision attached for information purposes only; ☐ applicant has been notified of the decision; ☐ applicant will be notified of the decision)**

e. ☐ **On _____ (dd/mm/yyyy) the competent authority refused recognition and enforcement as a result of a reservation under Article 20(2). On _____ (dd/mm/yyyy) a decision was established for the benefit of the creditor in accordance with Article 20(4).**

f. ☐ **On _____ (dd/mm/yyyy) the respondent lodged a further appeal.** only if procedure notified, Art. 33 Regulation

g. ☐ **On _____ (dd/mm/yyyy) the application / decision was sent to the enforcement authority**

h. ☐ **Application is still pending before the Central Authority**

i. ☐ **Application / decision sent to enforcement authority and enforcement is impossible in the foreseeable future because:**

- ☐ **Debtor without necessary resources**
- ☐ **Debtor incarcerated**
- ☐ **Other: _____**

5. ☐ **The following steps have been taken (past):**

a. ☐ **☐ Debtor / ☐ creditor located**

b. ☐ **Voluntary payment secured (no enforcement measures were necessary)**

c. ☐ **Information concerning the financial circumstances of the debtor gathered**

d. ☐ **Assets of the debtor located**

e. ☐ **Enforcement and other measures initiated**

- ☐ **Provisional measures**
- ☐ **Wage withholding**
- ☐ **Garnishment from bank account or other sources**
- ☐ **Deductions from social security payments**
- ☐ **Lien on or forced sale of property**
- ☐ **Tax refund withholding**
- ☐ **Withholding or attachment of pension benefits**
- ☐ **Credit bureau reporting**
- ☐ **Denial, suspension or revocation of licenses or passport**
- ☐ **Mediation, conciliation or similar processes**
- ☐ **Seizure of lottery or gambling winnings**
- ☐ **Prohibition from leaving the requested State**
- ☐ **Incarceration**
- ☐ **Other: _____**

f. ☐ **Payments were secured (enforcement measures were necessary)**

g. ☐ **Record of payments made by the debtor as of _____ (dd/mm/yyyy) attached**

h. ☐ **Other: _____**

6. ☐ **The following steps are being taken (present):**

a. ☐ **Locating the ☐ debtor / ☐ creditor**

b. ☐ **Securing voluntary payment (no enforcement measures are necessary)**

c. ☐ **Gathering of information concerning the financial circumstances of the debtor**

d. ☐ **Locating the assets of the debtor**

e. ☐ **Initiating enforcement measures**

f. ☐ **Securing payments (enforcement measures are necessary)**

g. ☐ **Other: _____**

7. ☐ **The following steps will be taken (future):**

a. ☐ **☐ Debtor / ☐ creditor to be located**

b. ☐ **Voluntary payment to be sought (no enforcement measures will be necessary)**

c. ☐ **Information to be gathered concerning the financial circumstances of the debtor**

d. ☐ **Assets of the debtor to be located**

e. ☐ **Enforcement measures to be initiated**

f. ☐ **Payments to be sought (enforcement measures will be necessary)**

g. ☐ **Other: _____**

8. ☐ **Please provide the following additional information and / or documentation:**

_____

_____

9. ☐ **The application has been examined by the competent authority and is being returned because a declaration or registration has been refused on the ground that recognition and enforcement of the decision is manifestly incompatible with the public policy ("*ordre public*") of the State addressed.**[2]

Art. 24 a) of the EU Regulation, test of public policy may not be applied to jurisdiction rules

10. ☐ **A challenge or an appeal has been lodged on the following grounds:**

a. ☐ **There are no bases for recognition and enforcement under Article 20**

b. ☐ **Recognition or enforcement of the decision is manifestly incompatible with the public policy ("*ordre public*") of the State addressed**

c. ☐ **The decision was obtained by fraud in connection with a matter of procedure**

d. ☐ **Proceedings between the same parties and having the same purpose are pending before an authority of the State addressed and those proceedings were the first to be instituted**

e. ☐ **The decision is incompatible with a decision rendered between the same parties and having the same purpose, either in the State addressed or in another State, and this latter decision fulfils the conditions necessary for recognition and enforcement in the State addressed**

f. ☐ **In a case where the respondent has neither appeared nor was represented in proceedings in the State of origin, the respondent had neither proper notice of the proceedings and an opportunity to be heard, nor proper notice of the decision and the opportunity to challenge or appeal it on fact and law**

List needs to be adapted to Art. 24 of the Regulation

[2] This Section is limited to the *ex officio* review as provided under Article 23. Additional reasons should be added to this list for the purpose of the *ex officio* review under Article 24.

g. ☐ **The decision was made in violation of Article 18**

h. ☐ **The authenticity or integrity of any document transmitted in accordance with Article 25(1) *a)*, *b)* or *d)* or (3) *b)***

i. ☐ **The debt for past due payments has been fulfilled.**

11. ☐ **The requested Central Authority has refused to process the application for the following reason(s):**

a. ☐ **Requesting Central Authority did not produce the additional documents or information within the period provided under Article 12(9)** Art. 58(9) Regualtion

b. ☐ **Requirements of the Convention manifestly not fulfilled (☐ reasons attached)**

Name: _____ (in block letters) **Date: _____**

Authorised representative of the Central Authority **(dd/mm/yyyy)**