KEY - necessary information: as needed:

one of these must be ticked

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 a risk case

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. If this box is ticked, information under sections 2 d, e, f and g and 5 should only be provided in the Restricted Information on the Applicant page of this form.***

1. Requesting Central Authority file reference number: _____

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

2. Particulars of the applicant

Art. 11(1)a)

The applicant is:

- ☐ **The person for whom maintenance is sought or payable**
- ☐ **The representative of the person for whom maintenance is sought or payable**
- ☐ **The debtor**
- ☐ **The representative of the debtor**

a. Family name(s): _____

b. Given name(s): _____

c. Date of birth:[1] _____ **(dd/mm/yyyy)**

or

a. Name of the public body: _____

b. Family name(s) of the contact person: _____

c. Given name(s) of the contact person: _____

and

d. Address: _____

Art. 11(1) a), but in risk cases, if applicant concerned, the applicants real contact data will not be displayed

_____

e. Telephone numbers: _____

_____

f. Fax number: _____

g. E-mail: _____

[1] It is not necessary to provide a date of birth in the case of a representative.

3. Particulars of the person(s) for whom maintenance is sought or payable

3.1 ☐ **Maintenance is sought or payable for the applicant named above**

Provided applicant = person seeking maintenance

Maintenance basis:

Art. 11(1)e) grounds on which application based

☐ parentage ☐ *in loco parentis* or equivalent relationship
☐ marriage ☐ analogous relationship to marriage
☐ affinity (please identify): _____
☐ grandparent ☐ sibling ☐ grandchild
☐ other: _____

it is important to determine whether the case falls within the substantial scope of the Convention as applicable between the two States concerned

3.2 ☐ **Maintenance is sought or payable for the following child(ren)**

Provided child maintenance is sought and the child is not already the applicant

a. Family name(s): _____
Given name(s): _____
Date of birth _____ **(dd/mm/yyyy)**
Maintenance basis:
☐ parentage ☐ *in loco parentis* or equivalent relationship

b. Family name(s): _____
Given name(s): _____
Date of birth _____ **(dd/mm/yyyy)**
Maintenance basis:
☐ parentage ☐ *in loco parentis* or equivalent relationship

Provided there are several children

c. Family name(s): _____
Given name(s): _____
Date of birth _____ **(dd/mm/yyyy)**
Maintenance basis:
☐ parentage ☐ *in loco parentis* or equivalent relationship

3.3 ☐ **Maintenance is sought or payable for the following person**

Provided that person's data has not already been entered under „applicant"

Family name(s): _____
Given name(s): _____
Date of birth _____ **(dd/mm/yyyy)**
Maintenance basis:
☐ marriage ☐ analogous relationship to marriage
☐ affinity (please identify): _____
☐ grandparent ☐ sibling ☐ grandchild
☐ other: _____

3.4 ☐ **Maintenance is sought or payable for additional children or persons, additional particulars are attached**

if there are more persons iSupport will have to produce an attachment to the form

4.1 Particulars (if known) of the debtor

1) the debtor is the applicant, then the tick box will be ticked; (2) debtor is the respondent: Art. 11(1) c) name and, if known, address and date of birth

☐ **The person is the same as the applicant named above**

a. Family name(s): _____

b. Given name(s): _____

c. Date of birth: _____ **(dd/mm/yyyy)**

d. Residential address: _____

_____

e. Postal address: _____

_____

4.2 If the debtor is the applicant, particulars (if known and applicable) of the representative of the person(s) for whom maintenance is sought or payable

if there is a representative, we need at least the name and address

a. Family name(s): _____

b. Given name(s): _____

c. Address: _____

_____

d. Telephone numbers: _____

_____

e. Fax number: _____

f. E-mail: _____

4.3 Information that may assist with the location of the respondent

a. Personal identification number: _____
(include name of country or territorial unit that issued the number)

b. Any other information that may assist with the location of the respondent

_____

5. Payments

either 5a or 5b must be filled in, Art. 11(1) f)

in risk cases the payment details of the person at risk will not be displayed, Art. 40

a. Details for electronic transfer of payments (if applicable)

Name of the bank: _____

NBIC: [2] _____

SWIFT-address: _____

IBAN:[3] _____

Account number: _____

Name of account holder: _____

Reference:[4] _____

[2] National Bank Identification Code.
[3] International Bank Account Number.
[4] Where needed to effect payment.

b. Details for payments by cheques (if applicable)

Cheque payable to: _____

Cheque to be sent to: _____

(address) _____

_____

Reference:[5] _____

6. ☐ **This is an application for recognition only; do not initiate enforcement measures**

7. Bases for recognition and enforcement (Article 20) (please tick all relevant boxes)
Date of decision: _____ **(dd/mm/yyyy) State of origin:** _____

at least one of the above boxes will be ticked

☐ **The respondent was habitually resident in the State of origin at the time proceedings were instituted;**

☐ **The respondent has submitted to the jurisdiction either expressly or by defending on the merits of the case without objecting to the jurisdiction at the first available opportunity;**

☐ **The creditor was habitually resident in the State of origin at the time proceedings were instituted;**

☐ **The child for whom the maintenance was ordered was habitually resident in the State of origin at the time proceedings were instituted, provided that the respondent has lived with the child in that State or has resided in that State and provided support for the child there;**

☐ **There has been agreement to the jurisdiction by the parties in writing or evidenced by writing (except in disputes relating to maintenance obligations in respect of children);**

☐ **The maintenance decision was made by an authority exercising jurisdiction on a matter of personal status or parental responsibility and that jurisdiction was not based solely on the nationality of one of the parties; or**

☐ **In a case where the State addressed has made a reservation in accordance with Article 20(2), there are factual circumstances in which the law of that State in similar circumstances would confer or would have conferred jurisdiction on its authorities to make such a decision. Please specify:**

_____

_____

8. Appearance of the respondent

one will be ticked

☐ **The respondent appeared or was represented in the proceedings in the State of origin**

☐ **The respondent did not appear and was not represented in the proceedings in the State of origin (see attached Statement of Proper Notice (Art. 25(1) *c)*)**

iSupport will use the recommended form

9. ☐ **Financial Circumstances Form attached (Art. 11(2) *a)* and *b)*)**

iSupport will use the recommended form

In certain cases it will be difficult for the caseworker to identify which of the the legal bases for recognition and enforcement of Art. 20 apply, the Handbook for caseworker suggests that in such a case all boxes should be ticked here; iSupport will offer the same option by allowing the caseworker to identify a box in iSupport that states: „Caseworker is unable to determine which of the bases do not apply so all of them have been included“. As a consequence all boxes will be ticked and the above phrase will be added in the free text box.

[5] Where needed to effect payment.

10. ☐ **Where the application is for the recovery of maintenance other than maintenance obligations arising from a parent-child relationship towards a person under the age of 21 years, the applicant (creditor) has benefited from legal assistance in the State of origin (Articles 17 and 25(1) *f*))**

☐ **Where the application is for the recovery of maintenance including maintenance obligations arising from a parent-child relationship towards a person under the age of 21 years, the applicant (debtor) has benefited from legal assistance in the State of origin (Articles 17 and 25(1) *f*))**

*** See Transmittal Form for the list of documents in support of the application.**

11. Other information: _____

_____

12. Attestations

☐ **This application was completed by the applicant and reviewed by the requesting Central Authority.**

☐ **This application complies with the requirement of the Convention (Article 12(2)). The information contained in this application and the attached documents correspond to and are in conformity with the information and documents provided by the applicant to the requesting Central Authority. The application is forwarded by the Central Authority on behalf of and with the consent of the applicant.**

Name: _____ **(in block letters)** **Date:** _____
Authorised representative of the Central Authority **(dd/mm/yyyy)**

In risk cases

Restricted Information on the Applicant

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

N.B. The requesting Central Authority has determined that information under sections 2 d, e, f and g and 5 on this page shall not be disclosed or confirmed for the protection of the health, safety or liberty of a person. Such a determination shall according to Article 40(2) be taken into account by the requested Central Authority.

1. Requesting Central Authority file reference number: _____

2. Particulars of the applicant

a. Family name(s): _____
b. Given name(s): _____
c. Date of birth: _____ **(dd/mm/yyyy)**
d. Address: _____
_____
e. Telephone numbers: _____
_____
f. Fax number: _____
g. E-mail: _____

5. Payments

a. Details for electronic transfer of payments (if applicable)
Name of the bank: _____
NBIC: _____
SWIFT-address: _____
IBAN: _____
Account number: _____
Name of account holder: _____
Reference: _____

b. Details for payments by cheques (if applicable)
Cheque payable to: _____
Cheque to be sent to: _____
(address) _____
_____
Reference: _____

☐ **This application was completed by the applicant and reviewed by the requesting Central Authority.**

☐ **This application complies with the requirement of the Convention (Article 12(2)). The information contained in this application and the attached documents correspond to and are in conformity with the information and documents provided by the applicant to the requesting Central Authority. The application is forwarded by the Central Authority on behalf of and with the consent of the applicant.**

Name: _____ **(in block letters)** **Date:** _____
Authorised representative of the Central Authority **(dd/mm/yyyy)**