KEY - necessary information: as needed:

ANNEX VI

APPLICATION FORM WITH A VIEW TO THE RECOGNITION, DECLARATION OF ENFORCEABILITY OR ENFORCEMENT OF A DECISION IN MATTERS RELATING TO MAINTENANCE OBLIGATIONS

(Articles 56 and 57 of Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations ([1]))

PART A: To be completed by the requesting Central Authority

1. Application

iSupport will contain a drop down menu with

one of these will be ticked

- ☐ Application for recognition or for recognition and declaration of enforceability of a decision (Article 56(1)(a))
- ☐ Application for recognition of a decision (Article 56(2)(a))
- ☐ Application for enforcement of a decision given or recognised in the requested Member State (Article 56(1)(b))

2. Requesting Central Authority

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

2.1. Name:

2.2. Address:

2.2.1. Street and number/PO box:

2.2.2. Place and postal code:

The list of requesting States in iSupport will contain all Regulation / Convention States & other States

2.2.3. Member State

☐ Belgium	☐ Bulgaria	☐ Czech Republic
☐ Germany	☐ Estonia	☐ Ireland
☐ Greece	☐ Spain	☐ France
☐ Croatia	☐ Italy	☐ Cyprus
☐ Latvia	☐ Lithuania	☐ Luxembourg
☐ Hungary	☐ Malta	☐ Netherlands
☐ Austria	☐ Poland	☐ Portugal
☐ Romania	☐ Slovenia	☐ Slovakia
☐ Finland	☐ Sweden	

2.3. Telephone:

2.4. Fax:

2.5. E-mail:

([1]) OJ L 7, 10.1.2009, p. 1.

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2.6. Reference number of the application:

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

Application to be handled with the application(s) bearing the following reference number(s):

If the connected case has an iSupport number again this number & the internal reference number would be named

2.7. Person responsible for following up the application:

Art. 57(2)g) - name and contact details of person (or unit …)

2.7.1. Surname and given name(s):

2.7.2. Telephone:

?

2.7.3. E-mail:

There will be a drop down menu - see above description regarding requesting CA

3. Requested Central Authority

3.1. Name:

3.2. Address:

3.2.1. Street and number/PO box:

3.2.2. Place and postal code:

3.2.3. Member State

☐ Belgium	☐ Bulgaria	☐ Czech Republic
☐ Germany	☐ Estonia	☐ Ireland
☐ Greece	☐ Spain	☐ France
☐ Croatia	☐ Italy	☐ Cyprus
☐ Latvia	☐ Lithuania	☐ Luxembourg
☐ Hungary	☐ Malta	☐ Netherlands
☐ Austria	☐ Poland	☐ Portugal
☐ Romania	☐ Slovenia	☐ Slovakia
☐ Finland	☐ Sweden	

Art. 20(1)b), Art.28(1)b) Art. 40(2) if necessary

4. Documents attached (*) to the application in the case of a decision made in a Member State

- ☐ A copy of the decision/court settlement/authentic instrument — Art. 20(1)a), Art. 28(1)a)
- ☐ An extract from the decision/court settlement/authentic instrument using the form set out in Annex I, Annex II, Annex III or Annex IV
- ☐ A transliteration or translation of the contents of the form set out in Annex I, Annex II, Annex III or Annex IV — Art.20(1)d), 28(1)c) & 40(2)
- ☐ Where appropriate, a copy of the decision on the declaration of enforceability
- ☐ A document showing the amount of any arrears and the date such amount was calculated — Art. 20(1)c) where appropriate …
- ☐ A document indicating that the applicant has benefited from legal aid or from exemption from costs and expenses
- ☐ A document indicating that the applicant has benefited from free proceedings before an administrative authority in the Member State of origin, and confirming that the applicant fulfils the financial requirements to qualify for legal aid or exemption from costs and expenses
- ☐ A document establishing the right of the public body to apply for reimbursement of benefits paid to the creditor and justifying the payment of such benefits — Art.64(4), public body shall upon request provide this document
- ☐ Other (please specify):

iSupport need to be able to „number" the attachments

(*) Please put a cross in the boxes which apply and number the documents in the order in which they are attached.

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Application for enforcement of decision recognised in requested State, Art. 56(1)b)

5. Documents attached (*) to the application in the case of a decision made in a third State

- ☐ The complete text of the decision
- ☐ A summary of or extract from the decision drawn up by the competent authority of the State of origin
- ☐ A document stating that the decision is enforceable in the State of origin and, in the case of a decision by an administrative authority, a document stating that the requirements of Article 19(3) of the 2007 Hague Convention are met
- ☐ If the defendant did not appear and was not represented in the proceedings in the State of origin, a document or documents attesting, as appropriate, either that the defendant had proper notice of the proceedings and an opportunity to be heard, or that the defendant had proper notice of the decision and the opportunity to challenge it or appeal it on fact and law
- ☐ A document showing the amount of any arrears and the date such amount was calculated
- ☐ A document providing the information necessary to make appropriate calculations in the case of a decision providing for automatic adjustment by indexation
- ☐ A document showing the extent to which the applicant received free legal assistance in the State of origin
- ☐ Other (please specify):

Total number of documents attached to the application form:

Since the form has to be signed, for the time being, iSupport will transmit the content of Annex VI in electronic form & transmit a PDF scan of the original signed form

Done at:

on

/ /

(dd/mm/yyyy)

Name and signature of the authorised official of the requesting Central Authority:

(*) Please put a cross in the boxes which apply and number the documents in the order in which they are attached.

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PART B: To be completed by the applicant or, as appropriate, by the person/authority authorised in the requesting Member State to complete the form on the applicant's behalf

6. Application

6.1. ☐ *Application for recognition or for recognition and declaration of enforceability of a decision*

The application is based on:

6.1.1. ☐ Chapter IV, Section 2, of Regulation (EC) No 4/2009

6.1.2. ☐ The 2007 Hague Convention

6.1.2.1. Indicate the basis for recognition and enforcement under Article 20 of the 2007 Hague Convention:

6.1.2.2. The defendant has appeared or been represented in the proceedings in the State of origin:

☐ Yes ☐ No

6.1.3. ☐ The national law of the requested Member State

6.1.4. ☐ Other (please specify):

6.1. or 6.2 must be ticked,
if 6.1 is ticked, either 6.1.1, 6.1.2., 6.1.3. or must be ticked 6.1.4.,
if 6.1.1. is ticked both 6.1.2.1. and 6.1.2.2. must have an entry

6.2. ☐ *Application for enforcement of a decision given or recognised in the requested Member State*

7. Decision

7.1. Date and reference number:

7.2. Name of the court of origin:

8. Applicant

The applicant is either a natural person or a public body, information under 8.1. or 8.2. needs to be filled in

8.1. Natural person

8.1.1. Surname and given name(s):

Art. 57(2) b)

8.1.2 Date (dd/mm/yyyy) and place of birth:

Art. 57(2) b)

not mandatory

8.1.3. Identity number or social security number (*):

8.1.4. Nationality:

8.1.5. Profession:

8.1.6. Marital status:

ID number, social security number, nationality, profession and marital status are not part of the mandatory minimum application content, Art. 57

(*) If available.

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8.1.7. Address: Art. 57(2) b), but not displayed in domestic violence cases, Art. 57(3)

8.1.7.1. c/o

In domestic violence cases the contact details of the applicant will not be displayed, instead a c/o address will be entered

(surname and given name(s)) (**)

8.1.7.2. Street and number/PO box:

Art. 57(2) b), but not displayed in domestic violence cases, Art. 57(3)

8.1.7.3. Place and postal code:

Art. 57(2) b), but not displayed in domestic violence cases, Art. 57(3)

8.1.7.4. Member State

- ☐ Belgium
- ☐ Bulgaria
- ☐ Czech Republic
- ☐ Germany
- ☐ Estonia
- ☐ Ireland
- ☐ Greece
- ☐ Spain
- ☐ France
- ☐ Croatia
- ☐ Italy
- ☐ Cyprus
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Hungary
- ☐ Malta
- ☐ Netherlands
- ☐ Austria
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovenia
- ☐ Slovakia
- ☐ Finland
- ☐ Sweden

8.1.8. Telephone/E-mail: This is not a necessary requirement, in any case it will not be displayed in domestic violence cases

8.1.9. Has benefited from:

8.1.9.1. legal aid:

☐ Yes ☐ No

8.1.9.2. exemption from costs and expenses:

☐ Yes ☐ No

8.1.9.3. free proceedings before an administrative authority listed in Annex IX to Regulation (EC) No 4/2009:

☐ Yes ☐ No

8.1.10. Where appropriate, surname, given name(s) and details of applicant's representative (lawyer, etc.):

(**) In cases of family violence (see Article 57(3) of Regulation (EC) No 4/2009).

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8.2. Public body

8.2.1. Name:

Only mandatory, if a public body is acting in place of an individual to whom maintenance is owed or is claiming reimbursement for benefits provided in place of maintenance, Art. 64

8.2.2. Address:

8.2.2.1. Street and number/PO box:

8.2.2.2. Place and postal code:

8.2.2.3. Member State

- ☐ Belgium
- ☐ Germany
- ☐ Greece
- ☐ Croatia
- ☐ Latvia
- ☐ Hungary
- ☐ Austria
- ☐ Romania
- ☐ Finland
- ☐ Bulgaria
- ☐ Estonia
- ☐ Spain
- ☐ Italy
- ☐ Lithuania
- ☐ Malta
- ☐ Poland
- ☐ Slovenia
- ☐ Sweden
- ☐ Czech Republic
- ☐ Ireland
- ☐ France
- ☐ Cyprus
- ☐ Luxembourg
- ☐ Netherlands
- ☐ Portugal
- ☐ Slovakia

8.2.3. Telephone/Fax/E-mail:

8.2.4. Name of the person representing the body in the proceedings (*):

8.2.5. Person responsible for following up the application:

8.2.5.1. Surname and given name(s):

8.2.5.2. Telephone:

8.2.5.3. Fax:

8.2.5.4. E-mail:

(*) If relevant.
(**) If this information is available.

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9. Defendant

9.1. Surname and given name(s): Art. 57(2) c)

9.2. Date (dd/mm/yyyy) and place of birth (**):

9.3. Identity number or social security number (**):

9.4. Nationality (**):

9.5. Profession (**):

9.6. Marital status (**):

9.7. Address (**):

9.7.1. Street and number/PO box:

9.7.2. Place and postal code:

9.7.3. Member State

- ☐ Belgium
- ☐ Germany
- ☐ Greece
- ☐ Croatia
- ☐ Latvia
- ☐ Hungary
- ☐ Austria
- ☐ Romania
- ☐ Finland
- ☐ Bulgaria
- ☐ Estonia
- ☐ Spain
- ☐ Italy
- ☐ Lithuania
- ☐ Malta
- ☐ Poland
- ☐ Slovenia
- ☐ Sweden
- ☐ Czech Republic
- ☐ Ireland
- ☐ France
- ☐ Cyprus
- ☐ Luxembourg
- ☐ Netherlands
- ☐ Portugal
- ☐ Slovakia

Art. 57(2) c) if known

Remark: if the the defendant is the person to whom maintenance is owed (in an application Art. 56(2)a)) we have to make sure that in DV cases the contact details are not displayed (should these be known to the CA in the State from which the debtor applies)

10. Any other information that may help locate the defendant:

(*) If relevant.
(**) If this information is available.

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11. Person(s) for whom maintenance is sought or owed (*)

11.1. ☐ The person is the same as the applicant named in point 8

11.2. ☐ The person is the same as the defendant named in point 9

11.3.

☐ The applicant ☐ The defendant

is the representative(**) defending the interests of the following person(s):

either 11.1, 11.2 or 11.3. must be filled in; it is possible that 11.1 and 11.3. is filled in

11.3.1. Person A

11.3.1.1. Surname and given name(s):

11.3.1.2. Date (dd/mm/yyyy) and place of birth:

11.3.1.3. Identity number or social security number (***)

11.3.1.4. Nationality (***):

11.3.1.5. Profession (***):

11.3.1.6. Marital status (***):

Interaction between 11.1 and 11.3.1
If we have already given name and birthdate under „applicant“ we do not repeat it here under „Person A“ but only add the other persons for whom maintenance is sought under A, B and possibly C

EXAMPLE:
Mother applies for spousal maintenance
and child maintenance for her two kids

(1) She is the applicant,
11.3.1. Person A - child 1
11.3.2. Person B - child 2

(2) public body
applies for mother and child,
11.3.1. Person A - mother
11.3.2. Person B - child 1
11.3.3. Person C - child 2

11.3.2. Person B

11.3.2.1. Surname and given name(s):

11.3.2.2. Date (dd/mm/yyyy) and place of birth:

11.3.2.3. Identity number or social security number (***):

11.3.2.4. Nationality (***):

11.3.2.5. Profession (***):

11.3.2.6. Marital status (***):

Provided there are several persons for whom maintenance is sought

(*) If more than three persons, attach an additional sheet.
(**) For example the person with parental responsibility or the guardian of a protected adult.
(***) If this information is available and/or relevant.

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11.3.3. Person C

11.3.3.1. Surname and given name(s):

11.3.3.2. Date (dd/mm/yyyy) and place of birth:

Provided there are several persons for whom maintenance is sought (if there are more than three iSupport will have to produce an attachment to the from)

11.3.3.3. Identity number or social security number (***):

11.3.3.4. Nationality (***):

11.3.3.5. Profession (***):

11.3.3.6. Marital status (***):

12. Debtor

either 12.1, 12.2 or 12.3. must be filled in

12.1. ☐ The person is the same as the applicant named in point 8

12.2. ☐ The person is the same as the defendant named in point 9

12.3.

☐ The applicant ☐ The defendant

is the representative (**) defending the interests of the following person:

12.3.1. Surname and given name(s):

same remark as for 11.3.1; if name and details of debtor are already entered because he/she is the applicant or the defendant we do not repeat the details under 1.2.1.

12.3.2. Date (dd/mm/yyyy) and place of birth:

Date of birth for the defendant is not mandatory, Art. 57(2) does not speak about the „debtor“

12.3.3. Identity number or social security number (*):

12.3.4. Nationality (*):

12.3.5. Profession (*):

12.3.6. Marital status (*):

(*) If more than three persons, attach an additional sheet.
(**) For example the person with parental responsibility or the guardian of a protected adult.
(***) If this information is available and/or relevant.

The date of birth and address only if known.
However, in order to avoid that this important information is not by accident left out, the screen with the contact details of the debtor will require the caseworker to tick „not known“ for the date of birth and or address; in case the system has not entry for date of birth / address, the form will only be complete when this box is ticked

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13. Information regarding payment, if the application is made by the creditor

13.1. Payment by electronic means

either 13.1 or 13.2 must be filled in

13.1.1. Name of the bank:

13.1.2. BIC or other relevant bank code:

13.1.3. Account holder:

13.1.4. International Bank Account Number (IBAN):

13.2. Payment by cheque

13.2.1. Cheque payable to:

13.2.2. Cheque to be sent to

13.2.2.1. Surname and given name(s):

13.2.2.2. Address:

13.2.2.2.1. Street and number/PO box:

13.2.2.2.2. Place and postal code:

13.2.2.2.3. Country:

14. Additional information (where applicable):

Since the form has to be signed, for the time being, iSupport will transmit the content of Annex VI in electronic form & transmit a PDF scan of the original signed form

Done at:

on

/ /

(dd/mm/yyyy)

Signature of applicant:

and/or, where appropriate:

Name and signature of the person/authority authorised in the requesting Member State to complete the form on the applicant's behalf:

(*) If this information is available.

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