

<b>Title</b>	Questionnaire in preparation of the Experts' Group meeting of 8 to 11 February 2021 on international transfers of maintenance funds
<b>Document</b>	Prel. Doc. No 11 of October 2020
<b>Author</b>	PB
<b>Agenda Item</b>	TBD
<b>Mandate(s)</b>	C&D No 25 of CGAP 2020
<b>Objective</b>	To prepare for the Experts' Group meeting of February 2021 by collecting information on current arrangements regarding international transfers of maintenance funds. Replies to the Questionnaire should be sent to the PB by e-mail to < <a href="mailto:secretariat@hcch.net">secretariat@hcch.net</a> > <b>no later than 15 January 2021</b>
<b>Action to be Taken</b>	For Action <input checked="" type="checkbox"/> For Approval <input type="checkbox"/> For Decision <input type="checkbox"/> For Information <input type="checkbox"/>
<b>Annexes</b>	N/A
<b>Related Documents</b>	Prel. Doc. 11 of November 2019 - Report of the Experts' Group on international transfers of maintenance funds

# Questionnaire in preparation of the Experts' Group meeting of 8 to 11 February 2021 on international transfers of maintenance funds

- 1 At its 3 to 6 March 2020 meeting, the Council on General Affairs and Policy (CGAP) of the HCCH concluded and decided as follows regarding the work of the Experts' Group (EG) on international transfers of maintenance funds:

“25. CGAP mandated the Experts' Group on international transfer of maintenance funds to continue its work and invited the PB to make arrangements for a further meeting of the Experts' Group by videoconference. The findings of the Expert's Group will inform the work of the SC.”

- 2 In preparation of the 8 to 11 February 2021 videoconference meeting of the EG, to take place in the afternoon Central European Time, delegates / experts are invited to review the “Report of the Experts' Group on international transfers of maintenance funds”<sup>1</sup> which includes the Conclusions and Recommendations of the first meeting of the EG in September 2019 (C&R EG) that reflect existing good practices found in a number of States. Delegates / experts are also invited to complete the following Questionnaire.
- 3 Membership of the EG is open to all Members of the HCCH regardless of whether they are Contracting Parties to the HCCH 2007 Child Support Convention or not. To ensure the widest possible representation, any contributions or proposals from Members which have not yet participated in the work of the EG are welcome.

## *Instructions for completion of the Questionnaire*

- 4 The Questionnaire is being sent to Central Authorities as well as National and Contact Organs. Central Authorities are asked to co-ordinate as appropriate between themselves and other competent authorities. For Contracting Parties to the Convention, Central Authorities are ultimately responsible for submitting the completed Questionnaire to the Permanent Bureau (PB).
- 5 In order to allow the PB to extract parts of the Questionnaire for a compilation and analysis of the responses, you are kindly requested to use **this Word version** of the document, and **not return a PDF version** of the completed Questionnaire.
- 6 We kindly request that replies to the Questionnaire be sent to the PB by e-mail to < [secretariat@hcch.net](mailto:secretariat@hcch.net) > **no later than 15 January 2021** with the following subject matter captioned in the heading of the e-mail: “[name of State] Response to transfer of maintenance funds Questionnaire – 2021 Special Commission”. Any questions concerning the Questionnaire may be directed to < [secretariat@hcch.net](mailto:secretariat@hcch.net) >.
- 7 The PB intends, except where expressly asked not to do so, to place all responses to the Questionnaire on the HCCH website (< [www.hcch.net](http://www.hcch.net) >). Please therefore clearly identify any responses which you do not want to be placed on the website.
- 8 The findings of the EG will inform the work of the Special Commission (SC) tentatively scheduled to take place during the week of 7 to 11 June 2021. The dates of the SC will be discussed and decided at the CGAP 2021 meeting, which is scheduled to take place during the week of 1 to 5 March 2021. Thank you for your kind co-operation as the PB prepares for the meeting of the SC in 2021.

---

<sup>1</sup> CGAP Prel. Doc. No 11 of November 2019 “Report of the Experts' Group on international transfers of maintenance funds” is available at: < <https://assets.hcch.net/docs/4def3f24-fde9-487a-9396-531105e196d5.pdf> >.

## Questionnaire

<b>Name of State or territorial unit:<sup>[1]</sup></b>	Northern Ireland
<i>For follow-up purposes</i>	
Name of contact person:	Gary Quail
Name of Authority / Office:	Northern Ireland Central Authority
Telephone number:	02890 728819
E-mail address:	reciprocalenforcement@courtsni.gov.uk

9 For the purpose of the 8 to 11 February 2021 meeting of the EG, delegates / experts are invited to report on consideration given to and / or implementation of the following arrangements in their jurisdiction:

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

Creditors have been moved from cheque to electronic payment where this has been requested.

b. Elimination of the use of cheques (see C&R EG No 1)

Not being considered. Please explain:

The elimination of cheques is currently not being considered at this time. There is still a demand from our creditors to have the option to be paid via cheque. Particularly in instances where the creditors do not have bank accounts and instead lodge their cheques to a Savings Account. (eg. Post Office Account). Northern Ireland Central Authority are unable to pay directly into a Savings Account by way of electronic payment, so the option for creditors to receive payment via cheque in these instances is still required.

Where creditors do request to be paid via electronic payment, this method of payment is being facilitated by the Northern Ireland Central Authority.

Is being considered. Please explain:

Please insert text here

Has already been implemented. Please explain:

Please insert text here

c. Solutions with regard to increased transparency and cost reduction of transfers and currency conversion (see C&R EG Nos 2 and 10)

Not being considered. Please explain:

---

<sup>[1]</sup> The term "State" in this Questionnaire includes a territorial unit, where relevant.

Northern Ireland Central Authority will seek the amount requested in a Notice of Registration. This would not take into account currency conversion. There will be fluctuation in amounts actually paid to the creditor due to currency conversion.

Is being considered. Please explain:

[Please insert text here](#)

Has already been implemented. Please explain:

[Please insert text here](#)

d. Solutions where creditors would not bear the costs related to the transfer of funds (see C&R EG No 2)

Not being considered. Please explain:

Northern Ireland Central Authority do not charge creditors for transfer of funds electronically. The creditor would not incur such costs.

Is being considered. Please explain:

[Please insert text here](#)

Has already been implemented. Please explain:

[Please insert text here](#)

e. Solutions where the institution(s) facilitating the transfer of funds could cover the costs of such transfers by withholding the amounts for a few days (see C&R EG No 2)

Not being considered. Please explain:

Northern Ireland Central Authority do not charge creditors for the transfer of funds electronically, and we are legally bound by the Judge's direction to pay any monies received from the debtor onto the creditor immediately. We are therefore unable to withhold monies for a few days.

Is being considered. Please explain:

[Please insert text here](#)

Has already been implemented. Please explain:

[Please insert text here](#)

f. Requested Central Authority arrangements with their bank to cover transfer fees or other arrangements to that effect (see C&R EG No 3)

Not being considered. Please explain:

Northern Ireland Central Authority do not charge creditors for the transfer of funds electronically.

Is being considered. Please explain:

Please insert text here

Has already been implemented. Please explain:

Please insert text here

g. 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 EG No 3)

Not being considered. Please explain:

Northern Ireland Central Authority do not automatically advise reciprocating Central Authorities of payments received and paid out. Northern Ireland have no intention of implementing this practice.

Is being considered. Please explain:

Please insert text here

Has already been implemented. Please explain:

Please insert text here

h. 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 EG Nos 4 and 5)

Not being considered. Please explain:

Northern Ireland Central Authority do not intend to set up any additional bank accounts solely for international transfers. A central account is already in operation dedicated to both incoming and outgoing transfer of funds for all international and non-international creditors.

Is being considered. Please explain:

Please insert text here

Has already been implemented. Please explain:

Please insert text here

- i. Provision of payment transfer services to any debtors transferring payments within the scope of the HCCH 2007 Child Support Convention (see C&R EG No 5)

Not being considered. Please explain:

[Please insert text here](#)

Is being considered. Please explain:

[Northern Ireland Central Authority will seek to implement any processes to facilitate payments electronically within the scope of HCCH 2007 Child Support Convention.](#)

Has already been implemented. Please explain:

[Please insert text here](#)

- j. Implementation of payment transfer monitoring systems (see C&R EG No 6)

Not being considered. Please explain:

[Please insert text here](#)

Is being considered. Please explain:

[Please insert text here](#)

Has already been implemented. Please explain:

[Northern Ireland Central Authority maintains payment records for all creditors/Central Authorities. Communication by the way of a BACS remittance advise is issued to creditors/Central Authorities each time a payment is processed to enable the reconciliation of the amounts received by the creditor.](#)

- k. Implementation of unique case references, known to both the requesting and requested State, attached to each transfer of funds (see C&R EG No 7)

Not being considered. Please explain:

[Please insert text here](#)

Is being considered. Please explain:

[Please insert text here](#)

Has already been implemented. Please explain:

[Northern Ireland Central Authority attaches unique case references, known to both the requesting and requested State each time a transfer of funds is made. Each unique case reference links the transfer to an existing case.](#)

- l. Implementation of currency conversion of payments done by the relevant authority in the requested State at the time of transfer (see C&R EG No 8)

Not being considered. Please explain:

[Please insert text here](#)

Is being considered. Please explain:

[Please insert text here](#)

Has already been implemented. Please explain:

[Northern Ireland Central Authority currently converts the payments to the currency requested by the State at the time of transfer. Northern Ireland Central Authority incurs any conversion charge and does not pass the conversion charges onto the creditors.](#)

- m. Implementation of bundled payments to reduce costs of transfers (see C&R EG No 11)

Not being considered. Please explain: [

[Northern Ireland Central Authority are legally bound by the Judge's direction to pay any monies received from the debtor onto the creditor immediately. We are therefore unable to withhold monies from the creditors for a period of time to enable 'bundled payments.'](#)

Is being considered. Please explain:

[Please insert text here](#)

Has already been implemented. Please explain:

[Please insert text here](#)

- n. Any other developments:

[Please insert text here](#)

Thank you!