

# Questionnaire in preparation of the Experts' Group meeting of 7 to 10 February 2022 on international transfers of maintenance funds

## Survey response 1

### Identification

For follow-up purposes. This information will not be published as part of the questionnaire response. The term "State" in this Questionnaire includes a territorial unit, where relevant. [Name of State or territorial unit:]

Czech Republic

### Questionnaire

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

Our Office uses in majority electronic transfer of funds (mainly wire transfers), but the cheques are also used due to the fact, that some countries prefer them (e. g. USA) and do not accept electronic transfers.

b. Elimination of the use of cheques (see C&R 2019 No 1; aide-mémoire 2021, paras 11-14)

Is being considered.

Please explain:

Our Office prefers to transfer the maintenance funds to the bank account and in majority does so. However, there are some Members, which still prefers cheques, so our Office use them as well.

c. Solutions with regard to increased transparency and cost reduction of transfers and currency conversion (see C&R 2019 Nos 2 and 10; aide-mémoire 2021, paras 24-25)

Is being considered.

Please explain:

Our Office as the state authority is obliged to comply with the national legal framework, also in order to ensure the transparency. We look into possibilities of having bank accounts with such terms, that the bank fees and exchange rates have a minimum negative impact on creditors. At the moment, our Office has the bank account at the private bank, so its exchange rates (and not the central national bank rates) are applied.

d. Solutions where creditors would not bear the costs related to the transfer of funds (see C&R 2019 No 2; aide-mémoire 2021, paras 26-29)

Has already been implemented.

Please explain:

The clients of our Office do not bear any costs related to the transfer of the maintenance funds. Our Office bears/pays the bank fees from our budget.

e. Requested Central Authority arrangements with their bank to cover transfer fees or other arrangements to that effect (see C&R 2019 No 3; aide-mémoire 2021, para. 32)

Is being considered.

Please explain:

see answer to the question c.

f. 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 2019 No 3; aide-mémoire 2021, paras 15-17)

Has already been implemented.

Please explain:  
Usually, our Office confirms the receipt of the first payment in the file. Afterwards, the current amount of debt and enforced due maintenance is regularly checked and communicated with the requested Central Authority.  
The difference between the amounts received and the amounts sent is in majority of cases caused by the exchange rate and currency conversion.  
If the maintenance is enforced through Central Authorities, it is preferable that the enforced amount are sent through the Central Authorities as well.

g. 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 2019 Nos 4 and 5; aide-mémoire 2021, paras 33-35)  
Has already been implemented.

Please explain:  
Our Office has several bank accounts kept in different currency which are designated solely for international transfers of maintenance funds

h. Provision of payment transfer services to any debtors transferring payments within the scope of the HCCH 2007 Child Support Convention (see C&R 2019 No 5; aide-mémoire 2021, para. 18)  
Is being considered.

Please explain:  
The services are currently available to creditors that elect to use these services.  
To provide such services to any debtors requires cooperation of the creditors (e.g. power of attorney).

i. Implementation of payment transfer monitoring systems (see C&R 2019 No 6; aide-mémoire 2021, paras 36-37)  
Has already been implemented.

Please explain:  
Our Office has its own monitoring system of payments.

j. Implementation of unique case references, known to both the requesting and requested State, attached to each transfer of funds (see C&R 2019 No 7; aide-mémoire 2021, para. 20)  
Is being considered.

Please explain:  
Our Office participates on iSupport system discussions.

k. Implementation of currency conversion of payments done by the relevant authority in the requested State at the time of transfer (see C&R 2019 No 8; aide-mémoire 2021, paras 21-23)  
Is being considered.

Please explain:  
Unfortunately, the process of the cross-border maintenance enforcement causes that the creditor does not always receive the full amount, as per the maintenance decision. This is caused by the exchange rates and the fact, that the debtor fulfil with her/his obligation by paying the amount to the account of the requested Central Authority (outgoing cases). In case of the court enforcement, it is applied the exchange rate of the day when the deduction of debtor's income is done (incoming cases). In order to eliminate this unfavourable consequence, our Office invites the debtors to pay also the due amount caused by the exchange rates voluntarily.

l. Implementation of bundled payments to reduce costs of transfers (see C&R 2019 No 11; aide-mémoire 2021, paras 38-40)  
Has already been implemented.

Please explain:  
Our Office sends enforced maintenance in some cases in bulk to the requesting Central Authorities, usually once or twice a month.  
If the creditor agrees, we can transfer more smaller payments after longer time together.

m. Any other developments including bilateral solutions put in place between States and ongoing trials between States:  
Payments between the Czech Republic and Slovakia are transferred twice a month (payments enforced in all cases together).