

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 This information will not be published as part of the questionnaire response.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:]

Switzerland

Questionnaire

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

The current processing of international maintenance cases based on the conventions and agreements concluded by Switzerland is carried out in cooperation between the Central Authority at the federal level and the competent authorities in the cantons. In most cases, incoming and outgoing payments are made directly via the cantonal or local authorities and the parties concerned (and based on the respective terms and conditions of the individual banking relationships). Only within the framework of the transitional solutions with states which know cheque payments (Australia, USA, certain Canadian provinces) incoming payments to Switzerland are processed via the Central Authority. Therefore, the Central Authority does not have comprehensive knowledge of all the solutions used by the authorities in the cantons and in the individual cases.

The Central Authority has not made fundamental changes in the payment processing last year. However, some of the proposals mentioned in the following paragraphs are discussed or already implemented, at least in individual cases.

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

Has already been implemented.

Please explain:

However, interim solutions are still in place because of cheque payments from the USA and certain Canadian provinces.

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:

Some of the proposals are discussed or exist already in individual cases.

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)

Is being considered.

Please explain:

However, the Central Authority was not able to undertake further general developments in this area last year.

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:

However, the Central Authority was not able to undertake further general developments in this area last year.

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)

Is being considered.

Please explain:

Exchange in this regard took place in individual cases.

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)

Is being considered.

Please explain:

As stated in a., the current processing of international maintenance cases based on the conventions and agreements concluded by Switzerland is carried out in cooperation between the Central Authority at the federal level and the competent authorities in the cantons. In most cases, incoming and outgoing payments are made directly via the cantonal or local authorities and the parties concerned (and based on the respective terms and conditions of the individual banking relationships). Only within the framework of the transitional solutions with states which know cheque payments (Australia, USA, certain Canadian provinces) incoming payments to Switzerland are processed via the Central Authority. The decentralised payment processing that already exists today is still preferred. A (certain) centralisation of payment processing would only be an issue if a (completely) centralized organisation with a Federal Central Authority were to be created in the future (e.g. when Switzerland joins the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance). However, the future organisation of the processing of maintenance cases has yet to be clarified.

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)

Not being considered.

Please explain:

This does not apply at the moment as Switzerland is not a member state of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance.

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

Is being considered.

Please explain:

However, the Central Authority was not able to undertake further general developments in this area last year.

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:

The Central Authority is following the development of iSupport.

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:

However, the Central Authority was not able to undertake further general developments in this area last year.

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

Is being considered.

Please explain:

This is already the practice in some cases

m. Any other developments including bilateral solutions put in place between States and ongoing trials between States: