

Title	Questionnaire on the practical operation of the <i>Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance</i>
Document	Prel. Doc. No 1 of August 2019
Author	PB
Agenda item	TBD
Mandate(s)	C&R No 28 of the 2019 CGAP
Objective	<ul style="list-style-type: none"> – To seek information as to the implementation and practical operation of the 2007 Convention in Contracting Parties, including procedures that have been established to implement the Convention, the extent of co-operation between Contracting Parties, and the types of assistance provided to individuals; – To identify challenges or questions that have arisen and good practices regarding the practical operation of the 2007 Convention; and – To obtain views and comments on priority topics, including possible future work, for discussion at the upcoming meeting of the Special Commission.
Action to be taken	For Approval <input type="checkbox"/> For Decision <input type="checkbox"/> For Information <input type="checkbox"/> For Action <input checked="" type="checkbox"/>
Annexes	n.a.
Related documents	Prel. Doc. No 2 of August 2019 - Questionnaire on the practical operation of the <i>Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations</i>

Objectives of the Questionnaire

This Questionnaire is being circulated in preparation for a possible meeting of the Special Commission on the practical operation of the *HCCH Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance* (hereinafter, the “2007 Convention”) and the *HCCH Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations* (hereinafter, the “2007 Protocol”), to be held in The Hague in December 2020 (dates to be confirmed). The Questionnaire focuses on the 2007 Convention; another Questionnaire will focus on the 2007 Protocol.

This Questionnaire is addressed primarily to Contracting Parties to the 2007 Convention, but certain questions (so marked) are also addressed to non-Contracting Parties (*e.g.*, Contracting Parties to the United Nations Convention on the Recovery Abroad of Maintenance concluded in New York on 20 June 1956 (hereinafter, the “1956 Convention”). The Questionnaire has the following broad objectives:

- a. To seek information as to the implementation and practical operation of the 2007 Convention in Contracting Parties, including procedures that have been established to implement the Convention, the extent of co-operation between Contracting Parties, and the types of assistance provided to individuals;
- b. To identify challenges or questions that have arisen and good practices regarding the practical operation of the 2007 Convention; and
- c. To obtain views and comments on priority topics, including possible future work, for discussion at the upcoming meeting of the Special Commission.

The Questionnaire is designed to facilitate an efficient exchange of information on these matters prior to the meeting of the Special Commission and assist with the drawing up of an agenda for the meeting.

Scope of the Questionnaire

The Questionnaire covers these topics:

- Statistics
- Operational issues
- Access to information
- Enforcement issues
- Feedback on the use of the mandatory and recommended forms
- Possible additional forms
- Country profile
- Possible additional tools
- Translation of documents and dissemination of information
- Training and training material
- Joining the 2007 Convention
- iSupport
- General

In considering the questions that follow, States may find it useful to refer in particular to the following resources:

- The text of the 2007 Convention¹
- The Explanatory Report² (Borras and Degeling) on the 2007 Convention

¹ The text of the 2007 Convention is available at: < <https://assets.hcch.net/docs/14e71887-0090-47a3-9c49-d438eb601b47.pdf> >.

² The Explanatory Report is available at: < <http://assets.hcch.net/docs/09cfaa7e-30c4-4262-84d3-daf9af6c2a84.pdf> >.

- The Recommended Forms³ under the 2007 Convention
- The Practical Handbook for Case Workers⁴ under the 2007 Convention
- The Practical Handbook for Competent Authorities⁵ on the 2009 EU Maintenance Regulation, the 2007 Hague Child Support Convention and its Protocol
- The Country Profile⁶ for the 2007 Convention
- The Implementation Checklist⁷ for the 2007 Convention

Instructions for completion

The Questionnaire is being sent to Central Authorities as well as National and Contact Organs. Central Authorities 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).

In order to allow the PB to extract parts of the Questionnaire for a compilation and analysis of the responses, please use **this Word Version** of the document, and please **do not return a PDF version** of the completed Questionnaire.

We kindly request that replies to the Questionnaire be sent to the PB by e-mail to <secretariat@hcch.net> **no later than 30 November 2019** with the following subject matter captioned in the heading of the e-mail: “[name of State] Response to the 2007 Convention Questionnaire – 2020 Special Commission”. Any questions concerning the Questionnaire may be directed to <secretariat@hcch.net>.

We intend, except where expressly asked not to do so, to place all replies to the Questionnaire on the HCCH website (www.hcch.net). Please therefore clearly identify any responses which you do not want to be placed on the website.

Thank you for your kind co-operation as the PB prepares for the meeting of the Special Commission in 2020.

³ The 2007 Convention Recommended Forms are available at: <<https://assets.hcch.net/docs/7b1c5829-81a6-46f5-902e-d59b572dff8a.pdf>>.

⁴ The Practical Handbook for Case Workers on the 2007 Convention is available at: <<https://assets.hcch.net/docs/5f160c92-b560-4b7f-b64c-8423f56c6292.pdf>>.

⁵ The Practical Handbook for Competent Authorities on the 2009 EU Maintenance Regulation, the 2007 Hague Child Support Convention and its Protocol is available at: <<https://assets.hcch.net/docs/b4c58880-8e8a-41a4-a52e-6597e1a08b42.pdf>>.

⁶ The Country Profile for the 2007 Convention is available at: <<https://assets.hcch.net/docs/7a6a8da3-4a7f-4367-89d6-f96e1e32c299.pdf>>.

⁷ The Implementation Checklist for the 2007 Convention is available at: <<https://assets.hcch.net/docs/231f2415-e12b-4bd6-8f85-9f1fc25d2658.pdf>>.

**QUESTIONNAIRE ON THE PRACTICAL OPERATION OF THE
CONVENTION OF 23 NOVEMBER 2007 ON THE INTERNATIONAL RECOVERY
OF CHILD SUPPORT AND OTHER FORMS OF FAMILY MAINTENANCE**

Wherever your replies to this Questionnaire make reference to domestic legislation, rules, guidance or case law relating to the practical operation of the 2007 Convention, **please provide a copy of the referenced documentation** in (a) the original language and, (b) wherever possible, accompanied by a translation into English and / or French.

Name of State or territorial unit:^[1]	ROMANIA
<i>For follow-up purposes</i>	
Name of contact person:	Viviana ONACA
Name of Authority / Office:	MINISTRY OF JUSTICE
Telephone number:	0040372041077
E-mail address:	ddit@just.ro; dreptintrenational@just.ro

Please note:

- Contracting Parties to the 2007 Convention are requested to complete ALL sections below.
- Non-Contracting Parties to the 2007 Convention are requested to complete those sections marked with an asterisk (*).

1. Statistics under the 2007 Convention

1.1. How many active cases is your Central Authority handling at this moment under the 2007 Convention?

Outgoing cases:

9

Incoming cases:

8

1.2. How many new cases (outgoing and incoming) were added to your caseload under the 2007 Convention each year during the last three years?

Last year:

2

Prior year:

4

Prior year:

7

Please specify the reference period for these statistics, *i.e.*, whether a calendar or fiscal year, and if the latter, the starting and ending dates:

Calendar year

Fiscal year:

starting:

^[1] The term "State" in this Questionnaire includes a territorial unit, where relevant.

01.01.YYYY

ending:

31.12.YYYY

1.3. How many requests for specific measures (Art. 7) has your Central Authority handled during the past 12 months?

Outgoing requests for specific measures:

1

Incoming requests for specific measures:

2

1.4. How many full-time employees (FTEs) are working in your Central Authority?

2

1.5. Please identify the countries that are your State's main partners in international child support cases under the 2007 Convention:

NO, USA

2. Statistics under the 1956 Convention, regional instruments and bilateral arrangements*

2.1. How many active cases is your State handling at this moment under international instruments other than the 2007 Convention?

Outgoing cases:

27

Incoming cases:

32

2.2. How many new cases (outgoing and incoming) were added to your caseload under international instruments other than the 2007 Convention each year during the last three years?

Last year:

10

Prior year:

4

Prior year:

9

Please specify the reference period for these statistics, *i.e.*, whether a calendar or fiscal year, and if the latter, the starting and ending dates:

Calendar year

Fiscal year

starting:

01.01.yyyy

ending:

31.12.yyyy

2.3. How many full-time employees (FTEs) are working in your Central Authority / Transmitting Agency / Receiving Agency under these other international instruments?

-

2.4. Please identify the countries that are your State's main partners in international child support cases under the 1956 Convention, regional instruments or bilateral arrangements:

Israel, Republic of Moldova, Switzerland, Turkey, Argentina, Brasil, New Zeeland, Serbia, Ukraine, P.R. China, Morrocco, Germany, Poland

3. Operational issues

3.1. Are acknowledgments of receipt received within the required timeframe?

- Always
 Almost always
 Half the time
 Rarely
 Never

3.2. Has your State encountered interpretation difficulties with regard to the term "residence" (Art. 9), which is broader than "habitual residence"?

- No
 Yes, please explain:

The creditors are RO students which are studying temporarily abroad. The RO debtors workers are working temporarily abroad. They have the domicile in RO, but the habitual residence abroad. The creditors prefer to send the application in the state where the debtor resides, via the RO CA, to avoid the translations, to avoid the contact with the foreign authorities from the requesting state.

If yes, please describe, if relevant, the practices your State has developed to overcome these difficulties:

We asked the CA from the requested state not to dismiss the application and not to return the file, because the RO creditors sent the application via the RO CA.

3.3. Has your State encountered problems with regard to applications made in the name of the child by a parent?

- No
 Yes, please explain:

The child was de facto raised and residing by/with the grandmother. The grandmother pretended at phone that she is the mother. The grandmother signed the documents instead of the mother. After many years, the mother informed the RO CA that she was abroad and that the child did not leave with her. The CA cannot certify a person via the telephone or cannot verify the authenticity of the signature.

Do the problems concern lack of information in the relevant Country Profile?

- Yes
 No

Do the problems concern lack of clarity in the relevant Forms?

- Yes
 No

3.4. Has your State encountered problems with regard to a public body acting in place of an individual to whom maintenance is owed or a public body to which reimbursement is owed for benefits provided in place of maintenance (Art. 36)?

- No
 Yes, please explain:

The lawyer, the court and the baillif are wishing that this quality be explained in more detail. The lawyers are wishing this to be explained in detail before the application is lodged before the court, because the legal representative and the creditor must be specified in the civil action. The baillifs are counting the arrears and in order to avoid the double payment and they must know exactly:
- the amount due to the public institution and the owner of the bank account for the money transfer (the public institution)
- the amount paid by the debtor directly to the creditor, in the account of the creditor or the account of the custodial parent.

3.5. Has your State encountered problems with regard to a person 21 years or older seeking to obtain legal aid for the recovery of maintenance arrears that accrued before the child turned 21?

No

Yes, please explain:

The enforcement court applies the limitation period according to the enforcement law from the requested state even if according to the Romanian law the limitation/prescription (on the substantive law), the right to recovery of the child supports claims does not elapse or, if it started to elapse, it is suspended (the Civil Code, art. 2532). In this case, the major creditor could ask for the recovery of the maintenance claims (due by the debtor until he/ she reaches 18 years) 3 years after she became major.

The enforcement court does not take into account that, according to the art. 56 para 3 from the 2007 Hague Convention, the State addressed shall not be bound under this Convention to enforce a decision or a maintenance agreement, in respect of payments falling due prior to the entry into force of the Convention between the State of origin and the State addressed, except for maintenance obligations arising from a parent-child relationship towards a person under the age of 21 years.

3.6. Does your State provide legal aid to public bodies acting on behalf of the applicant (child)?

No

Yes

If yes, please explain if this has involved difficulties:

[Please insert text here](#)

3.7. Is the caseload in your Central Authority divided by regions or other case characteristics in order to promote a specialisation of case workers?

No

Yes, please explain:

[Please insert text here](#)

3.8. Has your State encountered any other operational issues with respect to the processing of cases?

No

Yes, please explain:

1.

The enforcement is refused:

- when the child support is determined in fraction/percentage by the RO courts and the amount of the salary of the debtor is known (obtained via letter of request or obtained by the creditor directly from the local foreign fiscal authority based on the National Identification Code allocated to the foreigners) or

- when the child support is determined by the RO courts in fraction/percentage from the minimum wage on economy from Romania or from the enforcement state where the debtor works. The minimum wages are also known and published on the Internet.

Even if the creditor can calculate the amount due, the enforcement authorities refuse to enforce the RO order because the amount is not certain.

The enforcement is refused when the child support is established in fraction/percentage and the amount of the salary of the debtor and the salary of the debtor is not known.

As far as concerns the determination of the child support in percentage by the RO courts, the purpose of this is to protect the creditors and the courts from successive applications to increase it if the debtor's material condition changes. This flexible solution allows the adjustment of the child support.

The determination of the child support in percentage / fraction cannot be a ground to refuse the enforcement according to the 2007 Hague Convention.

After the enforcement authorities ascertained that the child support cannot be recovered, very few enforcement courts determined by themselves the child support in a certain amount in a new decision.

2.

A child was unlawfully removed from the state of his habitual residence and the court from the place where the child was unlawfully removed rendered a decision on the return of the child that was not enforced; a decision on the divorce and the ancillary issues (including the establishment of the child support in the charge of the debtor, which is the parent whose custody right was violated). The Human Rights Court from Strasbourg rendered an order on the violation of the art. 8 and art. 6 from the Human Rights Convention on the violation of the private life and access to justice.

In the exequatur proceedings of the part of the order related to the child support, the public order is invoked by the debtor (the infringement of the rules on the competence, the return order that could not be executed, the order of the Human Rights Court). If the child is de facto raised by the parent that removed the child unlawfully, the child support cannot be recovered.

3.

The declaration of the enforcement (as part of the exequatur) is confused/assimilated with the authorisation for the enforcement (as part of the enforcement itself).

In Romania the exequatur is rendered by the Tribunal (Tribunal) and the order rendered by the Tribunal can be appealed at the Appeal Court (Curtea de Apel) and later a second appeal can be filed at the High Court of Cassation ad Iustitiam (Înalta Curte de Casație și Justiție).

After the exequatur is final, the enforcement proceedings are initiated by a bailiff who requests for the authorisation for the enforcement at the First instance Court (Judecătoria). Also, for the foreign decisions for which the exequatur was suppressed the enforcement proceedings are initiated by a bailiff who requests for the authorisation for the enforcement at the First instance Court (Judecătoria).

In practice, there is a confusion between exequatur and enforcement.

The RO courts decline to each other the competence and the negative conflict is solved by a superior court. This determines delays in the proceedings.

4. Access to information

4.1. Has your State experienced difficulties in obtaining information required for processing cases under the Convention, as a result of restrictions on access to personal data held by the government or private institutions?

- No
 Yes – as a requesting State, please explain:

The enforcement is refused when the child support is determined in fraction/percentage and the amount of the salary of the debtor is not known. The enforcement authorities mention that they have not access to the data base of the revenues of the debtor and they cannot calculate the amount.

If the enforcement state, via its fiscal authorities, can calculate the taxes that debtor must pay, one cannot understand how the revenues of the debtor cannot be obtained by the enforcement authority and how the child support cannot be calculated.

In RO, the bailiffs have access to the data base of the revenues of the persons (including the annual revenue) and the bailiffs calculate the amount due, the arrears and adjust it with the inflation rate.

The CA of the enforcement authority does not accept to provide the revenue based on a request for specific measures formulated by the requesting CA.

- Yes – as a requested State, please explain:

The debtor is registered with the domicile in Romania, but he is not living at that domicile, but to another address without being registered or abroad.

- If yes, please describe, if relevant, the practices your State has developed to overcome these difficulties:

Please insert text here

5. Enforcement issues

5.1. Has your State experienced difficulties in enforcing decisions that set the amount of maintenance obligations on the basis of a percentage of the salary of the debtor or of the requesting State's minimum wage?

- No
 Yes, please specify:
[See 3.8. and 4](#)

If yes, please describe, if relevant, the practices your State has developed to overcome these difficulties:

[Please insert text here](#)

5.2. Has your State experienced difficulties in enforcing orders where the debtor does not have his / her habitual residence in your State but does have property there?

- Not applicable – we have not had any requests to enforce an order in this circumstance
 No, we have been able to enforce orders in this circumstance. Please describe the processes used:
[Please insert text here](#)

- Yes, please specify the difficulties encountered:

[The case encountered was when the debtor resides in the enforcement state. In the requesting state, where the creditor resides, the debtor has a property. The enforcement authorities have difficulties having a direct contact and coordinate the enforcement and the amount recovered. They communicate via the CA.](#)

5.3. Can your State enforce the payment of interest (Art. 19)?

- Yes
 No, please explain why not:
[No, only the adjustment with the rate of the inflation can be recovered. The payment of the interest can be recovered only if it is established by a separat order.](#)

6. Feedback on the use of the HCCH Mandatory and Recommended Forms

A. As the requesting State:

6.1. Are there specific problems that you want the Special Commission to address with regard to the content or completion of the HCCH Mandatory and Recommended Forms?

- No
 Yes, please specify:
[The ROCA needs a form for the arrears when the child support is determined in a certain ammount. Nevethless, this tabel could not be filled in when the child support is determine in fraction/percentage and the amount of the salary of the debtor is not known. In this case the RO CA needs to know if a request for specific measure can be filled in instead.](#)

6.2. Is it a requirement under the domestic law of your State that the 2007 Convention application forms be signed by the applicant?

- No
 Yes, please explain:
[Please insert text here](#)

6.3. If you have responded yes to Question 6.2., please specify what other documents are required in combination with an unsigned application form in order for it to be acceptable under your State's law:

[the documents required by the Convention, the documents mentioned in the recommended forms, other relevant documents \(birth certificate, proofs of the revenues/employer of the debtor etc.\)](#)

6.4. Can your State's competent authorities complete an abstract or extract of the decision using the HCCH recommended form in lieu of a complete text of the decision?

Yes, please explain under which circumstances:

Please insert text here

No, please explain:

the court/public notary delivers them both the order and the abstract

Is this covered in your State's Country Profile?

Yes

No

6.5. Who is the competent authority in your State to complete the HCCH Mandatory and Recommended Forms?

Please specify:

the central authority (the mandatory form)

the creditor and the court / notary (the recommended form)

6.6. If the Central Authority or other competent authority in your State receives a handwritten form from an applicant, will it type the form in lieu of the applicant?

Yes

No, please explain:

The CA can translate the form in EN if the creditor/court presented them in RO language.

6.7. Is it possible in your State to process non-certified documents for the purpose of recognition and enforcement (Art. 25)?

Yes

No, please explain:

The order, the certificate of the service of the judicial documents must be presented in certified copy by the issuing court.

6.8. For applications other than those for recognition and enforcement, do requested States routinely require documents in addition to those listed in the available recommended forms?

No

Yes, please specify:

For the establishment of the filiation it is requested to present the birth certificate in original/certified copy.

If yes,

Only a few States have such requirements

Many States have such requirements

B. As the requested State:

6.9. Are there specific problems that you would like the Special Commission to address with regard to the content or completion of the HCCH Mandatory and Recommended Forms?

No

Yes, please specify:

The online filling in of the recommended forms; awesbiste with the national minumum wage and the inflation rate in each year and in each country in the 2007 Hague Contracting states

6.10. Is it a requirement under the domestic law of your State that the 2007 Convention application forms be signed by the applicant?

No

Yes, please explain:

Please insert text here

6.11. If you have responded yes to Question 6.10, please specify what other documents are required in combination with an unsigned application form in order for it to be filed with a competent authority in your State?

the documents required by the Convention, the documents mentioned in the recommended forms, other relevant documents (birth certificate, proofs of the revenues/employer of the debtor etc.)

6.12. Do your State's competent authorities accept an abstract or extract of the decision under certain circumstances using the HCCH recommended form in lieu of a complete text of the decision?

Yes, please explain under which circumstances:

Please insert text here

No, please explain:

he court/public notary deliver them both the order and the abstract

If no, please explain what could be done to facilitate the acceptance of an abstract or extract of a decision in your State:

Please insert text here

Is this covered in your State's Country Profile?

Yes

No

6.13. Is it possible in your State to process non-certified documents for the purpose of recognition and enforcement (Art. 25)?

Yes

No, please explain:

the order, the certificate of the service of the judicial documents must be presented in certified copy by the issuing court

6.14. Can the recommended forms developed under the 2007 Convention be used for the purpose of a direct request (Art. 37) in your State?

Yes

No, please explain:

Please insert text here

7. Possible additional forms – Is your State interested in the development of the possible following additional forms?*

	Possible additional forms to be developed	No	Yes	Priority Level		
				Low	Med.	High
7.1.	Calculation form for maintenance arrears / statement of arrears	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.2.	Scalable model form for decision ⁸	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.3.	Statements of enforceability with respect to authentic instruments as well as private agreements (Art. 30(3)(b))	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.4.	Model form for Power of Attorney	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

⁸ For example, the abstract of a decision could be used as a template which could be converted into a full text decision with a simple click.

7.5.	Form attesting that Art. 36 conditions are met	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.6.	Form for calculation of interest (with a table of interest or a link to a relevant website)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.7.	Dynamic forms (available on the HCCH website to be completed online, printed and sent by registered mail)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Possible dynamic mandatory (M) and recommended forms to be developed	No	Yes	Priority Level		
				Low	Med.	High
7.7.1.	Transmittal form (M) under Art. 12(2)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.7.2.	Acknowledgement form (M) under Art. 12(3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.7.3.	Application for Recognition or Recognition and Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.7.4.	Abstract of a Decision	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.7.5.	Statement of Enforceability of a Decision	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.7.6.	Statement of Proper Notice	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.7.7.	Status of Application Report – Recognition or Recognition and Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.7.8.	Application for Enforcement of a Decision Made or Recognised in the Requested State	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.7.9.	Status of Application Report – Enforcement of a Decision Made or Recognised in the Requested State	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.7.10.	Application for Establishment of a Decision	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.7.11.	Status of Application Report – Establishment of a Decision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.7.12.	Application for Modification of a Decision	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.7.13.	Status of Application Report – Modification of a Decision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.7.14.	Financial Circumstances Form	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7.8. Are there any other forms that your State would like to be developed?

- No
 Yes, please specify the form and level of priority:

[request for specific measures](#)

Priority:

- Low
 Medium
 High

[reminder between the CA](#)

Priority:

- Low
 Medium
 High

bank coordinates

Priority:

Low

Medium

High

8. Country Profile

8.1. Are there specific problems that you would like the Special Commission to address with regard to the content or completion of the Country Profile?

No

Yes, please specify:

Description the proceedings (art. 10 para 1 d)) when the order cannot be recognised and enforced (the child support is determined in fraction/percentage, the debtor was not served the judicial documents and the order). In this case the creditor can ask the court from requested state to render a new decision. If the requested court is an exequatur court, not the competent court for the determination of the child support, the creditor must submit a new application. It is recommended or not for the creditors to fill in, from the beginning, together with the exequatur application , an application for the establishment of the child support ?

8.2. Is your State interested in extension of current Country Profile to cover spousal support (the current version of the Country Profile only covers children)?

No

Yes

If yes, please indicate a priority:

Low

Medium

High

8.3. Are there other areas that your State would like to see added or modified in the Country Profile?

No

Yes, please specify:

The recognition and enforcement of the maintenance order established for partners, because RO not recognise this relation in the domestic law.

9. Possible additional tools – Is your State interested in the development of the possible following additional tools?*

9.1. Guide to Good Practice for Central Authorities on the implementation of the 2007 Convention (a guide as to how the Convention can be implemented in a State, with examples from States as to the way that Central Authority responsibilities are carried out)

No

Yes

If yes, please indicate a priority:

Low

Medium

High

9.2. Guidance for the completion of Mandatory and Recommended Forms under the 2007 Convention

No

Yes

If yes, please indicate a priority:

Low

Medium

High

9.3. Standardised statistical report

No

Yes

If yes, please indicate a priority:

Low

Medium

High

If yes, would it be helpful to develop a Prel. Doc. in advance of the Special Commission meeting to outline the possible statistics that should be included, the benefits of having that information, and a suggested timeline for collection?

Yes

No

9.4. Extension of current Country Profile to cover spousal support (the current version of the Country Profile only covers children)

No

Yes

If yes, please indicate a priority:

Low

Medium

High

10. Translation of documents and dissemination of information

10.1. Has the text of the 2007 Convention⁹ been translated into your State's official language(s)?

No

Yes

If yes, the document is available on the HCCH website.

If yes, the document can be made available to the PB in pdf format or is available under the following hyperlink to be posted on the HCCH website. Please specify the language(s):
[The EU translated it RO language.](#)

10.2. Has the Explanatory Report¹⁰ on the 2007 Convention been translated into your State's official language(s)?

No

Yes

If yes, the document is available on the HCCH website.

If yes, the document can be made available to the PB in pdf format or is available under the following hyperlink to be posted on the HCCH website. Please specify the language(s):
[The EU translated it in RO language.](#)

10.3. Does your State require the use of the HCCH Recommended Forms¹¹ in your State's official language(s) (if not English or French)?

No – Go to Question 10.4.

Yes

If yes, have the HCCH Mandatory and Recommended Forms¹² under the 2007 Convention been translated into your State's official language(s)?

No

⁹ See, *supra*, note 1.

¹⁰ See, *supra*, note 2.

¹¹ See, *supra*, note 3.

¹² *Ibid.*

If no, when will the translated forms be available? Are there steps that could be taken to facilitate the translation of forms into the official language(s) of your State?

Please explain:

[Please insert text here](#)

- Yes
- If yes, the document is available on the HCCH website.
- If yes, the document can be made available to the PB in pdf format or is available under the following hyperlink to be posted on the HCCH website. Please specify the language(s):
[The forms are enclosed in RO language.](#)

10.4. Has the Practical Handbook for Case Workers¹³ on the 2007 Convention been translated into your State's official language(s)?

- No
- Yes
- If yes, the document is available on the HCCH website.
- If yes, the document can be made available to the PB in pdf format or is available under the following hyperlink to be posted on the HCCH website. Please specify the language(s):
[Please insert text here](#)

10.5. Has the Practical Handbook for Competent Authorities¹⁴ on the 2009 EU Maintenance Regulation, the 2007 Hague Child Support Convention and its Protocol (the Romanian project) been adapted and translated into your State's official language(s)?

- No
- Yes
- If yes, the document is available on the HCCH website.
- If yes, the document can be made available to the PB in pdf format or is available under the following hyperlink to be posted on the HCCH website. Please specify the language(s):
[Please insert text here](#)

10.6. Has the Implementation Checklist¹⁵ for the 2007 Convention been translated into your State's official language(s)?

- No
- Yes
- If yes, the document is available on the HCCH website.
- If yes, the document can be made available to the PB in pdf format or is available under the following hyperlink to be posted on the HCCH website. Please specify the language(s):
[Please insert text here](#)

10.7. What actions to raise public awareness on the international recovery of child support (e.g., information leaflets,¹⁶ institutional circulars, etc.) have been implemented in your State?

[information leaflets, institutional circulars etc.](#)

Are such materials available on the HCCH website?

- Yes
- No

If no, can the document be made available to the PB in pdf format or via hyperlink? Please specify:

[Please insert text here](#)

¹³ See, *supra*, note 4.

¹⁴ See, *supra*, note 5.

¹⁵ See, *supra*, note 7.

¹⁶ Examples of information leaflets are available at: < <http://assets.hcch.net/docs/a4e37173-54e8-4778-b8f5-e7aba66e6d98.pdf> >.

11. Training and training material

11.1. Has training regarding the 2007 Convention taken place in your State for members of the Central Authority?

No

If no, what are the obstacles to such training?

[Please insert text here](#)

Yes

If yes, what type of training?

[Please insert text here](#)

11.2. Has training regarding the 2007 Convention taken place in your State for members of the relevant competent authority(ies)?

No

If no, what are the obstacles to such training?

[Please insert text here](#)

Yes

If yes, what type of training?

[Please insert text here](#)

11.3. Has training regarding the 2007 Convention taken place in your State for caseworkers?

No

If no, what are the obstacles to such training?

[Please insert text here](#)

Yes

If yes, what type of training?

[Please insert text here](#)

11.4. Have you developed training material regarding the 2007 Convention in your State?

No

Yes

If yes, the document(s) is available on the HCCH website.

If yes, the document(s) can be made available to the PB in pdf format or is available under the following hyperlink to be posted on the HCCH website. Please specify the language(s):

[Please insert text here](#)

11.5. To assist with training, does your State favour having additional materials on the HCCH website?

No

Yes, please specify:

[Please insert text here](#)

12. Joining the 2007 Convention*

12.1. Is your State a Contracting Party to the 1956 New York Convention on the Recovery Abroad of Maintenance?

Yes

No

(Note: Art. 49 of the 2007 Convention provides that such Convention replaces the 1956 New York Convention in relations between Contracting Parties in so far as the scope of application under each convention is the same.)

12.2. Has your State joined the 2007 Convention?

- Yes
- No, please explain:
[Please insert text here](#)

If no, what could be done to facilitate your State becoming a Party (e.g., the proposed [Guide to Good Practice](#) for Central Authorities on the implementation of the 2007 Convention)?
[Please insert text here](#)

If no, does your State have concerns regarding implementing the 2007 Convention?

- No
- Yes, please explain:
[Please insert text here](#)

13. iSupport*

13.1. Has your State implemented iSupport, or is it in the process of implementing iSupport?

- Yes
- No

If no, please respond as appropriate:

13.1.1. For Contracting Parties to the 2007 Convention: Does your State intend to implement iSupport?

- Yes
If yes, when?
[Please insert text here](#)

If yes, please identify any assistance required:
[Please insert text here](#)

- No, please explain:

13.1.2. For Contracting Parties to the New York 1956 Convention which are not yet Parties to the 2007 Convention: Does your State intend to implement iSupport as it supports the New York 1956 Convention?

- Yes
If yes, when?
[Please insert text here](#)

If yes, please identify any assistance required:
[Please insert text here](#)

- No, please explain:
[Please insert text here](#)

13.1.3. For non-Contracting Parties to the 2007 Convention which are Parties to bilateral agreements: Does your State intend to implement iSupport as it supports bilateral agreements?

- Yes

If yes, when?

Please insert text here

If yes, please identify any assistance required:

Please insert text here

No, please explain:

Please insert text here

14. General

14.1. Are there any other issues or topics not covered in this Questionnaire that you would like to see the Special Commission address?

No

Yes, please specify:

1) procedure on how to locate a person, obtaining the national identification number of a person

2) procedure on the investigation of the address of the debtor and the revenues and goods of the debtor, on one side, and proceedings on the interruption/suspension of the prescription of the enforcement for the child support for the creditor under 18 years, on the other side.

If the debtor has no revenues or goods, some CA close the file and return the entire documentation. If the creditor wishes to recover the child support from abroad, the creditor he/she must formulate and send each year a request for specific measures and a new application. Other CA, on the contrary, if the debtor has no revenues or goods, they investigate ex officio every year the revenues and goods of the debtor until the creditor reaches 18 years/finishes her/his studies. Some CA do not close and return the file. The file is pending until the creditor reach 18 years / finish his/her studies.

In case that the file is pending before the enforcement authority (bailiff), the bailiff ceases the enforcement due to the lack of the revenues / goods of the debtor, but also in order to recover his fee. In some cases the bailiffs issued a minute stating that the prescription is interrupted/suspended because the debtor was not located, the debtor has no revenues/goods.

14.2. Are there any areas where research and/or a Preliminary Document would be helpful?

No

Yes, please specify:

1. the proceedings for the obtaining of :

- the information on the (in) existence of the revenues/goods of the debtor
- the information on the revenues/goods of the debtor and the domestic/international proceedings available (the proceedings for the judicial authorisation of the court, the 1970 Hague Convention inquest in futurum).

2. The RO CA is confronted with the fact that debtors from abroad change frequently their address and the judgments on the modification (increasing) of the child support cannot be served to him by the RO Court based on the 1965 Hague Convention. The question is if the RO CA can ask the CA of the state where the debtor resides to facilitate the service of documents to the debtor based on the 6 para 2 j)m from the 2007 Hague Convention ?

14.3. If your State is interested in attending a possible meeting of the Special Commission, would it be interested in attending, prior to the meeting, a half-day information session for new States Parties, States interested in becoming Party to the 2000 Convention or States that have not yet attended a meeting of a Special Commission to review the practical operation of a Convention?

Yes

No