

Title	2007 Child Support Convention and Maintenance Protocol: Follow up on the 2022 Special Commission meeting
Document	Prel. Doc. No 7A of December 2022
Author	PB
Agenda Item	Item III.1.d.
Mandate(s)	C&D No 25 of CGAP 2022; C&D No 28 of CGAP 2021; C&D No 22 of CGAP 2020; C&R No 28 of CGAP 2019
Objective	To report on the 17 to 19 May 2022 meeting of the Special Commission (SC) to review the practical operation of the 2007 Child Support Convention and 2007 Protocol on Applicable Law and share the Conclusions and Recommendations (C&Rs) adopted by the SC
Action to be Taken	For Decision <input type="checkbox"/> For Approval <input checked="" type="checkbox"/> For Discussion <input type="checkbox"/> For Action / Completion <input type="checkbox"/> For Information <input type="checkbox"/>
Annexes	- Annex I: Revised Draft Annotated Agenda - Annex II: Conclusions and Recommendations adopted by the Special Commission (SC) to review the practical operation of the 2007 Child Support Convention and 2007 Protocol on Applicable Law
Related Documents	- Prel. Doc. No 7 of April 2022 (fifth revised version) – Draft Guidance to complete the Mandatory and Recommended Forms under the 2007 Child Support Convention - Prel. Doc. No 8 of April 2022 (sixth revised version) – Working Practices of Central Authorities under Articles 5 and 6 of the 2007 Convention - Prel. Doc. No 9 of December 2022 (final version) – Request for Specific Measures & Response (Art. 7(1)) - Prel. Doc. No 18A of April 2022 (revised version) – Report on the elaboration of a statistical report for the HCCH 2007 Child Support Convention - Prel. Doc. No 18B of April 2022 (revised version) – Draft statistical report under the 2007 Child Support Convention

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2007 Child Support Convention and Maintenance Protocol: Follow up on the 2022 Special Commission meeting

I. Introduction

- 1 The First Meeting of the Special Commission (SC) to review the practical operation of the *Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance* (2007 Child Support Convention or 2007 Convention) and the *Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations* (2007 Protocol on Applicable Law or Protocol) was held in The Hague from 17 to 19 May 2022. It was attended by a total of 204 delegates, with 100 delegates attending in person, at the Academy Building of the Peace Palace, and 104 delegates attending remotely, via videoconference. Delegations represented 50 HCCH Members and six non-Member States as well as Observers from one intergovernmental organisation, six international non-governmental organisations, and members of the Permanent Bureau (PB).¹
- 2 The SC confirmed that the 2007 Child Support Convention and the 2007 Protocol on Applicable Law are fit for purpose and reaffirmed their potential global reach. The SC discussed numerous questions relating to the implementation and practical operation of the 2007 Convention and its Protocol,² including the effective access to legal assistance for children (e.g., children studying abroad), for the recovery of maintenance, the enforcement of child support against the debtor's assets located in another State, and the possibility of establishing child support without the establishment of parentage. The SC considered the use of secure means of communication for the recovery of child support, including the iSupport electronic case management and secure communication system, and reaffirmed its commitment to facilitating the effective international transfer of maintenance funds.
- 3 The SC welcomed the work of the Administrative Cooperation Working Group (ACWG), the Applicable Law Working Group (ALWG) and the International Transfer of Maintenance Funds Experts' Group (ITMFEG). The SC endorsed the Conclusions and Recommendations (C&Rs) of the ALWG and ITMFEG which can be found as Annex I and Annex II of the C&Rs adopted by the SC.³ The SC also approved the membership of the Forms Working Group (Forms WG).
- 4 In addition, the SC adopted the following Prel. Docs:
 - Prel. Doc. No 7 of April 2022 (fifth revised version) – Draft Guidance to complete the Mandatory and Recommended Forms under the 2007 Child Support Convention;
 - Prel. Doc. No 8 of April 2022 (sixth revised version) – Working Practices of Central Authorities under Articles 5 and 6 of the 2007 Convention, subject to the information therein being updated in line with the latest version of the Country Profiles;
 - Prel. Doc. No 9 of December 2022 (final version) – Request for Specific Measures & Response (Art. 7(1));

¹ The following Members of the HCCH were represented: Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Burkina Faso, Canada, Chile, Croatia, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, European Union, Finland, France, Germany, Honduras, Hungary, Ireland, Israel, Italy, Japan, Republic of Korea, Latvia, Lithuania, Mexico, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Philippines, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, Uruguay, United States of America, Venezuela; in addition to the following non-Member States: Algeria, Colombia, Cuba, Guatemala, Holy See, Trinidad and Tobago; the following intergovernmental organisation: Organization of Eastern Caribbean States (OECS); and the following international non-governmental organisations: Child Identity Protection (CHIP), European Association of Private International Law (EAPIL), International Academy of Family Lawyers (IAFL), International Bar Association (IBA), Law Society of England and Wales, National Child Support Enforcement Association (NCSEA).

² See Annex I – Revised Draft Annotated Agenda.

³ See Annex II of the current document.

- Prel. Doc. No 18A of April 2022 (revised version) – Report on the elaboration of a statistical report for the HCCH 2007 Child Support Convention;
- Prel. Doc. No 18B of April 2022 (revised version) – Draft statistical report under the 2007 Child Support Convention.

5 Eighty-seven C&Rs summarising the outcomes of the meeting were unanimously adopted by the SC.⁴

II. Future work programme

A. Working and Experts' Groups

1. Administrative Cooperation Working Group (ACWG)

6 The SC mandated that the ACWG meet online as soon as practicable.⁵

7 The SC invited the ACWG subgroup on statistical data elements to continue its work until the statistical spreadsheet, to be used to collect data from States not using iSupport and to provide output from iSupport, is finalised.⁶

8 A meeting of the subgroup to discuss the Statistical Report under the 2007 Child Support Convention took place online on 21 June 2022. During the meeting, the ACWG completed the development of a “standard report” and a “voluntary / optional report”, and introduced technical revisions to the spreadsheet. The statistical spreadsheet was finalised on 23 September 2022.

9 Further to a future consultation of Contracting Parties to the 2007 Convention and HCCH Members about possible revisions to questions and relevant tick boxes / responses in the recommended Country Profile form, the PB will work in consultation with the ACWG to carry out those revisions.⁷ The revised recommended Country Profile form will then be circulated to Contracting Parties and HCCH Members for approval. The SC also noted some interest in the development, subject to available resources, of a Country Profile for spousal support (in addition to the existing Country Profile, the scope of which is limited to child support) but noted that, currently, it was not considered a priority.⁸

2. Applicable Law Working Group (ALWG)

10 The SC acknowledged that there is presently no need for the ALWG to hold any future meetings until the next SC.⁹

3. International Transfer of Maintenance Funds Experts' Group (ITMFEG)

11 The SC invited the PB to organise the next online meeting of the ITMFEG for February 2023.¹⁰

12 The purpose of the meeting will be to monitor progress on the implementation of the C&R adopted by the EG during its meeting of 7 to 9 February 2022.¹¹ The ITMFEG will continue sharing good

⁴ *Ibid.* Also available on the HCCH website at www.hcch.net, under “Child Support” then “Special Commission meetings”.

⁵ *Ibid.*, C&R No 76.

⁶ *Ibid.*, C&R No 85.

⁷ *Ibid.*, C&R No 68.

⁸ *Ibid.*, C&R No 67.

⁹ *Ibid.*, C&R No 77.

¹⁰ *Ibid.*, C&R No 78.

¹¹ [Prel. Doc. No 20 of April 2022](#) – Report of the Experts' Group – Report of the Experts' Group on International Transfer of Maintenance Funds, meeting of 7 to 9 February 2022, available on the HCCH website (see path indicated in note 4).

practices, experiences with implementing the recommended solutions and good practices and continue the exploration and implementation of additional solutions.¹²

13 The ITMFEG will explore the possibilities afforded by the *Universal Postal Union Postal Payment Services Agreement of 6 October 2016*,¹³ in particular in terms of cost of transfer.¹⁴

4. Forms Working Group (Forms WG)

14 The SC invited the PB to begin planning the online meeting of the Forms WG as soon as practicable.¹⁵

15 The SC invited the Forms WG to work on the following forms, in order of priority:¹⁶

- Fillable forms;
- Model form for calculation of maintenance arrears / statement of arrears;
- Model form for Power of Attorney;
- Model statement of enforceability with respect to authentic instruments as well as private agreements (Art. 30(3)(b));
- Model form attesting that Article 36 conditions are met;
- Model form for calculation of interest;
- Scalable model form for decisions;
- Model form to request a Status Report.

16 The development of fillable forms and the translation of forms into other languages were considered matters of high priority.¹⁷

B. Permanent Bureau (PB)

17 The SC invited the PB to organise the next online meeting of the ITMFEG for February 2023¹⁸ and to begin planning the online meetings of the ACWG¹⁹ and the Forms WG²⁰ as soon as practicable. In the light of the limited PB resources allocated to the 2007 Convention, the timing of the meetings of the latter two WGs will depend on the work resulting from the November 2022 First Meeting of the SC on the *Convention of 13 January 2000 on the International Protection of Adults* and the ongoing preparations for the Eighth Meeting of the SC on the *Convention of 25 October 1980 on the Civil Aspects of International Child Abduction* and the *Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children*.

18 The PB will work in consultation with the ACWG to carry out the revisions of the recommended Country Profile form under the 2007 Convention.²¹ The PB will also explore the possibility of cooperation with the Universal Postal Union in relation to the international transfer of maintenance funds.

¹² *Ibid.*, C&R No 15.

¹³ The text of which is available on the UPU website at <https://www.upu.int> under “Activities” then “Postal Payment Services” then “Postal Payment Services Agreement (PPSA)” or, more specifically, via the following link: <https://www.upu.int/UPU/media/upu/files/UPU/activities/PostalFinancialServices/Key%20documents/ppsAgreementEn.pdf>.

¹⁴ Prel. Doc. No 20 of April 2022, *supra* note 11, C&R No 4.

¹⁵ Annex I, *supra* note 4, C&R No 79.

¹⁶ *Ibid.*, C&R No 64.

¹⁷ *Ibid.*, C&R No 65.

¹⁸ *Ibid.*, C&R No 78.

¹⁹ *Ibid.*, C&R No 76.

²⁰ *Ibid.*, C&R No 79.

²¹ *Ibid.*, C&R No 68.

- 19 The future work programme related to iSupport will be presented in Prel. Doc. No 7C of February 2023.²²

III. Proposal for CGAP

- 20 The PB invites CGAP to endorse the C&Rs of the First Meeting of the SC to review the practical operation of the 2007 Child Support Convention and 2007 Protocol on Applicable Law, including the C&Rs of the ALWG and IMFEG.
- 21 The PB invites CGAP to endorse the publication of the Prel. Docs adopted by the May 2022 SC (see para. 4 above).
- 22 The PB invites CGAP to approve the future work programme of the aforementioned Working and Experts' Groups, and of the PB, in light of available resources.

²² Prel. Doc. No 7C of February 2023 - 2007 Child Support Convention and Maintenance Protocol: iSupport (not yet available).

ANNEXES

Annex I – Revised Draft Annotated Agenda

First Meeting of the Special Commission to review the practical operation of the 2007 Child Support Convention and 2007 Protocol on Applicable Law

Academy Building, Peace Palace, The Hague, Netherlands

17-19 May 2022

9.30 a.m. – 5.30 p.m. (CEST)

REVISED DRAFT ANNOTATED AGENDA

The draft annotated agenda will be treated with some flexibility and may need to be modified in the light of ongoing discussions.

Tuesday 17 May 2022	
Time	Item
9.30 a.m.	<p>I. Opening of the Special Commission</p> <ol style="list-style-type: none">1. Opening of the meeting by Mr Paul Vlas, President of the Netherlands Standing Government Committee on Private International Law2. Election of the Chair(s) of the Special Commission3. Welcome remarks by Dr Christophe Bernasconi, Secretary General4. Introduction to the draft agenda by Mr Philippe Lortie, First Secretary, and documentation by Mr Jean-Marc Pellet, iSupport Coordinator5. Adoption of the agenda6. Practical announcements
10.15 a.m.	<p>II. General operation of the 2007 Child Support Convention</p> <ol style="list-style-type: none">1. General assessment of the operation of the 2007 Convention <i>Prel. Doc. No 4 of October 2020 (second revised version)</i>¹ ⇒ Work. Doc. No 12. Interpretation of the term “residence” (Art. 9) <i>Prel. Doc. No 4: Responses of Latvia, Germany (CA, Gov.) and Romania to Question 3.2. at pp. 29-30</i> <i>See Arts 9 and 53,² and paras 228 and 665-667 of the ER.</i>³ ⇒ Work. Doc. No 23. Applications made in the name of a “creditor child” – information about the “custodial parent” <i>Prel. Doc. No 4: Responses of Germany (CA, Gov.), Germany (DIJuF, NGO) and the United States of America to Question 3.3. at pp. 31-33, response of Germany (CA, Gov.) and Germany (DIJuF, NGO) to Question 6.1. at p. 54, and response of the United States of America to Question 6.9. at p. 67</i>

¹ Hereinafter Prel. Doc. No 4.

² Unless otherwise specified, referenced articles are from the 2007 Child Support Convention.

³ ER is the [Explanatory Report](#) on the 2007 Child Support Convention by Alegria Borrás and Jennifer Degeling with the assistance of William Duncan and Philippe Lortie (Permanent Bureau). At its 7-9 April 2010 Meeting, CGAP welcomed the completion and publication of the ER further to the consultation of all Members and non-Members which attended the Twenty-First Session of the HCCH.

	<p>See Art. 3(a), para. 66 of the ER, para. 85 of the PHC,⁴ and Prel. Doc. No 7 of April 2022 (fifth revised version) - Draft Guidance to complete the Mandatory and Recommended Forms under the 2007 Child Support Convention, at pp. 6, 30, 40, 57, 64, 68, 74, 78, 91 and 109. ⇒ Work. Doc. No 3</p> <p>4. Public bodies as applicant (Art. 36) <i>Prel. Doc. No 4: Responses of Germany (CA, Gov.), Germany (DIJuF, NGO), Latvia, Lithuania, Norway, Romania and Ukraine to Question 3.4. at pp. 33-35, and responses to Question 3.6. at pp. 37-38</i> See Arts 3(a) and 36, paras 66-67, 384 and 598 of the ER, and para. 1129 of the PHC. ⇒ Work. Doc. No 4</p>
11.00 a.m.	Break
11.15 a.m.	<p>5. Transmission of applications within States with a non-unified legal system (Art. 4(2)) <i>Prel. Doc. No 4: Responses of Austria, Germany (CA, Gov.) and Germany (DIJuF, NGO) to Question 3.8. at pp. 40-41</i> See Art. 4(2), and para. 89 of the ER. ⇒ Work. Doc. No 5</p> <p>6. Time frame for the acknowledgment of receipts of applications (Art. 12(3)) <i>Prel. Doc. No 4: Responses to Question 3.1. at p. 28</i> See Art. 12(3), Annex 2 of the 2007 Convention, paras 317-318 and 327-330 of the ER, and para. 426 of the PHC. ⇒ Work. Doc. No 6</p> <p>7. Conditions to access legal aid in the requested State, particularly the examination of the debtor's resources (Art. 17(b)) <i>Prel. Doc. No 4: Responses of Austria, Bulgaria, Colombia (1956 New York Convention), Germany (CA, Gov.), Germany (DIJuF, NGO), Romania and Slovenia to Question 3.5. at pp. 35-37</i> See Arts 2(1)(a), 15(1) and 17(b), and paras 45-46, 381-383 and 408-414 of the ER, and paras 214, 216, 222, 859-860 of the PHC. ⇒ Work. Doc. No 7</p> <p>8. Application of the 2007 Convention to children regardless of the marital status of their parents (Arts 1, 2(4), 6(1) and 6(2)(h), 7(1), 10(1)(c) and 10(3), 15(2) and 22(a)) <i>Prel. Doc. No 4: Response of the United States of America to Question 14.1. at p. 130</i> <i>Prel. Doc. No 13 of June 2021, ACWG Report, Attachment to Annex I at pp. 7-10</i> See Arts 1, 2(4), 6(1) and 6(2)(h), 7(1), 10(1)(c) and 10(3), 15(2), 19(2) and 22(a), paras 2, 5, 41, 45, 58-59, 78-79, 86, 95-96, 98, 102, 105-109, 111, 120-125, 170-175, 190, 234, 244-245, 247-250, 252, 275-276, 385, 391-392, 438, 477-479 of the ER, para. 385 of the PHC, and Stage 1.I.6.i., Stage 1.III.1.b. and Stage 1.III.1.j. of the CP.⁵ ⇒ Work. Doc. No 8</p>

⁴ PHC is the [Practical Handbook for Caseworkers](#) under the 2007 Convention. The PHC was adopted by the Meeting of the Special Commission of 10-17 November 2009 on the implementation of the 2007 Child Support Convention and of the 2007 Protocol on the Law Applicable to Maintenance Obligations, C&R No 6.

⁵ CP is the Country Profile under the 2007 Convention. The CP was adopted by the Meeting of the Special Commission of 10-17 November 2009 on the implementation of the 2007 Child Support Convention and of the 2007 Protocol on the Law Applicable to Maintenance Obligations, C&R No 8. See [Prel. Doc. No 3 \(final\) of September 2011](#) – Country Profile 2007 Child Support Convention.

1.00 p.m.	<i>Lunch break</i>
2.00 p.m.	<p>III. Restrictions on access to personal data</p> <ol style="list-style-type: none"> 1. Location of the respondent (debtor) (Art. 6(2)(b)) <i>Prel. Doc. No 4: Responses of Brazil and Germany (DIJuF, NGO) to Question 4.1. at pp. 43-44, and response of Romania (1) to Question 14.1. at p. 129</i> <i>See Art. 6(2)(b), para. 138 of the ER, paras 340 and 584 of the PHC, and Stage 1.1.6.b. of the CP.</i> ⇒ Work. Doc. No 9 2. Information regarding the income and other financial circumstances of the debtor or creditor (Art. 6(2)(c)) <i>Prel. Doc. No 4: Responses of Cyprus and Romania to Question 4.1. at pp. 44-45</i> <i>See Arts 6(2)(c) and 40(3), paras 142-147 and 613 of the ER, paras 242 and 950 of the PHC, and Stage 1,1,6.c. of the CP.</i> ⇒ Work. Doc. No 10 <p>IV. Recognition and enforcement of maintenance decisions</p> <ol style="list-style-type: none"> 1. Recognition and enforcement of maintenance decisions concerning relationships not provided by the law of the requested State (Art. 22(a)) <i>Prel. Doc. No 4: Response of Romania to Question 8.3. at p. 88</i> <i>See Arts 19(2), 21 and 22(a), and paras 438, 475-479 of the ER.</i> ⇒ Work. Doc. No 11 2. Grounds for refusing recognition and enforcement – in a case where the respondent has neither appeared nor was represented in the proceedings in the State of origin (Art. 22(e)) <i>Prel. Doc. No 4: Response of Latvia to Question 14.1. at p. 129</i> <i>See Art. 22(e), and paras 486-488 of the ER.</i> ⇒ Work. Doc. No 12
3.45 p.m.	<i>Break</i>
4.00 p.m.	<p>V. Enforcement matters under the 2007 Child Support Convention</p> <ol style="list-style-type: none"> 1. Enforcement of decisions that set the amount of child support in percentage <i>Prel. Doc. No 4: Responses of Argentina, Finland, France, Germany (CA, Gov.), Germany (DIJuF, NGO), Hungary, Latvia, Netherlands, Norway, Poland, Slovenia, Switzerland and the United States of America to Question 5.1. at pp. 46-50, and response of Romania to Question 4.1. at p. 44</i> <i>See Arts 6(2)(d) and 10(1)(d), and paras 253-255 of the ER.</i> ⇒ Work. Doc. No 13 2. Enforcement of child support arrears after the creditor has reached the age of 21 years <i>Prel. Doc. No 4: Responses of Germany (CA, Gov.), Germany (DIJuF, NGO), Romania and Slovenia to Question 3.5. at pp. 36-37, and response of Norway to Question 3.8. at p. 41</i> <i>See Arts 2(1)(a), 15(1), 19(1) and 32-33, paras 45-46, 233, 381-383, 428, 430, and 433-436 of the ER, and para. 62 of the PHC.</i> ⇒ Work. Doc. No 14 3. Interruption or suspension of the enforcement of child support for creditors under the age of 18 years <i>Prel. Doc. No 4: Response of Romania (2) to Question 14.1. at p. 129</i> <i>See Art. 6(2)(e), paras 155-159 of the ER, and para. 713 of the PHC.</i> ⇒ Work. Doc. No 15

	<p>4. Enforcement of decisions against the assets of a debtor in a State where they are not habitually resident <i>Prel. Doc. No 4: Responses of Bulgaria, Germany (CA, Gov.), Germany (DIJuF, NGO), Latvia, Lithuania, Luxembourg, Portugal, Romania, Switzerland and the United States of America to Question 5.2. at pp. 50-52</i> See Art. 6(2)(c) and 6(2)(i), paras 144, 176-177 and 179 of the ER, and paras 37, 252, 256, 359-360, 371, 411, 431, 434-436, 483 and 674 of the PHC. ⇒ Work. Doc. No 16</p> <p>5. Currency conversion and transfer of maintenance funds <i>Prel. Doc. No 4: Response of Lithuania to Question 3.8. at p. 41</i> See Art. 6(2)(f) and 35(1), paras 160-162 and 584 of the ER, paras 722-727 of the PHC, and CGAP Prel. Doc. No 13C of February 2022 – Report of the Experts’ Group on International Transfer of Maintenance Funds, meeting of 7 to 9 February 2022 at paras D. and 8. ⇒ Work. Doc. No 17</p>
5.30 p.m.	Welcome reception offered by the Permanent Bureau
Wednesday 18 May 2022	
Time	Item
9.30 a.m.	<p>VI. Mandatory and recommended forms under the 2007 Child Support Convention Annex I and Annex II of the 2007 Convention Prel. Doc. No 2A of July 2009 & Prel. Doc. No 2B (revised) of August 2010</p> <p>1. Use of the Status of Application Reports <i>Prel. Doc. No 4: Responses of Germany (CA, Gov.) and the United States of America (1) to Question 3.8. at pp. 40-43</i> See Art. 12(4), paras 317, 330-331, 333, 337-338 of the ER, and paras 877 and 1131-1134 of the PHC. ⇒ Work. Doc. No 18</p> <p>2. Signature of applications when filed with competent authorities in accordance with their domestic law (Art. 42) <i>Prel. Doc. No 4: Responses to Questions 6.2. and 6.3. at pp. 55-57, and to Questions 6.10. and 6.11. at pp. 67-69</i> <i>Declarations of Croatia, Poland and Portugal at the time of the European Union acceptance of the 2007 Convention</i> See Art. 42, paras 23-26 and 617-618 of the ER, and paras 202-203 and 476 of the PHC. ⇒ Work. Doc. No 19</p> <p>3. Certification of applicants via telephone and authenticity of signatures <i>Prel. Doc. No 4: Response of Romania to Question 3.3. at pp. 31-32</i> See Art. 41, paras 614-616 of the ER, and paras 103 and 201 of the PHC. ⇒ Work. Doc. No 20</p> <p>4. Acceptance of an abstract or an extract in place of the complete text of the decision <i>Prel. Doc. No 4: Responses to Question 6.4. at pp. 58-60, responses to Question 6.12. at pp. 69-73, and response of the United States of America to Question 14.1. at p. 130</i> See Art. 25(3)(b), paras 526, 541, 543-544 of the ER, and paras 309-310 and 1123 of the PHC. ⇒ Work. Doc. No 21</p>

11.00 a.m.	<i>Break</i>
11.15 a.m.	<ol style="list-style-type: none"> <li data-bbox="475 293 1430 566">5. Availability of Mandatory and Recommended Forms in languages other than English and French (Art. 44) <i>Prel. Doc. No 4: Responses to Question 10.3. at pp. 94-96, response of Ukraine (1) to Question 3.8. at p. 42, response of Lithuania to Question 6.12. at p. 72, and response of Slovenia to Question 8.3. at p. 88</i> <i>See Item VIII.1.b. of this agenda</i> <i>See Arts 25(1)(a)-(f), 44(1) and 45(1), paras 526, 529, 625-628 and 632-633 of the ER, and para. 194 of the PHC.</i> ⇒ Work. Doc. No 22 <li data-bbox="475 584 1398 703">6. Processing handwritten application forms <i>Prel. Doc. No 4: Responses to Question 6.6. at pp. 61-63, and response of Germany (CA, Gov.) to Question 6.9. at p. 66</i> ⇒ Work. Doc. No 23 <li data-bbox="475 721 1430 936">7. Processing non-certified documents for the purpose of recognition and enforcement <i>Prel. Doc. No 4: Responses to Question 6.7. at pp. 63-64, and to Question 6.13. at pp. 73-74</i> <i>See Arts 12(2), 23(7)(c), 25(3)(a), 30(5)(b) and 57(1)(e), paras 23-26, 326, 509-511, 541-542, 562 and 685 of the ER, and paras 203-204 of the PHC.</i> ⇒ Work. Doc. No 24 <li data-bbox="475 954 1430 1137">8. Acceptance of Recommended Forms for direct requests under Article 37 <i>Prel. Doc. No 4: Responses to Question 6.14. at pp. 74-75</i> <i>See Art. 37, Stage 2.I.5.c. of the CP, and Implementation Checklist under the 2007 Child Support Convention at p. 19 (last bullet).</i> ⇒ Work. Doc. No 25 <li data-bbox="475 1155 1430 1308">9. Non-secure transmission of confidential information <i>Prel. Doc. No 4: Response of the United States of America to Question 3.8. at p. 43</i> <i>See Arts 38-40, paras 605-613 of the ER, and para. 208 of the PHC.</i> ⇒ Work. Doc. No 26
1.00 p.m.	<i>Lunch break</i>
2.00 p.m.	<p data-bbox="400 1426 663 1458">VII. General issues</p> <ol style="list-style-type: none"> <li data-bbox="475 1476 1430 1659">1. Temporal application of the 2007 Convention - Transmission of applications to Central Authorities v. competent authorities (Arts 12(6), 37(1) and 56(1)(b)) <i>Prel. Doc. No 4: Response of Germany (CA, Gov.) to Question 14.1. at p. 126</i> <i>See Arts 12(6), 37(1) and 56(1)(b), and paras 677-680 of the ER.</i> ⇒ Work. Doc. No 27 <li data-bbox="475 1677 1430 1861">2. Completion and update of the Country Profile (Art. 57) <i>Prel. Doc. No 4: Response of Finland, Germany (CA, Gov.), Germany (DIJuF, NGO), Norway, Slovenia and the United States of America to Question 8.1. at pp. 86-87</i> <i>See Art. 57, paras 684 and 686-687 of the ER, and paras 81-84 of the PHC.</i> ⇒ Work. Doc. No 28 <li data-bbox="475 1879 1430 2031">3. Regular updates to the HCCH website including updating Central Authorities' contact details (Art. 4(3)) <i>Prel. Doc. No 4: Response of Germany (CA, Gov.) to Question 14.1. at p. 126</i> <i>See Art. 4(3), and paras 92-94 of the ER.</i> ⇒ Work. Doc. No 29

	<p>4. Possible model declarations and reservations ⇒ Work. Doc. No 30 (to be distributed later)</p> <p>VIII. Experts' and Working Groups – Adoption of Reports and other matters</p> <p>1. Report of the Administrative Cooperation Working Group (ACWG), meeting of 14 to 17 December 2020</p> <p>a. Possible future forms <i>Prel. Doc. No 13 of June 2021 – Annex I: Aide-mémoire, paras 20-21</i></p> <p>b. Possible future fillable forms including in other languages <i>Prel. Doc. No 13 of June 2021 – Annex I: Aide-mémoire, paras 22-23</i></p> <p>c. Country Profile for spousal support <i>Prel. Doc. No 13 of June 2021 – Annex I: Aide-mémoire, para. 25</i></p>
3.45 p.m.	<i>Break</i>
4.00 p.m.	<p>2. Report of the 2007 Protocol Working Group (PWG), meeting of 25 to 27 January 2021 <i>Prel. Doc. No 14 of June 2021</i></p> <p>3. Report of the Experts' Group (EG) on International Transfer of Maintenance Funds (ITMF), meetings of 16 to 18 September 2019, 8 to 11 February 2021 and 7 to 9 February 2022 <i>Prel. Doc. No 13C of February 2022 of CGAP 2022</i></p> <p>4. Membership of the Forms Working Group (Forms WG) <i>Prel. Doc. No 2A of July 2009 – Forms Working Group Report at p. 5</i></p> <p>5. Future meetings of Experts' and Working Groups</p> <p>a. ACWG – When needed</p> <p>b. PWG – No need to meet</p> <p>c. ITMF EG – February 2023</p> <p>d. Forms WG – Starting in early 2023</p>
5.30 p.m.	<i>End of day 2</i>
Thursday 19 May 2022	
Time	Item
9.30 a.m.	<p>IX. Adoption of Prel. Docs</p> <p>1. Draft Guidance to complete the Mandatory and Recommended Forms under the 2007 Child Support Convention <i>Prel. Doc. No 7 of April 2022 (fifth revised version)</i></p> <p>2. Working Practices of Central Authorities under Articles 5 and 6 of the 2007 Convention <i>Prel. Doc. No 8 of April 2022 (sixth revised version)</i></p> <p>3. Request for Specific Measures & Response (Art. 7(1)) <i>Prel. Doc. No 9 of December 2020 (final version)</i></p> <p>4. Statistical Report for the 2007 Child Support Convention <i>Prel. Docs Nos 18A & 18B of April 2022 (revised version)</i></p>
11.00 a.m.	<i>Break</i>

11.15 a.m.	X. iSupport <ol style="list-style-type: none"> 1. Presentation of iSupport by the Permanent Bureau and Protech 2. Presentation of e-CODEX including EU Regulation on a computerised system for communication in cross-border civil and criminal proceedings (e-CODEX system) 3. Experience of States operating iSupport 4. Experience of States implementing iSupport and e-CODEX 5. Questions & Answers
1.00 p.m.	<i>Lunch break</i>
2.00 p.m.	XI. Adoption of Conclusions & Recommendations
3.45 p.m.	<i>Break</i>
4.00 p.m.	XI. Adoption of Conclusions & Recommendations (Cont.)
5.30 p.m.	<i>End of Special Commission meeting</i>

Annex II – Conclusions and Recommendations adopted by the Special Commission (SC) to review the practical operation of the 2007 Child Support Convention and 2007 Protocol on Applicable Law

Distribution: 24 May 2022

Conclusions and Recommendations

I. The Special Commission

1. The First Meeting of the Special Commission (SC) to review the practical operation of the *Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance* (2007 Child Support Convention or Convention) and the *Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations* (2007 Maintenance Obligations Protocol or Protocol) was held in The Hague from 17 to 19 May 2022. It was attended by a total of 204 delegates, with 100 delegates attending in person, at the Academy Building of the Peace Palace and 104 delegates attending remotely, via videoconference. Delegations represented 50 HCCH Members and six non-Member States as well as Observers from one intergovernmental organisation, six international non-governmental organisations, and members of the Permanent Bureau (PB).¹
2. The SC adopted the following Conclusions and Recommendations:

II. General operation of the 2007 Child Support Convention

II.1. General assessment of the operation of the 2007 Child Support Convention

3. The SC acknowledged the responses to the Questionnaire of August 2019 on the practical operation of the 2007 Child Support Convention (hereinafter, 2019 Questionnaire),² which confirm that, in general, the Convention is operating smoothly and that it is fit for purpose.
4. The SC recognised the value of the Explanatory Report on the 2007 Child Support Convention,³ adopted by consensus by the Twenty-First Session,⁴ and other tools such as the Practical Handbook for Caseworkers,⁵ the Recommended Forms, the Country Profile and the Implementation Checklist,

¹ The following Members of the HCCH were represented: Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Burkina Faso, Canada, Chile, Croatia, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, European Union, Finland, France, Germany, Honduras, Hungary, Ireland, Israel, Italy, Japan, Republic of Korea, Latvia, Lithuania, Mexico, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Philippines, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, Uruguay, United States of America, Venezuela; in addition to the following non-Member States: Algeria, Colombia, Cuba, Guatemala, Holy See, Trinidad and Tobago; the following intergovernmental organisations: Organisation of Eastern Caribbean States (OECS); and the following international non-governmental organisations: Child Identity Protection (CHIP), European Association of Private International Law (EAPIL), International Academy of Family Lawyers (IAFL), International Bar Association (IBA), Law Society of England and Wales, National Child Support Enforcement Association (NCSEA).

² “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”, Prel. Doc. No 1 of August 2019, available on the HCCH website at www.hcch.net under “Child Support Section” then “Special Commission meetings”.

³ Unless otherwise specified, any reference to the “Explanatory Report” should be understood to mean the [A. Borrás and J. Degeling, Explanatory Report – Convention on the International Recovery of Child Support and Other Forms of Family Maintenance](#).

⁴ At its April 2010 meeting, the Council on General Affairs and Policy (CGAP) welcomed the completion and publication of the [Explanatory Report](#) on the 2007 Child Support Convention further to the consultation of all Members and non-Members which attended the Twenty-First Session of the HCCH.

⁵ Permanent Bureau of the Hague Conference on Private International Law, *Practical Handbook for Caseworkers under the 2007 Child Support Convention*, 1st ed., The Hague, 2013. Available on the HCCH website at www.hcch.net under “Child Support Section”, then “HCCH publications”.

adopted by consensus by the November 2009 Meeting of the Special Commission on the implementation of the 2007 Child Support Convention and of the 2007 Maintenance Obligations Protocol.

II.2. Interpretation of the term “residence” (Art. 9)

5. Recalling Article 53 of the 2007 Child Support Convention, the SC reminded Contracting Parties that the Convention should be interpreted having regard to its international character and to the need to promote uniformity in its application.
6. With regard to submitting an application through the Central Authorities, the SC noted that Contracting Parties should have recourse to the Explanatory Report for interpretation purposes and recalled paragraph 228 thereof, which provides that “[t]he ‘residence’ of the applicant must be more than ‘mere presence’. On the other hand, ‘habitual residence’ is not required; the intention behind the use of simple ‘residence’ is to provide easier access to the Central Authorities and to ensure that it is as easy as possible to apply for the international recovery of child support. A child requires financial support wherever she or he may be living and should not have to satisfy a strict residency test in order to apply for assistance to receive it.”
7. The SC confirmed that, where the creditor is a child studying abroad and the debtor habitually resides or has assets in another Contracting Party than the State of either the residence or habitual residence of the creditor that creditor can make an application under the 2007 Child Support Convention through the Central Authority of either the place of the child’s habitual residence or in their place of residence where they are studying. The creditor may take into account many factors in deciding which Central Authority can assist in this regard, bearing in mind that support is usually needed for a prolonged period of time.

II.3. Applications made in the name of a “creditor child” – information about the “custodial parent”

8. The SC noted that, in the case where the child is an applicant, information concerning the name of the non-debtor custodial parent should be written under “Other information” in Section 10 of the Recommended Form.
9. The SC invited Contracting Parties to consult the Guidance to complete the Mandatory and Recommended Forms under the 2007 Child Support Convention for assistance in completing the Mandatory and Recommended Forms.⁶
10. Noting that, in practice, public bodies in the majority of Contracting Parties are entitled to legal assistance, the SC encouraged requested States to provide legal assistance to public bodies.
11. Recalling Article 36(4), the SC invited public bodies to provide, at first instance, any documents necessary to support their application, with a view to avoid any unnecessary and time-consuming communications between requested and requesting States.
12. The SC invited public bodies to consult the Guidance to complete the Mandatory and Recommended Forms under the 2007 Child Support Convention for assistance in completing the Mandatory and Recommended Forms.⁷

⁶ Prel. Doc. No 7 of April 2022, available on the HCCH website (see path indicated in note 2).

⁷ *Ibid.*

II.5. Transmission of applications within States with a non-unified legal system (Art. 4(2))

13. The SC encouraged Central Authorities of Contracting Parties with a non-unified legal system to communicate with the Central Authority designated in accordance with Article 4(2) for the purpose of transmitting applications from one territorial unit to another within their State.
14. The SC noted that, where there is any doubt, requesting States can always send their applications to the Central Authority designated in accordance with Article 4(2).

II.6. Time frame for the acknowledgment of receipts of applications (Art. 12(3))

15. The SC reminded Contracting Parties to acknowledge receipt of applications using the mandatory form set out in Annex 2 of the Convention within the six-week time frame, as provided for in Article 12(3) of the 2007 Child Support Convention.

II.7. Conditions to access legal assistance in the requested State, particularly the examination of the debtor's resources (Art. 17(b))

16. The SC recalled Article 2(1)(a), which provides that the 2007 Child Support Convention applies to maintenance obligations arising from a parent-child relationship towards a person under the age of 21 years without regard to the age of the applicant creditor at the time of the application.
17. The SC reminded Contracting Parties that, at the stage of any proceedings for recognition and enforcement, the applicant (*i.e.*, the creditor or the debtor) who, in the State of origin, has benefitted from free legal assistance shall be entitled to benefit, at least to the same extent, from free legal assistance as provided for by the law of the State addressed under the same circumstances (Art. 17(b)).

II.8. Application of the 2007 Child Support Convention to children regardless of the marital status of their parents (Arts 1, 2(4), 6(1) and 6(2)(h), 7(1), 10(1)(c) and 10(3), 15(2) and 22(a))

18. Recalling Article 2(4) of the Convention, the SC reminded Central Authorities to process all applications and requests concerning child support, regardless of the marital status of the parents. Similarly, the SC reminded Contracting Parties of their obligation to have available, in their domestic law, the applications provided under Article 10(1) and 10(2) and, as required by Article 14, to provide effective access to procedures, including enforcement and appeal procedures, arising from these applications, regardless of the marital status of the parents. The SC noted that in some States, child support can be ordered without the establishment of parentage.

III. Restrictions on access to personal data

III.1. Location of the respondent (debtor) (Art. 6(2)(b))

19. The SC reminded requested States to take all appropriate measures to locate the respondent (particularly the debtor) without necessarily disclosing their location but confirming their presence in their State.
20. The SC further noted that Contracting Parties should not automatically invoke their privacy laws to refuse to carry out their obligations under the 2007 Child Support Convention.

III.2. Information regarding the income and other financial circumstances of the debtor or creditor (Art. 6(2)(c))

21. The SC encouraged requested Central Authorities, to take all appropriate measures to help obtain relevant information on the income and, if necessary, other financial circumstances, including the location of assets, of the debtor or creditor and, where appropriate, to contact them to obtain the information voluntarily.
22. The SC noted that Central Authorities may also seek the assistance of another body, including, for example, the Public Prosecutor or the State Attorney, to obtain this information from government databases in conformity with the access to information and privacy laws of the requested State.
23. The SC invited Contracting Parties, in their implementing measures, to balance the right of the child to financial support against the right of an adult to privacy and emphasised that the right of the child should take precedence.

IV. Recognition and enforcement of maintenance decisions

IV.1. Recognition and enforcement of maintenance decisions concerning relationships not provided by the law of the requested State (Art. 22(a))

24. The SC reminded Contracting Parties that, even though some forms of relationships are not provided for under the law of the requested State, competent authorities can still recognise and enforce, in accordance with Article 19(2), maintenance obligations arising from these relationships under the 2007 Child Support Convention, without recognising such relationships *per se*.

IV.2. Grounds for refusing recognition and enforcement in cases where the respondent has neither appeared nor was represented in the proceedings in the State of origin (Art. 22(e))

25. The SC encouraged competent authorities to obtain information about the requirements of the State of origin of the decision concerning “proper notice of proceedings” before refusing recognition and enforcement of a decision on the basis of Article 22(e).
26. Where a decision establishing maintenance was taken by default (*i.e., in absentia*) and the method of service used in the requesting State has been contested on previous occasions, the SC highlighted the possibility for requesting States to provide an explanation of the method of service with the application, as part of, or along with, the document attesting to proper notice under Article 25(1)(c), to avoid time-consuming communications between requested and requesting States.
27. To this effect, the SC noted that the Recommended Form “Statement of Proper Notice” could be used “to provide an explanation of the method of service with the application”, although the form does not specifically include an explanation of the method, an explanation could be added. The form could be revised to prompt this in future.

V. Enforcement matters under the 2007 Child Support Convention

V.1. Enforcement of decisions that set the amount of child support in percentage

28. In order to assist with the enforcement of a decision, the SC encouraged requesting States not to set maintenance as a percentage of the debtor's income but rather to set it as a fixed amount. If this is not possible, requesting States are encouraged to, at least, indicate whether the percentage of income relates to the gross or net income of the debtor.
29. The SC highlighted that, if maintenance is set as a percentage, a document specifying the amount to be collected and, where possible, the basis for such calculation could be transmitted by the requesting Central Authority at the time of the application for recognition and enforcement.
30. The SC encouraged Central Authorities to co-operate to establish the financial circumstances of the debtor in order to set a fixed amount of maintenance.
31. The SC noted that, in cases where it is not possible for the requesting State to set a fixed amount of maintenance in the decision and, as a result, it is not possible to recognise and enforce the decision in the requested State, the requesting State can make an application for the establishment of a decision in the requested State in accordance with Article 10(1)(d). Alternatively, the requested State can seek to arrange a voluntary solution with the debtor, in accordance with Article 6(2)(d), for a fixed amount of maintenance based on the decision from the State of origin and the financial circumstances declared by the debtor.

V.2. Enforcement of child support arrears after the creditor has reached the age of 21 years

32. The SC recalled Article 2(1)(a), which provides that the 2007 Child Support Convention applies to maintenance obligations arising from a parent-child relationship towards a person under the age of 21 years without regard to the age of the applicant creditor at the time of the application.
33. The SC reminded Contracting Parties that the text of the 2007 Child Support Convention should be read as broadly as possible to maximise the recovery of child support. To that effect, arrears accrued before the child creditor has reached the age of 21 years can be enforced under the Convention after the child creditor has reached the age of 21 years, subject to Article 32(5).

V.3. Interruption or suspension of the enforcement of child support for creditors under the age of 18 years

34. When debtors are not in a position to pay their child support, the SC recommended that, if possible, Central Authorities keep those cases open with a view to monitoring the financial situation of the debtor on a regular basis during that period, for the purpose of Article 6(2)©.
35. However, if a case has been closed, the SC recommended that requesting States, on a regular basis, make requests to the Central Authority of the requested State for specific measures under Article 7 to assess the income or obtain relevant information concerning the income of the debtor. The information that can be obtained is subject to the law of the requested State and will depend on the resources, information sources and registers to which the requested Central Authority has access.

V.4. Enforcement of decisions against the assets of a debtor in a State where they are not habitually resident

36. Recalling the explanation provided in paragraph 674 of the Practical Handbook for Caseworkers, the SC reminded Contracting Parties that enforcement proceedings can take place in another Contracting Party where the assets of the debtor are located, even if it is not a State where the debtor is habitually resident. Central Authorities shall co-operate closely to facilitate the enforcement in such cases.

V.5. Currency conversion and transfer of maintenance funds

37. Recalling paragraph 726 of the Practical Handbook for Caseworkers, the SC noted that any conversion of the maintenance amount into a different currency does not modify or vary the underlying decision. The SC also acknowledged the practice of Contracting Parties, which shows that currency conversion of the amount owed takes place at the time of transfer, utilising the exchange rate of that date, with a view to ensuring the creditor receives the full amount required under the decision.
38. To address the issue of under or over payment of maintenance, the SC noted that one option could be that the enforcement authority notifies the debtor that the amount to be paid in the debtor's currency will vary from one month to another, based on the exchange rate. The SC acknowledged the existing practice of some requesting Central Authorities or public bodies which have opened bank accounts in the requested States.
39. Based on the practice of Contracting Parties, the SC noted the need to eliminate the use of cheques and welcomed the establishment of centralised points for incoming and outgoing transfers of funds, with a view to increase transparency and reduce costs.

VI. Mandatory and Recommended Forms under the 2007 Child Support Convention

VI.1. Use of the Status of Application Reports

40. The SC reminded Contracting Parties of the importance of providing information on the status of applications and that the Recommended Status of Application Reports are an effective way of doing so, bearing in mind that, sometimes, additional information may be required. The SC highlighted that the use of the Recommended Status of Application Reports will also be essential to collect the statistical data which is required for the Optional / Voluntary Report under the 2007 Child Support Convention.

VI.2. Signature of applications when filed with competent authorities in accordance with their domestic law (Art. 42)

41. The SC acknowledged the practice of Contracting Parties which shows that, where a signature of the applicant is required for an application to be made with the requested competent authority, a power of attorney from the applicant will provide the requested Central Authority with the necessary authorisation to sign the application on behalf of the applicant.

VI.3. Certification of applications via telephone and authenticity of signatures

42. Recalling Article 41, the SC reminded Contracting Parties that documents under the 2007 Child Support Convention do not require legalisation or any analogous formality.

VI.4. Acceptance of an abstract or an extract in lieu of the complete text of the decision

43. The SC strongly encouraged Contracting Parties to remove any barriers to the use of abstracts or extracts of decisions as much as possible, to simplify and make the procedure for recognition and enforcement more cost-effective. The SC called upon Contracting Parties to specify this possibility under Article 57 in accordance with Article 25(3)(b).
44. The SC emphasised that Central Authorities should not refuse to process an application solely on the basis that an abstract has been included therein.
45. The SC reminded Contracting Parties that, in case of a challenge or appeal based on the authenticity of an abstract, a complete certified copy of the decision may be requested under Articles 23(7)(c) and 25(2).

VI.5. Availability of Mandatory and Recommended Forms in languages other than English and French (Art. 44)

46. The SC strongly encouraged Contracting Parties to translate the Mandatory and Recommended Forms into their official or preferred languages, unless such translations are already available.
47. The SC also encouraged Contracting Parties to share such forms with the PB with a view to making them available on the HCCH website. The SC noted that such forms could also be easily integrated into iSupport, the electronic case management and secure communication system for the recovery of cross border maintenance.

VI.6. Processing handwritten application forms

48. While there is nothing preventing the acceptance of handwritten application forms under the 2007 Child Support Convention, the SC strongly encouraged Contracting Parties to transmit typed application forms, for readability and efficiency purposes.

VI.7. Processing non-certified documents for the purpose of recognition and enforcement

49. The SC reminded Contracting Parties that certified copies of documents should be required only by those Contracting Parties that have made a specification in accordance with Articles 25(3) and 57(1)(e) or upon a specific request in accordance with Article 12(2) or upon a challenge in accordance with Articles 23(7)(c) and 25(2) or 30(5)(b)(ii).

VI.8. Acceptance of Recommended Forms for direct requests under Article 37

50. The SC encouraged Contracting Parties to accept, where possible, Recommended Forms under the 2007 Child Support Convention in their domestic procedures, for the purpose of direct requests under Article 37. The existing Recommended Forms should be completed, with such modifications or amendments as may be necessary, together with such other forms as may be required by the law of the requested State.
51. If the Recommended Forms under the 2007 Child Support Convention are not accepted for the purpose of direct requests or if an additional, specific application form is required, the SC encouraged Contracting Parties to indicate which forms are required in their Country Profile, under “Stage 2, I.5.c.” concerning direct requests.

VI.9. Non-secure transmission of confidential information

52. The SC reminded Contracting Parties that Articles 38 to 40 of the 2007 Child Support Convention concerning the treatment of personal data are to be applied whatever the medium or means of communications used. In that respect, the SC encouraged authorities involved in the transmission of such data to use appropriate means of secure communications when sharing sensitive case information. The SC noted that iSupport will assist Contracting Parties to meet their obligations under Articles 38 to 40.
53. Recalling Article 40(1) of the Convention, the SC reminded Contracting Parties that a determination of non-disclosure of personal information shall take place when the health, safety or liberty of a person could be jeopardised. In that case, Central Authorities shall tick the appropriate box, where it appears in the Mandatory and Recommended Forms and complete the Forms accordingly, including the Restricted Information on the Applicant.
54. Recalling the recommendation in paragraph 208 of the Practical Handbook for Caseworkers, the SC highlighted that it is good practice to use the address of the Central Authority or competent authority in the requesting State instead of the address of the applicant, to protect this person.

VII. General issues

VII.1. Temporal application of the 2007 Convention – Transmission of applications to Central Authorities v. competent authorities (Arts 12, 37 and 56(1)(b))

55. The SC noted that Contracting Parties can transfer cases between an older international instrument and the 2007 Convention by making an application under the 2007 Convention in accordance with Article 10(1)(a), (b) or (2)(a), depending on the circumstances, with an application date after the entry into force of the latter Convention.

VII.2. Completion and update of the Country Profile (Art. 57)

56. The SC requested Contracting Parties to prioritise completing their Country Profile at the time their instrument of ratification or accession is deposited, or at the time a declaration is made in accordance with Article 61, and to keep their Country Profile up to date.
57. The SC urged all Contracting Parties that have not yet provided their Country Profile to do so as soon as possible.
58. The SC reminded Contracting Parties, when updating their Country Profile, to inform the PB of the sections changed, so that the PB can inform other Contracting Parties of such changes, until automatic notification becomes available.

VII.3. Regular updates to the HCCH website including updating Central Authorities' contact details (Art. 4(3))

59. The SC reminded Contracting Parties to ensure that the contact details of the Central Authorities provided in their Country Profile are up-to-date and aligned with the contact details of the Central Authorities provided on the HCCH website. The SC invited Contracting Parties to inform the PB when any changes are made in this regard.

60. The SC invited the PB to explore further, subject to available resources, the development of a system to inform Contracting Parties about recent updates to the 2007 Convention electronic Country Profiles available on the HCCH website.

VII.4. Possible model declarations and reservations

61. The SC noted that, while the 2007 Child Support Convention does not mandate any particular form for reservations and declarations, a more uniform practice could be helpful for existing Contracting Parties to easily identify the scope of reservations and declarations made by other Contracting Parties. The SC highlighted that such uniform practice could also facilitate the process of States becoming Contracting Parties to the Convention. To this end, the SC welcomed and endorsed the guidance for making reservations and declarations under the 2007 Child Support Convention proposed by the PB in Work Doc. No 30 of May 2022.
62. The SC noted that, in consultation with the depositary, the Ministry of Foreign Affairs of the Kingdom of the Netherlands, the PB will improve the guidance for the declarations under Article 2.
63. The SC welcomed the progress made by the ACWG during its meeting of 14 to 17 December 2020, which was held to discuss the development of possible future recommended model forms, fillable forms including in other languages as well as the development of a Country Profile for spousal support and took note of its report (Prel. Doc. No 13 of June 2021⁸).

VIII. Experts' and Working Groups – Adoption of Reports and other matters

VIII.1. Report of the Administrative Cooperation Working Group (ACWG), meeting of 14 to 17 December 2020

a. Possible future forms

64. The SC invited the Forms Working Group to work on the following forms, in order of priority:
- Fillable forms;
 - Model form for calculation of maintenance arrears / statement of arrears;
 - Model form for Power of Attorney;
 - Model statement of enforceability with respect to authentic instruments as well as private agreements (Art. 30(3)(b));
 - Model form attesting that Article 36 conditions are met;
 - Model form for calculation of interest;
 - Scalable model form for decisions;
 - Model form to request a Status Report.

⁸ “2007 Child Support Convention and Maintenance Protocol: Report of the Administrative Cooperation Working Group, meeting of 14 to 17 December 2020”, available on the HCCH website (see path indicated in note 2).

b. Possible future fillable forms including in other languages

65. The SC acknowledged the support expressed during the meeting of the ACWG for the use and public availability of fillable forms and noted the support for the translation of forms into other languages as being a high priority, in order to lower the costs of translation.
66. The SC welcomed the suggestion made by the ACWG for Contracting Parties to provide a hyperlink in their Country Profile to fillable forms in their official and / or preferred language(s). The SC also welcomed the suggestion to include a link to the United States Office of Child Support Enforcement website, which has forms in other languages, in the Child Support Section of the HCCH website.

c. Country Profile for spousal support

67. The SC acknowledged the responses to the 2019 Questionnaire which showed that respondents had some interest in the development, subject to available resources, of a Country Profile for spousal support but noted that, currently, it is not considered a priority.

d. Updates to the existing Recommended Country Profile form

68. The SC invited the PB to consult Contracting Parties and HCCH Members about possible revisions to questions and relevant tick boxes/responses in the recommended Country Profile form. The PB will work in consultation with the Administrative Cooperation Working Group (ACWG) to carry out those revisions. This will be done in order to ensure that, when Contracting Parties complete their Country Profile, the information set out therein provides a complete and accurate reflection of their laws, procedures and services, as provided by Article 57. A reviewed recommended Country Profile form will be circulated to Contracting Parties and HCCH Members for approval.
69. The PB will plan online meetings of the ACWG and start consultations as soon as practicable.

VIII.2. Report of the Applicable Law Working Group (ALWG), meeting of 22, 25 to 27 January 2021

70. The SC welcomed the work completed by the ALWG during its meeting of 22, 25 to 27 January 2021 and adopted its report (Prel. Doc. No 14 of June 2021⁹) found in Annex I of this document. Recognising the usefulness of the report, the SC strongly encouraged its wide dissemination, in particular to members of the judiciary.

VIII.3. Report of the Experts' Group (EG) on International Transfer of Maintenance Funds (ITMF), meetings of 16 to 18 September 2019, 8 to 11 February 2021 and 7 to 9 February 2022

71. The SC welcomed the progress made by the ITMF EG during its meetings of 16 to 18 September 2019, 8 to 11 February 2021 and 7 to 9 February 2022 and adopted its report (Prel. Doc. 20 of April 2022) found in Annex II of this document.
72. The SC highlighted that the contents of the ITMF EG report are to be construed as examples of good practices.

⁹ "2007 Child Support Convention and Maintenance Protocol: Report of the Working Group on the operation of the 2007 Protocol", available on the HCCH website (see path indicated in note 2).

VIII.4. Membership of the Forms Working Group (Forms WG)

73. Following consultations by the PB and the Chair of the Forms WG, the SC approved the membership of the Forms WG, as follows:
- Brazil
 - Canada
 - European Union
 - Finland
 - Germany
 - New Zealand
 - Slovak Republic
 - Sweden
 - Switzerland
 - United Kingdom
 - United States of America
 - International Association of Women Judges
 - National Child Support Enforcement Association
 - Hannah Roots (author of the Practical Handbook for Caseworkers)
74. The SC welcomed the proposal for Meg Haynes of NCSEA to continue as Chair and welcomed Julia Schelcher of Germany as the new co-Chair.
75. The SC noted that membership to the Forms WG remains open for one or two more States.

VIII.5. Future meetings of Experts' and Working Groups

a. ACWG

76. The SC reminded Contracting Parties that the membership to the ACWG remains open. The ACWG will meet online as soon as practicable.

b. ALWG

77. The SC acknowledged that there is presently no need for the ALWG to hold any future meetings until the next SC.

c. ITMF EG

78. The SC noted that the membership to the ITMF EG remains open and invited the PB to organise the next online meeting of the ITMF EG for February 2023.

d. Forms WG

79. The SC invited the PB to begin planning the online meeting of the Forms WG as soon as practicable.

IX. Adoption of Prel. Docs

80. The SC and the PB thanked Members and Contracting Parties for their contributions over the years to the development of the following Prel. Docs.

IX.1. Draft Guidance to complete the Mandatory and Recommended Forms under the 2007 Child Support Convention

81. The SC welcomed the work completed by the PB in finalising the Draft Guidance to complete the Mandatory and Recommended Forms under the 2007 Child Support Convention and adopted Prel. Doc. No 7 of April 2022 (fifth revised version).

IX.2. Working Practices of Central Authorities under Articles 5 and 6 of the 2007 Convention

82. The SC welcomed the work completed by the PB in finalising the document on the Working Practices of Central Authorities under Articles 5 and 6 of the Convention and adopted Prel. Doc. No 8 of April 2022 (sixth revised version), subject to the information contained therein being updated in line with the latest versions of Country Profiles. In order to do so, Contracting Parties will be requested to update or complete their Country Profile by a date specified by the PB.

IX.3. Request for Specific Measures & Response forms (Art. 7(1))

83. The SC welcomed the work completed by the Forms Working Group in finalising the recommended Request for Specific Measures and Response forms and adopted Prel. Doc. No 9 of December 2020 (final version), which is available in English, French and Spanish. Those forms will be uploaded to the HCCH website and integrated into iSupport as soon as practicable.

IX.4. Statistical Report under the 2007 Child Support Convention

84. The SC welcomed the work completed by the PB, in consultation with the ACWG, in finalising the Statistical Report under the 2007 Child Support Convention and adopted Prel. Docs. Nos 18A & 18B of April 2022 (revised versions).
85. The SC invited the ACWG subgroup on statistical data elements to continue its work until the statistical spreadsheet, to be used to collect data from States not using iSupport and to provide output from iSupport, is finalised.

X. iSupport

86. The SC welcomed the presentations on iSupport. It noted iSupport's potential contribution to a global system for international child support recovery that is accessible, prompt, efficient, cost-effective, responsive and fair. The SC encouraged more States to consider using iSupport and invited the Permanent Bureau to renew its efforts to ensure participants receive appropriate support, in particular in relation to e-CODEX.
87. The SC expressed its appreciation to the EU for the adoption of the e-CODEX Regulation and the handover of e-CODEX to the eu-LISA in 2023, including the possibility that the eu-LISA will offer some support services to the HCCH. In particular, the SC expressed its appreciation for the work undertaken by the e-CODEX Consortium over the years. The SC is looking forward to the completion of on-going adjustments to e-CODEX components as soon as possible, to simplify their integration and functioning with iSupport.