



Newsletter 2021, No. 46

Newsletter of the Global Network: "Child Support Worldwide"

Dear network members and child support experts all over the world,

The CSW Team at DIJuF wishes you a very good start to 2021 and hopes this newsletter finds you well wherever you are in the world.

Enforcing Maintenance despite the Coronavirus Measures

The "[Operational status of child maintenance authorities during the covid-19 restrictions](#)" table has been and continues to be used extensively over the last months. Thank you for your positive feedback and cooperation!

Please remember to inform us of any changes in your State's situation.

European Platform for Access to Personal and Familial Rights (EPAPFR)

After several postponements due to Covid-19 restrictions, the project is going to be completed at the beginning of March 2021. In the next few days, the new information **platform** will be operative and provide, amongst other things, a mapping of the services offered to citizens and practitioners in all fields of international family law conflicts as well as different information tools. The platform can already be found on [Facebook](#).

The EPAPFR closing conference will take place in form of **two online-trainings** on 19/02/2021 (in English) and 26/02/2021 (in French) offering a presentation of the new EPAPFR-Website and discussions in international family law issues like child abduction, recovery of maintenance or unaccompanied minors. Registrations may be made via the [project coordinator](#).

Consequences of Brexit for the Recovery of Child Maintenance

From **January 2021**, the European Maintenance Regulation (EC No.°4/2009) is no longer applicable in the UK. However, by virtue of its membership to the EU, the UK became bound by the HCCH 2007 Convention on 1 August 2014 and has submitted the instrument of ratification in accordance with Article 58 (2) of the Convention in order to ensure continuity of its application. Therefore, from January 2021, the recognition and enforcement of child maintenance orders as well as the administrative cooperation between Central Authorities relating to EU Member States and the UK are subject to the HCCH 2007 Convention. In this respect, the handling of applications should not change significantly, as the provisions of the Convention closely resemble the provisions of the Maintenance Regulation and the application process will be facilitated by the HCCH mandatory and recommended forms.

However, due to the Regulation ceasing to be in force, common jurisdiction rules



will no longer apply. From the perspective of EU Member States, the Regulation will continue to be relevant. From the perspective of the UK, the jurisdiction rules will be based on the regional law of England, Wales, Northern Ireland and Scotland. As the UK has not made any reservation according to Article 20 (2) of the Convention, maintenance orders issued at the creditor's place of residence according to Article 3b of the Regulation should continue to be recognized.

A further common rule will also be missing in matters of *lis pendens* but it is probable that infringements of national rules will be shifted to a later stage of the proceedings, namely at the level of the grounds for refusal of recognition according to Art. 22 lit. c of the Convention.

2007 Hague Child Support Convention



On 16 September 2020, the Republic of Serbia signed the HCCH 2007 Convention. It was ratified on 23 October 2020 and is applicable from 1 February 2021.

[HCCH | Serbia ratifies the Child Support Convention](#)

Serbia has already been a party to the 2007 Hague Protocol since August 2013. Please see [here](#) for the completed list of parties to the 2007 Convention.

CSW-Newsletter – Version 2021 – get involved!

Due to the success of the CSW-newsletter, the growing number of readers and an increasing need for information on the part of the actors involved in the cross-border recovery of maintenance, we have concluded that it is time for a further development of this information bulletin.

Firstly, from now on the newsletter will only be published in English as it seems to be the most used language amongst our readers. If you have any concerns regarding this decision, please don't hesitate to contact us.

Secondly, we would like to strengthen interactions between our readers and discuss relevant developments in the national legal systems more often. This is why you are cordially invited to share with us information regarding:

- › Your national child maintenance law and public supporting instruments,
- › Private international law related to child support,
- › The practice of cross-border recovery of child maintenance.

For upcoming newsletters, short reports about the French reform of the maintenance fund, the consequences of Brexit on the maintenance recovery or the new online child support payment system in New Mexico, could be very interesting. You can [contact us](#) in English, German, French or Spanish.

We look forward to hearing from you!



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