

Hague Convention (2007) on the international recovery of child support and other forms of family maintenance: amending Annexes 1, II and III

2013/0019(NLE) - 29/01/2013 - Legislative proposal

PURPOSE: to amend Annexes II and III of Council Decision of 9 June 2011 on the approval, on behalf of the European Union, of The Hague Convention of 23 November 2007, on the International Recovery of Child Support and Other Forms of Family Maintenance.

PROPOSED ACT: Council Decision (amendment of Council Decision 2011/432/EU).

ROLE OF THE PARLIAMENT: Parliament is consulted for opinion.

BACKGROUND: on 9 June 2011, the Council adopted [Decision 2011/432/EU](#) on the approval, on behalf of the European Union, of the 2007 Hague Maintenance Convention. The Council Decision provides that the Union make the reservations and declarations set out in the Convention when depositing the instrument on the approval of the Convention. The text of the declaration and of the reservations respectively are set out in Annex II and III to the Council Decision.

After the adoption of the Council Decision on 9 June 2011, some Member States have felt it necessary to amend their previous statement (Latvia) or to make ex novo the declaration and reservations under Article 5 and 6 of the Council Decision (Cyprus, Luxembourg and Portugal).

Accordingly, before depositing the instrument of approval, Annexes II and III need to be amended.

IMPACT ANALYSIS: no impact assessment was undertaken. The issue was discussed in the Council during the meetings of the Working Party on Civil Law Matters (general questions), in particular on 11 June 2012. The Commission informed Member States that the proposal amending the Council Decision of 9 June 2011 would not be adopted before the end of November 2012, at the earliest.

LEGAL BASIS: the first subparagraph of Article 81(3), in conjunction with point (b) of the second subparagraph of Article 218(6) and the first sentence of the second subparagraph of Article 218(8) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the proposal aims to replace Annexes II and III of Decision 2011/432/EU by the corresponding draft annexes set out in the text.

BUDGETARY IMPLICATIONS : there are no implications for the Union budget.