



The Permanent Bureau of the Hague Conference
on Private International Law

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File no 2009-0811-00028

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Date 24 July 2009

**QUESTIONNAIRE ON THE FEASIBILITY OF DEVELOPING A PROTOCOL TO
THE HAGUE CONVENTION OF 23 NOVEMBER 2007 ON THE INTERNATIONAL
RECOVERY OF CHILD SUPPORT AND OTHER FORMS OF FAMILY MAINTENANCE
TO DEAL WITH THE INTERNATIONAL RECOVERY OF MAINTENANCE IN
RESPECT OF VULNERABLE PERSONS**

Please find the response by the Danish delegation to the questionnaire mentioned above:

(A) Maintenance obligations in respect of vulnerable persons which come within the compulsory scope of the Convention

1) Does the law of your State / Organisation provide specifically for maintenance obligations arising from a parent-child relationship towards a vulnerable person under the age of 21 years (or 18 years)?

NO

2) Does the law of your State / Organisation provide specifically for maintenance obligations for a spouse towards a vulnerable spouse?

NO

3) Can you please identify any special rules which may need to be added to the 2007 Child Support Convention, by way of a protocol, with regard to maintenance obligations:

a) arising from a parent-child relationship towards a vulnerable person under the age of 21 years (or 18 years); or, b) for a spouse towards a vulnerable spouse:

The Danish delegation shares the opinion expressed by the European Community in its response of 20 July 2009 to the questionnaire.

(B) Maintenance obligations in respect of vulnerable persons which may be brought within the scope of the Convention by Contracting States

4) Does the law of your State / Organisation provide specifically, in respect of vulnerable persons, for maintenance obligations arising from:

- a family relationship [] YES / [X] NO
- parentage [] YES / [X] NO
- marriage [] YES / [X] NO
- affinity [] YES / [X] NO

5) Does your State / Organisation intend to extend the application of the whole or any part of the Convention to maintenance obligations arising from a family relationship, parentage, marriage or affinity which would include vulnerable persons?

[X] Not yet determined

Denmark has not yet decided to accede to the 2007 Convention on Maintenance. Thus, Denmark has not either determined the extension of the possible application of the Convention.

6) If you replied YES to Question 5), please indicate the relationship(s), which would include vulnerable persons, to which you would extend the Convention:

7) If you replied YES to Question 5), please indicate the parts of the Convention to which you would extend the relationship(s) identified in Question 6):

8) Please identify any special rules which may need to be added to the 2007 Child Support Convention, by way of a protocol, with regard to those maintenance obligations in respect of vulnerable persons which are capable of being brought within the scope of the Convention:

See the response to question 3.

(C) Maintenance obligations in respect of vulnerable persons which cannot be brought within the scope of the Convention

9) Does the law of your State / Organisation provide specifically for maintenance obligations which do not arise from a family relationship, parentage, marriage or affinity in respect of vulnerable persons?

[X] NO

10) Please identify any categories within your State / Organisation of maintenance obligations towards vulnerable persons which at the moment cannot be brought within the scope of the Convention:

See the answer to question 9.

11) Please identify any special rules which may need to be added to the 2007 Child Support Convention, by way of a protocol, with regard to those maintenance obligations in respect of vulnerable persons which at the moment cannot be brought within the scope of the Convention:

See the answer to question 9.

12) Does your State / Organisation have bilateral, regional or international agreements in place that deal specifically with maintenance obligations in respect of vulnerable persons?

The Community Council Regulation (EC) No 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations applies to maintenance obligations arising from a family relationship, parentage, marriage or affinity. The Regulation does not deal specifically with maintenance obligations in respect of vulnerable persons but applies to them in the limits of the scope.

The Regulation does not apply to Denmark, but through an agreement between the Community and Denmark on the Bruxelles I-Regulation, the content of the Regulation applies in the relations between the Member States of the Community and Denmark, except the rules on applicable law and administrative cooperation.

13) If you replied YES to Question 12), please identify the categories of maintenance obligations towards vulnerable persons which fall within the scope of the bilateral, regional or international agreements referred to therein:

See the response to question 12.

14) Do you see the need for the development of a protocol to deal with the international recovery of maintenance in respect of vulnerable persons?

See the response to question 3.

15) Any other remarks:

None.

With Regards

Department of Family Affairs

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