

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
SOCIAL SERVICES PORTFOLIO
2017-18 Budget Estimates Hearings

Outcome Number: 1.2 Child Payments

Question No: SQ17-000498

Topic: International Recovery of Child Support and Other Forms of Family Maintenance

Hansard page: Written

Senator Nick Xenophon asked:

1. Is Australia a signatory to the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance?
2. If not:
 - a. Have we been in negotiations with respect to that convention?
 - b. How long have the negotiations taken thus far?
 - c. What are the hurdles to ratifying the convention?
 - d. What has been the total cost of negotiation in respect of this convention, including the cost of FTE officials?
 - e. Please break out the travel costs and advise locations that Australian Officials have flown to.

Answer:

1. No.
2.
 - a. Yes. Australia was one of the countries that participated in negotiations to develop a new comprehensive convention on maintenance obligations. Australia was involved in the Special Commission that was convened for this purpose by the Hague Conference on Private International Law (HCCH) and also participated in negotiations on the text of the Convention at the Twenty-First Session of the HCCH and initialled the Session's Final Act to adopt the text.
 - b. The Special Commission was convened in May 2003 and met annually in The Hague, the Netherlands, between 2003 and 2007. The Twenty-First Session of the HCCH was held from 5 to 23 November 2007.
 - c. The Australian Government would need to sign the Convention, to signify Australia's intention to ratify. Following signature, the Convention would need to be tabled before both Houses of Parliament for scrutiny by the Joint Standing Committee on Treaties. Subsequently, for Australia to become a Contracting State, the Government would need to deposit an instrument of ratification with the depositary for the Convention.
 - d. & e. Australia's participation in the negotiations that led to the development of the Convention and the adoption of the text occurred between 2003 and 2007 and involved officials from more than one government agency. Determining the total cost of these negotiations would involve a significant diversion of resources.