

No. 6793

**NORWAY, DENMARK, FINLAND,
ICELAND and SWEDEN**

Convention concerning the recovery of maintenance contributions. Signed at Oslo, on 23 March 1962

Official texts: Norwegian, Danish, Finnish, Icelandic and Swedish (two texts, one for Sweden and one for Finland).

Registered by Norway on 1 July 1963.

**NORVÈGE, DANEMARK, FINLANDE,
ISLANDE et SUÈDE**

**Convention sur le recouvrement des créances alimentaires.
Signée à Oslo, le 23 mars 1962**

Textes officiels norvégien, danois, finnois, islandais et suédois (deux textes, l'un pour la Suède et l'autre pour la Finlande).

Enregistrée par la Norvège le 1^{er} juillet 1963.

[TRANSLATION — TRADUCTION]

No. 6793. CONVENTION¹ BETWEEN NORWAY, DENMARK, FINLAND, ICELAND AND SWEDEN CONCERNING THE RECOVERY OF MAINTENANCE CONTRIBUTIONS. SIGNED AT OSLO, ON 23 MARCH 1962

Article 1

A final judgement, an administrative decision or a written undertaking by which any person is bound in one of the Contracting States to make maintenance contributions to a spouse, former spouse, legitimate child, stepchild, adopted child or a child born out of wedlock or the mother of such child, and which is enforceable in that State, shall, upon request, be enforced forthwith in any of the other Contracting States. The same shall apply to any such judgement that has not yet become final and to any such decision or ruling of a court, judge or chief executory officer as is enforceable in the same manner as a final judgement.

If, by virtue of a judgement, decision or ruling given in the State in which enforcement is sought, the contribution has been set at a lower amount or the maintenance obligation has been declared non-existent, an application for enforcement contrary to such judgement, decision or ruling may not be entertained in that State.

Article 2

An application for enforcement shall be made to an authority of the Contracting State in which the person entitled to maintenance is resident or in which the judgement, decision or ruling was given or the written undertaking was entered into.

It enforcement is to take place in a Contracting State other than that in which the application is made as provided in the first paragraph, the application shall be forwarded to the first-mentioned State. In such case the application shall be transmitted and received :

In Denmark, by the country administrative authority (at Copenhagen, the Lord President, and otherwise the competent county governor) or, if

¹ Came into force on 1 July 1963, in accordance with the provisions of article 7, the instruments of ratification having been deposited with the Government of Norway as follows:

Norway	2 January 1963	Iceland	29 January 1963
Sweden	21 January 1963	Denmark	30 January 1963
Finland	25 January 1963		

there is any uncertainty regarding which county administrative authority has jurisdiction, by the Ministry of Justice;

In Finland, by the competent county administration or, if there is any uncertainty regarding which county administration has jurisdiction, by the Ministry of Foreign Affairs;

In Iceland, by the Ministry of Justice;

In Norway, by the competent county governor or, if there is any uncertainty regarding which county governor has jurisdiction, by the Ministry of Social Welfare in the case of contributions for children born out of wedlock or the mothers of such children, and by the Ministry of Justice in other cases;

In Sweden, by the competent county administration or, if there is any uncertainty regarding which county administration has jurisdiction, by the Legal Section of the Ministry of Foreign Affairs.

An application for the recovery in another Contracting State of a contribution which an authority has advanced may be made by that authority direct to such authority of the other State as is specified in the second paragraph.

Documents drawn up in Finnish or Icelandic shall be accompanied by a certified Danish, Norwegian or Swedish translation of the requisite passages.

Article 3

The authority which is to effect recovery may, if it appears necessary to do so, request a certificate to the effect that the judgement, decision, ruling or undertaking meets the conditions for enforcement laid down in article 1, first paragraph. The certificate shall be issued by the authority specified in article 2, second paragraph, of the State in which the judgement, decision or ruling was given or the undertaking was entered into.

If the amount of the maintenance contribution is not specified in the judgement, decision, ruling or undertaking, or if the application for enforcement is for an amount higher than that specified, a certificate concerning the amount of the contribution may also be requested as provided in the first paragraph.

Article 4

Enforcement shall take place in each State in accordance with its laws.

Enforcement shall not entail any charge for the beneficiary unless it is effected in accordance with the procedure for execution on immovable property.

The amounts received shall be transmitted to the person who applied for enforcement or to whomsoever he designates.

Article 5

The provisions respecting maintenance contributions shall similarly apply to contributions towards the cost of delivery and confinement at child-birth and towards expenditure on special training for a child or in connexion with his christening, confirmation, sickness, funeral or the like.

Article 6

The costs of maintenance proceedings reimbursable by the person liable for maintenance may be recovered in accordance with the procedure specified in this Convention.

Article 7

This Convention shall be ratified, and the instruments of ratification shall be deposited with the Norwegian Ministry of Foreign Affairs as soon as possible.

The Convention shall enter into force on the date of 1 January or 1 July next following the deposit of the ratifications. This Convention shall supersede the Convention of 10 February 1931¹ between the Contracting States regarding the collection of maintenance allowances, as amended by the Agreement of 1 April 1953.²

Any Contracting State may terminate the Convention in relation to any other Contracting State with effect from the date of 1 January or 1 July next following the expiry of a period of six months from the date on which notice of termination is given.

IN WITNESS WHEREOF the respective plenipotentiaries have signed this Convention and have thereto affixed their seals.

DONE at Oslo in one copy in the Norwegian, Danish, Finnish, Icelandic and Swedish languages and so far as the Swedish language is concerned, in two texts, one for Finland and one for Sweden.

Oslo, 23 March 1962

(Signed) Halvard LANGE

(Signed) Alex MÖRCH

(Signed) T. LEIVO-LARSSON

(Signed) Sig. HAFSTAD

(Signed) Rolf EDBERG

¹ League of Nations, *Treaty Series*, Vol. CXXVI, p. 41.

² United Nations, *Treaty Series*, Vol. 227, p. 169.