
STATUTORY INSTRUMENTS

2018 No. 1125

The International Recovery of Maintenance (Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance 2007) (EU Exit) Regulations 2018

PART 2

The rights etc deriving from the 2007 Hague Convention

Maintenance obligations and requests before exit day

5.—(1) This regulation applies in relation to maintenance obligations and requests, other than those to which regulation 4 applies, where —

- (a) payments fall due;
- (b) an application, or request for specific measures, is received by the relevant Central Authority in the United Kingdom; or
- (c) a direct request is received by the relevant competent authority in the United Kingdom,

after the 2007 Hague Convention entered into force for the United Kingdom by virtue of being a member State, but before exit day.

(2) The section 4 rights have effect as if—

- (a) the United Kingdom were a State bound by the 2007 Hague Convention on and after exit day, and
- (b) Article 51(4) operated as it would have operated if the United Kingdom had also continued to be a member State.

(3) Notwithstanding the effect that Articles 48 to 50 and 51(1) to (3) would produce if the United Kingdom were a State bound by the 2007 Hague Convention, the section 4 rights do not have effect as regards the maintenance obligation or request if and to the extent that their having effect would conflict with a treaty obligation of the United Kingdom.