



REQUEST FOR RETURN OF CHILD

**The Hague Convention on the Civil Aspects of International Child Abduction
Child Abduction and Custody Ordinance (Cap. 512) (Laws of Hong Kong)**

**Central Authority of the Hong Kong Special Administrative Region
of the People's Republic of China ("the Central Authority of Hong Kong")**

**Application for assistance in securing the return of a child to his/her place of habitual
residence under Article 8 of the Hague Convention**

Concerning the child (name) _____
(use a separate form for each child)

who will attain the age of 16 on (date)

dd	mm	yyyy

Fill in by Central Authorities Only

Requesting Central Authority _____

Requested Central Authority _____

SECTION I – IDENTITY OF THE CHILD AND HIS/HER PARENTS

Section I Part 1 - Child

Family name, first name(s) & <i>alias</i>		Sex Male / Female						
Date of birth <table style="margin-left: auto; margin-right: auto;"><tr><td style="width: 40px; text-align: center;">dd</td><td style="width: 40px; text-align: center;">mm</td><td style="width: 40px; text-align: center;">yyyy</td></tr><tr><td style="height: 20px;"></td><td></td><td></td></tr></table>	dd	mm	yyyy				Place of birth	
dd	mm	yyyy						
Address of habitual residence immediately before the removal or retention								
Nationality	Identity and travel document(s) and number(s) thereof							
Language/dialect	Description (continue on a separate sheet if necessary) (e.g. weight, height, etc.)							
Remarks (if any, and continue on a separate sheet if necessary)								

Section I Part 2 – Mother

Family name, first name(s) & <i>alias</i>		
Date of birth <div style="text-align: center;"> dd mm yyyy </div>		Place of birth
Address		Telephone number(s) Home: Office: Mobile:
Nationality	Identity and travel document(s) and number(s) thereof	
Language/dialect	Fax number(s)	Email address(es)
Occupation, name and address of employer (if applicable)		

Section I Part 3 – Father

Family name, first name(s) & <i>alias</i>		
Date of birth <div style="text-align: center;"> dd mm yyyy </div>		Place of birth
Address		Telephone number(s) Home: Office: Mobile:
Nationality	Identity and travel document(s) and number(s) thereof	
Language/dialect	Fax number(s)	Email address(es)
Occupation, name and address of employer (if applicable)		

Section I Part 4 – Marriage of the Father and Mother (if applicable)

Date of marriage			Place of marriage		
	dd	mm	yyyy		
Date of divorce (if applicable)			Place of divorce (if applicable)		
	dd	mm	yyyy		
If divorce proceedings in progress, give details (continue on a separate sheet if necessary)					

SECTION II – REQUESTING INDIVIDUAL OR INSTITUTION (“APPLICANT”)

(use a separate sheet if more than one applicant)

Family name, first name(s) & alias of individual OR name of institution		
Relationship to the child (please put a “x” in the selected <input type="checkbox"/>)		
<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Other (please specify) _____		
Name and contact details of legal adviser (if applicable)		
If the Applicant is the mother or father of the child, go to Section III.		
Date of birth		Place of birth (if applicable)
	dd	mm
	yyyy	
Address (if institution, also give the name of the contact person)		Telephone number(s)
		Home:
		Office:
		Mobile:
Nationality (if applicable)	Identity and travel document(s) and number(s) thereof (if applicable)	
Language/dialect	Fax number(s)	Email address(es)
Occupation, name and address of employer (if applicable)		

SECTION III – PLACE WHERE THE CHILD IS THOUGHT TO BE, ETC.

Section III Part 1 (use a separate sheet if more than one person)

Person thought to be with the child

Family name, first name(s) & <i>alias</i>		
Relationship to the child (please put a "x" in the selected <input type="checkbox"/>)		
<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Other (please specify) _____		
Description (continue on a separate sheet if necessary) (e.g. weight, height, etc.)		
Child's current whereabouts (address, tel. & fax numbers, email address, etc., if known)		
Remarks (if any, and continue on a separate sheet if necessary)		
If the person is the mother or father of the child, go to Section III Part 2.		
Date of birth		Place of birth
dd mm yyyy 		
Address		Telephone number(s)
		Home:
		Office:
		Mobile:
Nationality	Identity and travel document(s) and number(s) thereof	
Language/dialect	Fax number(s)	Email address(es)
Occupation, name and address of employer (if applicable)		

Section III Part 2 – Other person(s) who might be able to supply additional information relating to the whereabouts of the child (if applicable)

Please state the contact details here (continue on a separate sheet if necessary) –

SECTION IV – RESIDENCE OF THE CHILD BEFORE WRONGFUL REMOVAL OR RETENTION

Please state the details here (e.g. who has the child been living with since birth? In which country(ies) and in which years?) (continue on a separate sheet if necessary) –

SECTION V – TIME, PLACE, DATE & CIRCUMSTANCES OF THE WRONGFUL REMOVAL OR RETENTION

Please state the details here (continue on a separate sheet if necessary) –

SECTION VI – FACTUAL AND LEGAL GROUNDS JUSTIFYING THE REQUEST

Please state the details here (e.g. who has legal custody right over the child? Who had actual day to day care of the child before the wrongful removal or retention? Please provide details and copies of any relevant court order or agreement on custody or access, applicable law, etc., if available) (continue on a separate sheet if necessary) –

SECTION VII – DETAILS OF CIVIL PROCEEDINGS IN PROGRESS RELATING TO THE CHILD

Please state the details here (e.g. custody proceedings, wardship proceedings, divorce proceedings) (continue on a separate sheet if necessary) –

SECTION VIII – PERSON TO WHOM AND PLACE TO WHICH THE CHILD IS TO BE RETURNED

Family name, first name(s) & *alias* of individual OR name of institution

Relationship to the child (please put a “x” in the selected)

Mother Father Other (please specify) _____

Address (must be in the State or territory of the child's habitual residence)

Proposed arrangement for return of the child (please put a "x" in the selected)

Applicant to accompany the child personally

Other arrangements (please specify)

If the person is the mother or father of the child or the Applicant, go to Section VIII.

Date of birth (if applicable) dd mm yyyy 	Place of birth (if applicable)
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Nationality (if applicable)	Identity and travel document(s) and number(s) thereof (if applicable)
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Language/dialect	Telephone number(s) Home: Office: Mobile:	Fax number(s)	Email address(es)
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Occupation, name and address of employer (if applicable)

SECTION IX – OTHER RELEVANT INFORMATION

- (a) Is the person thought to be with the child likely to flee with the child once alerted of the Request for Return under the Hague Convention?

Yes / No

- (b) Does the person thought to be with the child have any history of mental illness or personality disorder? If yes, please give more information on a separate sheet about his/her mental condition (if known) including what medication, if any, he/she is on?

Yes / No

- (c) Has the child been subject to any abuse by the person thought to be with him/her in the past? If yes, please elaborate on a separate sheet.

Yes / No

- (d) Is the child suffering from any illness or disability? If yes, please elaborate on a separate sheet.

Yes / No

- (e) Is the person thought to be with the child likely to agree to return the child voluntarily (i.e. through negotiations, mediation, etc.) without resorting to court proceedings?

Yes / No

- (f) Would the Applicant prefer to have the child placed under the temporary care of child protection agencies pending return? If yes, please give reasons on a separate sheet.

Yes / No

- (g) Please set out any further information which the Central Authority of Hong Kong should know in handling the Request for Return. (continue on a separate sheet if necessary)

- (h) Do you need to apply for legal aid for Hong Kong proceedings? If yes, your request will be forwarded to the Legal Aid Department for follow-up action. In order to qualify for legal aid, you have to pass the merits test and the means test.

Yes / No

SECTION X – LIST OF DOCUMENTS ATTACHED TO THIS FORM

(please put a “x” in the selected)

- Recent photograph of the child
- Recent photograph of the person thought to be with the child
- Copy of the marriage certificate of the child’s parents
- Copy of the divorce decree nisi/absolute of the child’s parents
- Authenticated copy of the custody or access order (or agreement) relating to the child
- Copy of the child’s birth certificate
- Copy of the child’s identity card(s)/travel document(s)
- Copy of identity card(s)/travel document(s) of the person thought to be with the child
- Others (please specify) _____

SECTION XI – AUTHORIZATION

I confirm that the information above are true and correct to my best knowledge.

I hereby authorize [the Central Authority of _____ and]*
the Central Authority of the Hong Kong Special Administrative Region of the People’s
Republic of China under the Hague Convention on the Civil Aspects of International
Child Abduction, to act on my behalf with respect to my application for the return of
the child _____.

(Signature of the Applicant)

Name:

Date:

HKID Card No./Passport Type and No.:

Signed for and on behalf of the

Central Authority of

Date:

* applicable when assistance is sought from a Central Authority outside the HKSAR

A “Request for Return of Child” Form should be completed in English (Form DJ-C30(E)) or Chinese (Form DJ-C30(C)). These two languages are the official languages of Hong Kong. Any communication or document sent to the Central Authority of Hong Kong that is not in English or Chinese should be accompanied by an English or Chinese translation or only where that is not feasible, a French translation. However, if communications or documents in French are sent, it may take longer for us to process your application due to the need to have them translated.

Personal Information Collection Statement
pertaining to the “Request for Return of Child” form

The personal data collected in this “Request for Return of Child” form will be used by the Central Authority of Hong Kong –

- to assess whether the requirements under the Hague Convention on the Civil Aspects of International Child Abduction (“the Convention”) and the Child Abduction and Custody Ordinance (Cap. 512) are fulfilled; and
- if the Central Authority of Hong Kong accepts your application, to assist you in accordance with the Convention.

Your personal data in this “Request for Return of Child” form are regarded as mandatory. Failure to provide these data may affect the processing of your application. Throughout the course of providing assistance to you, the Central Authority of Hong Kong may collect further personal data from you to facilitate the procedures under the Convention.

The personal data collected may be passed to –

- Hong Kong courts;
- your legal representatives;
- other parties involved in the relevant proceedings and their legal representatives;
- other appropriate authorities/organizations in Hong Kong (including but not limited to the Hong Kong Police, Immigration Department, Social Welfare Department and Legal Aid Department);
- International Criminal Police Organization (i.e. the Interpol); or
- the Central Authorities, judicial or administrative authorities or other appropriate authorities/organizations in other Contracting States or territories to the Convention, for the above mentioned purposes.

It is our policy to retain all personal data collected for record purposes.

Under the Personal Data (Privacy) Ordinance (Cap. 486), you have a right to request access to, and to request correction of, your personal data in relation to this application. If you wish to exercise these rights, please contact the Central Authority of Hong Kong as follows –

c/o International Law Division
(Mutual Legal Assistance Unit)
Department of Justice
47/F, High Block
Queensway Government Offices
66 Queensway, Hong Kong
Fax: 2523 7959 / 2877 9585
Email: childabduct@doj.gov.hk