



REQUEST FOR ASSISTANCE IN THE EXERCISE OF RIGHTS OF ACCESS

**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 organizing and securing the effective exercise of rights
of access under Article 21 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

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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 dd mm yyyy <table style="margin-left: 100px; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 30px; height: 20px;"></td> <td style="border: 1px solid black; width: 30px; height: 20px;"></td> <td style="border: 1px solid black; width: 30px; height: 20px;"></td> </tr> </table>				Place of birth	
Address of habitual residence					
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 dd mm yyyy 	Place of marriage
Date of divorce (if applicable) dd mm yyyy 	Place of divorce (if applicable)
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) & <i>alias</i> 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 dd mm yyyy 	Place of birth (if applicable)	
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 IV – CIRCUMSTANCES OF THE INFRINGEMENT OF ACCESS RIGHTS

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

SECTION V – FACTUAL AND LEGAL GROUNDS JUSTIFYING THE REQUEST

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

(e.g. court order or agreement on custody or access, applicable law, etc. Please provide copies if available.)

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

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

SECTION VII – PROPOSED ARRANGEMENT FOR ACCESS

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

SECTION VIII – LEGAL AID

Do you need to apply for legal aid for Hong Kong proceedings? In order to qualify for legal aid, you have to pass the merits test and the means test.

Yes / No

SECTION IX – LIST OF DOCUMENTS ATTACHED TO THIS FORM

(please put a “x” in the selected)

- Recent photograph of the child (only if his/her whereabouts are not known)
- Recent photograph of the person infringing access rights (only if his/her whereabouts are not known)
- 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 infringing access rights
- Others (please specify) _____

SECTION X – 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 access 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 Assistance in the Exercise of Rights of Access” Form should be completed in English (Form DJ-C31(E)) or Chinese (Form DJ-C31(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 Assistance in the
Exercise of Rights of Access” form**

The personal data collected in this “Request for Assistance in the Exercise of Rights of Access” 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 Assistance in the Exercise of Rights of Access” 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