1. Record Nr. UNINA9910159432603321 Autore Walker Lara **Titolo** Maintenance and child support in private international law / / Lara Walker Pubbl/distr/stampa Oxford:,: Hart Publishing,, 2015 **ISBN** 1-5099-0355-0 1-4742-0257-8 Descrizione fisica 1 online resource (350 pages): illustrations Collana Studies in private international law Disciplina 346.015 Soggetti Family law Private international law Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Nota di bibliografia Includes bibliographical references and index. Nota di contenuto 1. Introduction -- I. Introduction -- II. Aim and Structure -- III. Methodology -- IV. Approach: Pragmatism -- V. 'Maintenance' as a Concept -- VI. Conclusion -- 2. History of the Recovery of Maintenance from Abroad -- I. Introduction -- II. First Steps-A Regime for the UK and His Majesty's Dominions -- III. The First International Regime -- IV. The Regime Established by the Hague Conference -- V. Recovery of Maintenance in Europe -- VI. The Initial Impact of the Regulation -- VII. Conclusion -- 3. Scope: Maintenance Regulation -- I. Introduction -- II. Relationships the Regulation Applies to -- III. Characterisation -- IV. Conclusion -- 4. Scope: The 2007 Hague Convention -- I. Introduction -- II. Child Support -- III. Spousal Support -- IV. Other Forms of Maintenance -- V. Conclusion -- 5. Jurisdiction -- I. Introduction -- II. Jurisdiction in EU Family Law -- III. General Grounds of Jurisdiction --IV. Lack of Coherence and Possible Solutions -- V. Choice of Court --VI. Jurisdiction Based on the Appearance of the Defendant -- VII. Subsidiary Jurisdiction and Forum Necessitatis-No Room for National Law -- VIII. Limits on Bringing Proceedings -- IX. Conclusion -- 6. Hague Protocol on Applicable Law -- I. Introduction -- II. Scope -- III. Law Applicable -- A. General Rule -- B. Special Rules -- C. Choice of

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Sommario/riassunto

"No one would dispute that the duty to provide for those that you have a legal and moral obligation to support is very important. With the movement and migration of people both within Europe and globally there are more and more families and relations who live in different states. Therefore it is imperative that suitable and workable methods exist to create maintenance obligations and then secure the transfer of funds, particularly from abroad. In this book the provisions in EU Maintenance Regulation no 4/2009 and the Hague Maintenance Convention of 2007 are analysed in order to discover what developments and therefore potential improvements have been made in relation to the recovery of maintenance from abroad. It also includes an empirical study on the first year of operation of the Maintenance Regulation. Data collected has been analysed in order to supplement the critique of the instruments. The information and analysis is used to suggest suitable solutions for the future which include, amendments to the Regulation and recommendations for best practice."--Bloomsbury Publishing.