

TITLE VI

APPLICATIONS FOR INQUIRY - PROTECTION OF MINORS AND OF ALIMENTARY CREDITORS

1. The Central Authorities may, as an act of judicial mutual aid, if nothing prevents it, address to each other requests for information or applications for inquiry within the scope of civil or commercial proceedings of which their judicial authorities are seized and, in particular, transmit to each other, free of charge, copies of judicial decisions.

2. Within the scope of proceedings respecting the custody or protection of minors, the Central Authorities

(a) communicate to each other, at each other's request, any information concerning measures taken for the custody or protection of minors, the carrying into effect of such measures and the material and moral situation of such minors;

(b) lend each other mutual aid in locating in their territory and obtaining the voluntary return of displaced minors, where the right of custody has simply been ignored;

Where the right of custody is disputed, the Central Authorities refer it urgently to their competent authority to take the necessary measures of protection and to decide the application for the return of the minor, taking into account all the elements of the case, particularly the decisions and measures already taken by the French or Québec judicial authorities.

(c) cooperate with a view to arranging visiting rights for the benefit of the parent who does not have custody, and to ensuring respect of the conditions imposed by their respective authorities for the carrying out and free exercise of these visiting rights, as well as the undertakings of the parties in regard to that parent.

3. Within the scope of proceedings concerning the recovery of maintenance abroad, the Central Authorities lend each other mutual aid in locating and hearing alimentary debtors staying in their territory and in obtaining the voluntary recovery of alimentary pensions.