

Child Support in Kazakhstan

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Agenda

- Substantive issues
- Procedural questions
- Private international law issues
- Hague Maintenance Convention and Protocol of 2007

Substantive Issues

- Alimony - monetary or material maintenance, which one person is required to give to another person who is entitled to receive it (Family Code, Art. 1(4))
- Requirements to claim maintenance
- Age of children
- Securing the debtor's subsistence (Family Code, Art. 168)
 - a. Income
 - b. Monetary assets from bank accounts
 - c. Any property

Guidelines to Calculate Child Support

Recovery of Maintenance in the
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Family Code, Art. 139

1 child	1/2 of income
2 kids	1/3 of income
3 or more kids	1/4 of income

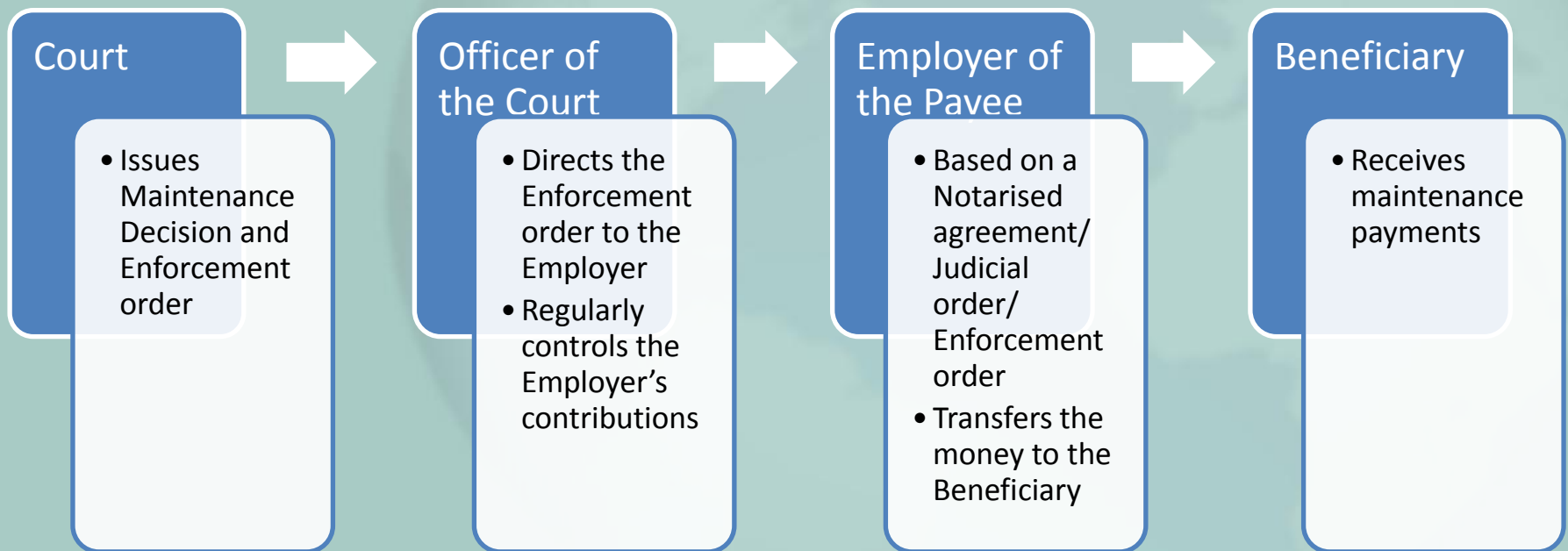
Support by Public Sector in Place of Child Support

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- Birth benefits

Enforcement of Maintenance Decisions

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Access to Procedure and Information

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- Access to procedure
 - a. Paid legal assistance (attorney, etc.)
 - b. Free legal assistance (forums online, official website of the Ministry of Justice etc.)
- Access to information on assets of debtor
 - a. Through an Officer of the Court
 - b. ~~Via State organs~~

Private International Law and Child Support

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- Jurisdiction rules
- Applicable law
- Recognition and enforcement of foreign judgments, authentic instruments and other maintenance agreements

The Hague Maintenance Convention

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- Current plans to ratify the Convention and Protocol 2007?
- Any preliminary measures taken?

Further Information

- Family Code - Code of the Republic of Kazakhstan “On Marriage (Matrimony) and Family” of 26 December 2011 in force since 18 January 2012
- Ministry of Justice website:
<http://www.adilet.gov.kz/en/node/33914>
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Questions?