

IN THE PROVINCIAL COURT OF NEWFOUNDLAND AND LABRADOR
COURT CENTRE: _____
Court File No. _____

CONSENT ORDER FOR CHILD SUPPORT

BETWEEN: _____ APPLICANT
AND: _____ RESPONDENT

BEFORE the Honourable Judge _____ the _____ day
of _____, A.D., 20____;

1. **WHEREAS** the _____ (Applicant or Respondent), _____
(name), is seeking support pursuant to the Family Law Act, RSNL1990 cF-2, as amended, for the child/ren:
(List the full name, date of birth and place of birth for each child for whom support will be payable.)

- 1. _____ DOB _____ at _____
- 2. _____ DOB _____ at _____
- 3. _____ DOB _____ at _____
- 4. _____ DOB _____ at _____

OR (in the case of a variation application)

1. **WHEREAS** by an Order made by the _____ Court at
_____ in the Province of _____ on the _____ day of
_____, the _____ (Applicant or Respondent),
_____ (insert name), was ordered to pay support to the _____
(Applicant or Respondent), _____, (insert name) for the child/ren: (List the full name, date
of birth and place of birth for each child to whom the Order pertains.)

- 1. _____ DOB _____ at _____
- 2. _____ DOB _____ at _____
- 3. _____ DOB _____ at _____
- 4. _____ DOB _____ at _____

2. **AND WHEREAS** the Parties have reached an agreement with respect to child support as set out in
this Order;

3. **IT IS HEREBY ORDERED** that _____ (name of person who will pay support)
based on gross annual income of \$ _____ for 20_____, shall pay support to
_____, (name of person who will receive support) for the child/ren listed above
in the amount of \$ _____ per month, based on the child support tables for the
Province of _____ (If the amount is more than or less than the appropriate guideline
table amount, explain why, i.e. by consent, allowing for undue hardship, shared custody arrangement, etc.

_____), such amount
to be payable as follows: _____

_____ (Describe
when and how the payment is to be made, i.e. the first or last day of each month or in two equal instalments on the 15th and
last of each month, etc.) starting _____, 20_____, (date of first payment)
pursuant to the Family Law Act, RSNL1990 cF-2, as amended.

4. **IT IS FURTHER ORDERED** that all amounts owing under this Order shall be paid directly to the Director of Support Enforcement for the benefit of the child/ren at:

Support Enforcement Program
P.O. Box 2006
Corner Brook, NL
A2H 6J8

Telephone
(709)637-2608

unless this Order is withdrawn from the Director of Support Enforcement in accordance with Section 7(1) of the Support Orders Enforcement Act, 2006, SNL2006 cS-31.1.

5. **IT IS FURTHER ORDERED THAT** the amount of child support ordered shall be reviewed each year and, where necessary, will be recalculated by the Recalculation Office in accordance with the *Administrative Recalculation of Child Support Regulations*.

COMMENCEMENT DATE OF CHILD SUPPORT:

- (a) The commencement date of child support pursuant to this order is the ____ day of (month) _____ of (year) _____.

REVIEW DATE:

- (b) The child support amount will be reviewed one year after the date set out in clause (a) above. The next review date for the child support obligation is the ____ day of (month) _____ of (year) _____.

INCOME INFORMATION REQUIREMENTS AND DUE DATE:

- (c) The person required to pay child support must provide the following income information to the Recalculation Office:
- (i) Personal income tax return for the most recent taxation year; and
 - (ii) Notice of assessment and any reassessments for the most recent taxation year; or
 - (iii) other document(s) acceptable to the Recalculation Office.
- (d) The income information must be provided to the Recalculation Office ***not later than 45 days before the review date*** at:

Recalculation Office
9th Floor, Sir Richard Squires Building
P.O. Box 2006, Corner Brook, NL A2H 6J8
Tel: (709) 634-4172 / Fax: (709) 634-4155
E-mail: recalculation@gov.nl.ca

RECALCULATION – WHERE INCOME INFORMATION IS PROVIDED

- (e) If satisfactory income information is received by the Recalculation Office at least 45 days before the review date, the Recalculation Office will issue a Recalculation Notice setting out the proposed recalculated child support amount.
- (f) If, as a result of the recalculation, the amount of child support would increase or decrease less than \$5.00 per month, the Recalculation Office will not recalculate the amount of child support. The Recalculation Office will notify the parties that there will be no change for that year.

RECALCULATION – WHERE INCOME INFORMATION IS NOT PROVIDED

- (g) If satisfactory income information is not received by the Recalculation Office at least 45 days before the review date, the Recalculation Office will issue a Recalculation Notice setting out the proposed recalculated child support amount. This amount will be:

- (i) the income amount on which the most recent child support order or Recalculation Notice was based; plus
- (ii) 20% of the payor's income as determined under (g)(i) above.

EFFECTIVE DATE OF RECALCULATED AMOUNT

- (h) Unless a Notice of Objection is filed, the recalculated amount of child support stated in the Recalculation Notice will come into effect on the date set out in the Recalculation Notice. The Recalculation Office will file a copy of the Recalculation Notice with the court that made the child support order and the Support Enforcement Agency.
- (i) The recalculated amount of child support is payable to the Support Enforcement Agency:

Support Enforcement Division
2nd Floor, Sir Richard Squires Building
P.O. Box 2006, Corner Brook, NL A2H 6J8
Tel: (709) 637-2608

OBJECTION TO RECALCULATION

- (j) If a party objects to the change in child support amount in the Recalculation Notice, the party must file a Notice of Objection with the court that made the child support order. The party must also provide a copy of the Notice of Objection to the Recalculation Office.
- (k) The Notice of Objection must be filed within 30 days after the Notice of Recalculation is deemed to be received.
- (l) If a Notice of Objection is filed, no change shall be made to the amount of child support payable unless:
 - (i) a court order is made at the conclusion of the objection hearing; or
 - (ii) the Notice of Objection is withdrawn before the objection hearing, in which case the recalculated amount of child support is considered to have come into effect on the date set out in the Recalculation Notice.

CHANGE OF CONTACT INFORMATION

Parties must notify the Recalculation Office of any change to their mailing address, email address, telephone number, or fax number within 10 days of the change.

FILED at _____ in the Province of Newfoundland and Labrador this _____ day of _____, A.D, 20_____.

Judge/Clerk

I, _____, (**Applicant**) agree to the terms of this Order and I consent to it being filed with the Court.

Signed at _____ in the Province of _____
this _____ day of _____, 20_____.

Applicant's signature

Witness to Applicant's signature (A Commissioner for Oaths, Justice of the Peace, Notary Public or other person authorized to administer oaths)

I, _____, (**Respondent**) agree to the terms of this Order and I consent to it being filed with the Court.

Signed at _____ in the Province of _____
this _____ day of _____, 20_____.

Respondent's signature

Witness to Respondent's signature (A Commissioner for Oaths, Justice of the Peace, Notary Public or other person authorized to administer oaths)