
**ONTARIO INTRODUCES ADMINISTRATIVE CALCULATION SERVICE FOR
CHILD SUPPORT**

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On July 14, 2014, as part of the 2014 Ontario Budget, “Building Opportunity Securing Our Future”, the Minister of Finance introduced the provincial Bill 14, An Act to implement Budget measures and to enact and amend various Acts. On July 24, 2014, Bill 14 received royal assent in the Legislative Assembly of Ontario.

Of particular importance to family law are schedules 9, 10, and 22 which resulted in significant amendments to Ontario’s child support legislation primarily by establishing processes for calculating or recalculating child support obligations administratively through a child support calculation service established by the Government, rather than going to court, in re-enacted section 39 and new section 39.1 of the Family Law Act.

Under this service, parents of a child may apply for the calculation of child support provided that there is not already an enforceable child support obligation respecting the child under a court order or a domestic contract filed with the court. Child support amounts are then calculated by the service in accordance with the Child Support Guidelines and the parents’ income information. Notices of calculation created through the service will be treated as if they are court orders for the purposes of enforcement by the Director of the Family Responsibility Office. Section 69 of the Family Law Act is amended to provide for a regulation-making authority to set fees for calculations as well as to exempt persons from payment.

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For recalculation of child support purposes, if any party to a court order believes that the income information on which the court order was based has changed, the party may apply for the recalculation of the child support by this service. This also applies to recalculation of child support amounts under notices of calculation or under domestic contracts that are filed with a court.

The amendments to the Ministry of Revenue Act provide that the Minister may enter into an agreement with Canada Revenue Agency providing for the disclosure of information to, and the collection of information by, the Minister for purposes of carrying out this service.

These amendments can be found in the Family Law Act, the Family Responsibility and Support Arrears Enforcement Act, 1996 and the Ministry of Revenue Act.

More details on these and other amendments found in the Budget and Bill 14 are available at:

<http://www.fin.gov.on.ca/en/budget/ontariobudgets/2014/>

http://www.ontla.on.ca/bills/bills-files/41_Parliament/Session1/b014ra.pdf



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