

Something new...

# CHILD SUPPORT

## GUIDELINES

Kids  
come  
first



Department of Justice  
Canada

Ministère de la Justice  
Canada

Canada

---

## 10 things you should know about the Federal Child Support Guidelines

1. The Federal Child Support Guidelines came into effect on May 1, 1997. They include the rules for how to calculate the amount of child support, as well as a table of awards for each province and territory.
2. The Guidelines are part of the federal *Divorce Act*. They apply to parents who get a divorce that includes a child support order and to parents who want to change a child support order made under the *Divorce Act*. The federal Guidelines do not apply to married or unmarried parents who separate under provincial or territorial law, but who do not divorce, because these situations do not fall under federal jurisdiction.
3. The Guidelines do not automatically change an existing child support arrangement. However, anyone with a child support order made under the *Divorce Act* before May 1, 1997, has a right to renegotiate child support payments or ask the court for a new child support order.
4. The Guidelines require parents to provide complete, accurate information about their income. Full income disclosure is necessary for the Guidelines to work properly.

---

5. The amounts for child support in the Guidelines take into account the average cost of raising a child.

6. The Guidelines set out the amount the parent paying child support should pay. The amount is a fixed percentage of the person's income before taxes, and depends on the number of children for whom child support is being determined. The Guidelines recognize that the custodial parent also contributes a similar percentage of his or her income to the needs of the child or children, because the standards of living of the custodial parent and child are inseparable.

7. There are separate federal child support tables for each province and territory to reflect slight differences in taxes in different parts of the country.

- When both parents live in the same province or territory, and that province or territory *does not* have its own child support guidelines, the federal table for that province or territory should be used to find the amount of child support.
- When both parents live in the same province or territory and that province or territory *does have* its own child support guidelines, those provincial or territorial guidelines apply.

- 
- When the parents live in two different provinces or territories, they will use the federal table of the province or territory where the person paying support lives, even if there are provincial or territorial guidelines.

**8.** Under the Guidelines, child support amounts can be adjusted to recognize a child's special expenses or to prevent financial hardship for a parent or child in extraordinary circumstances. For example, more child support might be appropriate to cover child care costs where these costs are reasonable and necessary. Or, less child support might be appropriate where the paying parent has a new family and has a lower standard of living than the parent receiving child support.

**9.** Under the Guidelines, parents will continue to have the opportunity to negotiate out of court the child support payments that they feel best meet the needs of their child or children. When their agreement goes to court, the judge will simply refer to the Guidelines to make sure that the amount of child support is reasonable.

**10.** When parents go to court to ask a judge to decide the amount of child support under the *Divorce Act*, the judge must follow the Guidelines.

The Federal Child Support Guidelines set the amount of child support that a support-paying parent should pay. The amount depends on that parent's income, the number of children and the province or territory where the parent lives.

The Guidelines make the calculation of child support fair, predictable and consistent.

**Child Support Guidelines -  
in the best interests  
of children**

## **If you would like more information about the Federal Child Support Guidelines...**

- The Department of Justice Canada has a toll-free number for information on the Guidelines. On request, we would be pleased to send you more detailed information as it becomes available. Call 1-888-373-2222. In the National Capital Region, call 946-2222.
- The Department of Justice Canada's publications on child support are available on the Internet. The address is: <http://canada.justice.gc.ca>
- We cannot give you legal advice. For advice on exactly how the Guidelines apply to your personal situation, you may wish to speak to a lawyer.