<u>RECALCULATION CLAUSE</u> – effective April 1, 2007, for use in relation to the guideline table amount of child support only in accordance with the *Child Support Service Regulations*, NLR 31/07.

The amount of child support ordered shall be reviewed annually and, where necessary, recalculated as follows:

(a) On or before the day of of each year commencing , the person paying child support shall provide the Recalculation Office at:

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

telephone:
(709)634-4172

with a copy of his/her Income Tax Return and Notice(s) of Assessment (or other documents acceptable to the Recalculation Office) for the previous year for review and possible recalculation of child support pursuant to the Child Support Service Regulations, NLR 31/07, using the applicable table for the child support amount.

(b) If the recalculation results in a difference of five dollars or more per month in the amount of child support, the Recalculation Office shall recalculate the amount of child support payable and provide notice to each Party of the intended change in child support by registered mail.

(c) If either Party objects to the change in child support payable, he/she must apply to the court that made the order by completing and filing a Notice of Objection within 30 days after receipt of the Notice of Recalculation provided to him/her by the Recalculation Office. If a Notice of Objection is filed, no change shall be made to the amount of child support payable except by court order. If no Notice of Objection is filed, the recalculated amount will be effective 31 days after the Recalculation Office receives confirmation that notice was provided to all parties and an order has been issued by the court. The new amount of child support shall then be payable to and enforceable by the Support Enforcement Program.

(d) In the event of a change in address or telephone number, the parties shall notify the Recalculation Office within 30 days of such change.

(e) The Recalculation Office shall have access to addresses and telephone information maintained by the Support Enforcement Program.

(f) If an Income Tax Return and Notice of Assessment (or other documents acceptable to the Recalculation Office) for the previous year are not provided to the Recalculation Office as required by this Order, the Recalculation Office shall recalculate the amount of child support payable on the basis that the income of the person required to pay child support shall be considered to be the sum of

(i) the person's income for the most recent preceding year in which

(A) the person's income information was provided to the Recalculation Office under the child support order, or

(B) a recalculation order was issued in respect of the child support order, as determined using the person's income information or the amount of the income set out in the recalculation order; plus

(ii) 10 percent of the person's income as determined under paragraph (i),

and, using the applicable table to determine the child support amount.

(g) Any recalculated amount of child support shall be payable to the Support Enforcement Program as is otherwise stated in this order.