

RECALCULATION CLAUSE - Effective March 1, 2018, for use in relation to the *Guidelines* table amount of child support only in accordance with the *Administrative Recalculation of Child Support Regulations*, under the *Family Law Act*.

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.

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.