

Why do I have to pay support?

It is your legal obligation to do so.

When couples separate and/or divorce, or have a child together, the court may order one person to make payments to the other in order to support their child (child support) or to support the other person (spousal support). You may also enter into an agreement with the other parent/former spouse that one will pay child or spousal support to the other. If you are ordered to pay support by the court or you have entered an agreement to pay support, then you are legally obligated to pay that support.

Once a support order has been issued and registered with the Family Support Program at the Family Support Office, as a payer, you will be notified that you are now to make all support payments to that office.

If you get behind in your payments, action may be taken by the Family Support Program staff. If you are unable to make your payments, please contact the Family Support Office to make other arrangements for payment.

What if I change jobs?

If you change jobs, or lose your job, you should call the Family Support Office as soon as possible. It is important to tell them about your new job to ensure that your payments continue and are not delayed.

What happens if I don't make payments?

If you don't make your support payments or if you only pay part of a payment, the Family Support Office may take action to enforce the support order.

The Family Support Program staff can do any of the following:

- have money taken from the your wages or other income (called a wage attachment)
- garnish federal money (eg. Employment Insurance, Income Tax)
- Require you to file a financial statement with the court
- bring you to court to explain why you are not paying
- request to the court that you serve a jail term.

If you are having problems paying your support, you should contact the Family Support Office immediately to make other arrangements to pay.

Where should I send my support payments?

DO NOT send them directly to the recipient. All support payments must be made directly to the Family Support Program. The staff will then send the monies to the recipient. The office is located in Iqaluit – PO Box 297 in the Nunavut Justice Centre, tel (867) 975-6112.

Definitions.

Family Support Program

This program used to be called the Maintenance Program. Although the name has changed, the role of the program stays the same. The purpose of the Family Support Program is to ensure that child and spousal support payments are paid. The Program is run out of the new Family Support Office at the Courthouse (Arnakallak Building) in Iqaluit. One of the things that the Family Support Office is responsible for is the collection of money for you (as recipient).

Family Support/ Maintenance

Family support obligations arise when couples separate and/or divorce, or when people have a child together.

You may be entitled to support for you and/or your child(ren):

- when there is a court order stating that the other parent pay child support to you for his/her child(ren). This is regardless of whether or not you were married or living common-law at anytime during your relationship with the other parent
- if there is an order by the court for your former spouse to pay you money. This is called spousal support.
- if you have entered an agreement with the other parent/former that she/he will make support payments to you.

Payer

This is the person who has to pay the support. If you have an order to pay child or spousal support, then you are the payer.

Recipient

This is the person who is to receive the support payments.

Support Order

Support orders can also be called maintenance orders. A support order is a court order, or a written agreement, which requires the payer to pay a specific amount of money on specific dates to a payer for child and/or for a spouse.

One of the functions of the Family Support Program is to assist the recipient in obtaining support payments. In order to do this, the Family Support Program staff have different powers to try to collect (or enforce) the support order. steps are usually taken when payments are not made or when the payer is in arrears.

Arrears

It is the amount of support payments that the payer has missed and owes to the recipient.