

AGREEMENT TO CHANGE SUPPORT OBLIGATIONS INSTRUCTIONS

The *Family Support Enforcement Act* allows for a support payor and support recipient to enter into an agreement to change the support obligations under a support (court) order.

Completing the Agreement:

Child Support:

The agreement must be in the form approved by the director and include the following information:

- The name of the support payor and support recipient;
- The prior support order being changed and its date;
- The income of the support payor;
- The income of the support recipient if required by the director (i.e. if there is shared custody or shared Section 7 expenses)
- A description of the changes being made, including the commencement date of the changes, any new support amount, any changed frequency in required payments and other details necessary for enforcement;
- A statement that the agreement may be filed with the director for enforcement.
- Both parties must sign the Agreement in front of a witness
- Either party to the agreement may file it with the director.

Spousal Support:

The agreement must be in the form approved by the director and include the following information:

- The name of the support payor and support recipient;
- The prior support order being changed and its date;
- A description of the changes being made, including the commencement date of the changes, any new support amount, any changed frequency in required payments and other details necessary for enforcement;
- A statement that the agreement may be filed with the director for enforcement.
- Both parties must sign the Agreement in front of a witness
- Either party to the agreement may file it with the director.

NOTES:

An agreement may not be made if the support recipient is receiving Employment & Income Assistance (EIA) benefits and the support payments have been assigned to EIA.

Cost Recovery Fees changes cannot be included in the agreement.

The agreement is only for support obligations and cannot include any instructions for suspension of enforcement actions or changes to arrears that were set by a court order.

Cancelling the Agreement:

The agreement can be cancelled either:

- By filing an Cancellation of Agreement to Change Support Obligations
- By a court order

Written notice of the cancellation must be given to the director who may resume enforcement of the prior support (court) order effective the date MEP receives the form.

Additional Information:

Forms are available on www.manitoba.ca/justice/courts/mep/index.html :

Agreement to Change Child Support Obligations

Agreement to Change Spousal Support Obligations

Cancellation of Agreement to Change Support Obligations

Notice of the Agreement and/or Notice of Cancellation of the Agreement will be provided to the Child Support Recalculation Services and Manitoba Court of King's Bench.

Federal Government website: <https://laws-lois.justice.gc.ca/eng/regulations/SOR-97-175/>

Manitoba Child Support Calculator: <https://www.childsupportcalculator.ca/manitoba.html>