

# Statutory Declaration

**Maintenance Enforcement Program** Telephone: 204-945-7133  
100-352 Donald St Winnipeg, MB R3B 2H8 Facsimile: 204-945-5449  
ManitobaMEPinquiries@gov.mb.ca Toll free in Canada: 1-866-479-2717

**BETWEEN:** \_\_\_\_\_ Creditor/Payee  
*(Person who receives maintenance)*  
- and -  
\_\_\_\_\_ Debtor/Payor  
*(Person who pays maintenance)*

## Statutory Declaration

I, \_\_\_\_\_, of \_\_\_\_\_, in the Province  
*Full name of person declaring* *Name of city or town*  
of Manitoba, MAKE OATH AND SAY:

1. THAT on \_\_\_\_\_ the above-named debtor was ordered  
*Order (or Agreement) date*  
to pay maintenance for \_\_\_\_\_  
*Name(s) for whom maintenance is required*  
in the sum of \$ \_\_\_\_\_  
*Amount of maintenance payment (include expenses, if any)* *Payment cycle*

2. THAT I have not lost my right to apply for the enforcement of the said Order.

3. THAT the maintenance payments are in arrears and the total sum owing to me is  
\$ \_\_\_\_\_, up to and including \_\_\_\_\_,  
*Total maintenance owing (as on attached Schedule)* *current date (date you are signing this document)*  
as described on the attached Schedule of Payments. The next maintenance payment is due  
on \_\_\_\_\_. Pursuant to the order indicated above, there are no other  
*date next payment due after signing*  
arrears that I will be requesting the MEP to collect on my behalf.

I, \_\_\_\_\_, do solemnly declare that the contents of this Statutory  
*Full name of person declaring*  
Declaration are true and I make this solemn declaration conscientiously believing it to be true.

**Pursuant to Section 55(3.1) of *The Family Maintenance Act*, any person who swears a false statutory declaration is guilty of an offence and liable on summary conviction to a fine of not more than \$2,000.00 or imprisonment for a term of not more than 90 days, or both.**

\_\_\_\_\_ before me in \_\_\_\_\_,  
*Sworn or Affirmed*  
in the Province of Manitoba, on the \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_  
*Creditor Sign here*

\_\_\_\_\_  
*(Witness)*  
Deputy Registrar, Notary Public,  
Commissioner for Oaths (commission expires \_\_\_\_\_)



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**The Program takes the position that any claim for support or expenses not included in this declaration will not be registered for enforcement.**

## Instructions for completing the Declaration

This is a two-page document. You will need to have a copy of your court order or agreement handy to complete the first portion of the declaration.

Print your name wherever "Creditor/Payee" or "Full Name of Person Declaring" is noted.

Print the debtor's name where "Debtor/Payor" is noted.

Print the date the maintenance order was granted, the dependant children's' names, maintenance amount and maintenance cycle (ex. Monthly, biweekly, semi-monthly) where indicated in number 1.

Enter the total amount of maintenance owing from the Schedule of Payments in Number 3:

To arrive at the total maintenance owing, you must complete the Schedule of Payments. On the Schedule of Payments, for the entire period of time you are claiming maintenance is owing to you, you must list each payment due and whether or not it was paid.

- Under **Due Date**, the full date each payment is due (the due date according to the order or agreement)
- Under **Amount Due**, the amount of each payment (the amount due according to the order or agreement)
- Under **Amount Received**, the amount that was paid to you (enter "zero" if not paid)
- Subtract the Amount Received from the Amount Due to arrive at the **Amount Owing**.
- Total the Amount(s) Owing to arrive at the **Total Maintenance Owing** at the bottom of the Schedule. Insert this amount at number three on the Declaration.

If your maintenance order includes more than one type of support (ex. Child maintenance and spousal maintenance) or specific expense amounts (ex. daycare fees) the amounts can be listed separately or as the total amount due for each due date.

Example of how to complete the Schedule of Payments:

DUE DATE	AMOUNT DUE	AMOUNT RECEIVED	AMOUNT OWING
April 1, 2012	\$275.00	\$0.00	\$275.00
April 15, 2012	\$275.00	\$100.00	\$175.00
May 1, 2012	\$275.00	\$75.00	\$200.00
<b>Total Maintenance Owing</b>			

Enter the due date for each payment you are claiming in this column.

Enter the amount of the payment that was due (from your order or agreement) for each due date.

Enter the amount you received from the debtor for each payment due.

Enter the amount left owing for each payment due (amount due – amount received).

Enter the total of all amounts entered in the "Amount Owing" column here and at #3 on the Declaration.

Use a second page, if necessary

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Insert total at #3	<b>\$650.00</b>
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Enter the date you are completing this Declaration and the date the next maintenance payment will be due where indicated in Number 3.

**Signing and witnessing the declaration:**

Once you have completed the declaration, it must be signed in front of a Commissioner for Oaths, Deputy Registrar or Notary Public.

You will need to attend at a lawyer's office to sign in front of a Notary Public. Commissioners or Registrars are available in all municipal offices, government offices, provincial courts, financial institutions, many insurance agencies and educational institutions.

Maintenance Enforcement Program