

Fact Sheet:
**Understanding Your Ongoing Income Disclosure Obligations
under the *Child Support Guidelines***

The provincial *Child Support Guidelines* (“the *Guidelines*”) have recently been amended. If you are paying child support you must give updated proof of your income to the other party each year, unless you have both agreed otherwise. In some cases, the person who receives support must also provide updated proof of income. This fact sheet answers some common questions about this change.

Q: How do I know if this obligation applies to me?

The new obligation under sections 24.1 and 25.1 of the *Guidelines* applies to all new child support orders or agreements. Unless you have agreed otherwise, the person paying support must provide the updated income information. The person receiving support is only required to provide updated information if his or her income was used to determine the amount of the child support payment (for example, in cases where extraordinary expenses for the children are shared).

Q: What information do I have to provide?

You must provide your last income tax return and notices of assessment and reassessment, if any.

Q: When do I have to provide this information?

You must provide this information within 30 days of the anniversary of the court order or agreement. If you have not yet received your notice of assessment or reassessment, you must provide it once it is available.

Q: Is this mandatory or can we make other arrangements?

It is mandatory unless you both agree in writing not to have this obligation apply. Even if you have made other arrangements for how you want to exchange income information, either party can still make a request once a year for the other party to give updated income information if it was relevant to the determination of child support, in accordance with section 25 of the *Guidelines*.

Q: How is the disclosure provided?

The information should be provided directly to the other party. If you are expecting to receive the information and have changed your address, tell the other party where you want them to send it. Do not file the updated information with the court or send it to the Family Responsibility Office.

Q: What can I do if the other party does not give me the information?

If you do not receive the other party’s income information when it is due, you can remind him or her of these obligations and ask when it will be available. If he or she refuses to provide you with the necessary documents, you can bring a motion to the court asking for an order for income disclosure and for your costs for bringing the motion.

Q: Does this new requirement apply to me if I have an existing child support order or agreement?

The new requirement also applies to existing child support orders, but not to existing agreements. If both parties to an existing support order agree, they can sign a written agreement so that these obligations do not apply.

Q: Where can I find out more about child support obligations and the *Guidelines*?

Additional information about child support is available on the Ministry’s website at:
www.attorneygeneral.jus.gov.on.ca/english/family/divorce/support/.