

Child Support

Looking After Your Children

What is child support?

Child support is the financial support paid by one parent to the other, to help with the costs of a child aged under 18.

Who has an obligation to pay child support?

The law says that both parents have a duty to support their children financially, whether they are biological (birth) or adoptive parents, same-sex or otherwise.

What is the Child Support Agency?

The Child Support Agency is part of the Department of Human Services, a Commonwealth Government agency. The Child Support Agency's role is to support separated parents to transfer payments for the benefit of their children.

Agreements

Can I and my partner come to an agreement about child support payments without going through the Child Support Agency?

Yes. You and your partner can enter into a child support agreement.

What type of child support agreement can I and my partner enter into?

There are two legal types of child support agreements:

- binding child support agreements; and
- limited child support agreements

You should always seek legal advice before making a child support agreement.

What can be included in the child support agreement?

The agreement can be about how much, and in what form child support should be transferred. You must give a copy of the agreement to the Child Support Agency.

Can my partner and I agree to an amount less than what Child Support Agency has/would have assessed?

Yes you can. If you agree to receive less child support, your Centrelink benefit will not be increased to make up for the smaller child support amount you have agreed to, and the Family Tax Benefit Part A will be paid at the same rate as if you were receiving a Child Support Agency's calculated amount.

What if we cannot come to an agreement?

If parents don't agree about child support, the Department of Human Services (Child Support) will assess how much child support should be paid.

Responsibility

How long will I be liable for child support?

Usually you are liable for child support until the child turns 18.

Can I be liable for child support even after the child turns 18?

Yes you may be liable if the child is studying or has a disability. In such case the child may be able to get adult child maintenance.

Can I ask the Child Support Agency to access child support without discussing it with my partner?

Yes you can.

Other Circumstances

Are there circumstances when I need not ask for child support from my partner?

Yes there are circumstance when you can be excused by Centrelink from applying for child support from the parent of the child. It is important to get legal advice.

As a grandparent caring for my grandchild can I obtain child support?

You can. You may be able to get child support payments from the child's parents. It is important to get legal advice about this before you apply.

What if mine or the other parent's circumstances have changed?

You should notify the Department of Human Services immediately of any change in circumstances that may affect your assessment, as some decisions cannot be backdated. Get legal advice.

Can I apply for change of the amount of child support I should be paying?

Yes you can ask for a change of your child support assessment by asking the Department of Human Services (Child Support) to review the amount of child support at any time, especially if:

- Your financial circumstances change
- The financial circumstances of the other parent change
- A new child is born
- Care arrangements change