Form 56A.25B

(rule 56A.25)

In the Supreme Court of Newfoundland and Labrador
Trial Division (General / Family)

Court No. _____

Court File No. _____

Central Divorce Registry No. _____ (if applicable)

Before the Honourable _____ Justice _____, this _____ day of

_____ , 20___.

BETWEEN: _____ APPLICANT

AND: _____ RESPONDENT

Consent / Interim Order

This proceeding coming on this day for hearing/case management/other, upon hearing

_____, counsel for the Applicant, and _____,

counsel for the Respondent, and reading the pleadings filed herein; and upon consent of the parties;

IT IS HEREBY ORDERED THAT pursuant to the *Family Law Act* / *Divorce Act* (Canada):

A.   **Child Support**

1.   The Applicant/Respondent, *(name of party)*_____, having

been found to have a *(year)*_____ gross annual income of $_____, shall pay to the

Respondent/Applicant, *(name of party)* _____, the sum of

$_____ a month for the support of the following children:

     1. _____, born _____;

     2. _____, born _____;

     3. _____, born _____;

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commencing *(date)*_____, and on the _____ day of each and every month thereafter.

2. *(Include other child support provisions, e.g. special expenses.)*

3. Pursuant to section 25 of the *Federal Child Support Guidelines* **(Canada)** or section 23 of the provincial *Child Support Guidelines Regulations*, the Applicant/Respondent shall provide to the Respondent/Applicant a copy of the Applicant/Respondent's income tax return and notice of assessment on or before June 1 each year, commencing in the year _____.

4. The amount of child support ordered shall be reviewed annually and, where necessary, recalculated as follows:

    a) On or before the _____ day of *(month)* _____ of each year commencing *(year)* _____, the person paying child support shall provide the Recalculation Office located at P.O. Box 2006, Corner Brook, NL, A2H 6J8, (telephone (709)634-4172, fax (709)634-4155) with a copy of his/her income tax return and notice(s) of assessment (or other documents acceptable to the Recalculation Office) for the previous year, for review and possible recalculation of child support pursuant to the *Child Support Service Regulations* using the applicable table for the child support amount.

    b) If the recalculation results in a difference of $5 or more per month in the amount of child support, the Recalculation Office shall recalculate the amount of child support payable and provide notice to each party of the intended change in child support by registered mail.

    c) If either party objects to the change in child support payable, he/she must apply to the court that made the order by completing and filing a Notice of Objection within 30 days after receipt of the Notice of Recalculation provided to him/her by the Recalculation Office. If a Notice of Objection is filed, no change shall be made to the amount of child support payable except by court order. If no Notice of Objection is filed, the recalculated amount will be effective 31 days after the Recalculation Office receives confirmation that notice was provided to all parties and an order has been issued by the court. The new amount of child support shall then by payable to and enforceable by the Support Enforcement Program.

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    d)   In the event of a change in address or telephone number, the parties shall notify the Recalculation Office within 30 days of such change.

    e)   The Recalculation Office shall have access to addresses and telephone information maintained by the Support Enforcement Program.

    f)   If an income tax return and notice of assessment (or other documents acceptable to the Recalculation Office) for the previous year are not provided to the Recalculation Office as required by this Order or by an agreement filed in accordance with subsection 65(5) of the *Family Law Act*, the Recalculation Office shall recalculate the amount of child support payable on the basis that the income of the person required to pay child support shall be considered to be the sum of

      (i)   the person's income for the most recent preceding year in which

         (A)   the person's income information was provided to the Recalculation Office under the child support order or agreement, or

         (B)   a recalculation order was issued in respect of the child support order or agreement, as determined using the person's income information or the amount of the income set out in the recalculation order; plus

      (ii)   10 % of the person's income, as determined under paragraph (i),

and using the applicable table to determine the child support amount.

    g)   Any recalculated amount of child support shall be payable to the Support Enforcement Program as is otherwise stated in this Order.

B.   Spousal Support

5.   *(Insert provisions where appropriate)*

C.   Support Enforcement

6.   All amounts owing under this Order shall be paid directly to:

Director
Support Enforcement Agency
P.O. Box 2006
Corner Brook, NL   A2H 6J8

This Order shall be enforced by the Director of Support Enforcement, unless withdrawn in accordance with section 5(1) of the *Support Orders Enforcement Act, 2006*.

Dated at _____, Newfoundland and Labrador this _____ day of _____, 20____.

Signature of Parties/Counsel

I, _____, counsel for the Applicant, consent to the form and filing of this Consent Order on behalf of the Applicant.

_____
Date

_____
Signature of Counsel

I, _____, counsel for the Respondent consent to the form and filing of this Consent Order on behalf of the Respondent.

_____
Date

_____
Signature of Counsel

OR

I, _____, the Applicant, agree to the form and the filing of this Consent Order.

SWORN TO OR AFFIRMED at _____ in the Province of Newfoundland and Labrador this _____ day of _____, 20____.

_____
Commissioner of Oaths/Justice of the Peace

_____
Signature

I, _____, the Respondent, agree to the form and the filing of this Consent Order.

SWORN TO OR AFFIRMED at _____ in the Province of Newfoundland and Labrador this _____ day of _____, 20___.

_____
Commissioner of Oaths/Justice of the Peace

_____
Signature

*(If a party objects to inserting his/her contact information in the Order, that party **must** separately file his/her current contact information with the court when the order is being filed)*

The contact information of the Applicant is:

Address:_____

_____

Telephone:_____

The contact information of the Respondent is:

Address:_____

_____

Telephone:_____