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Family Responsibility and Support Arrears Enforcement Act, 1996

S.O. 1996, CHAPTER 31

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Part I  
Interpretation

Interpretation

Definitions

**1** (1)  In this Act,

“contracting state” means a Contracting State within the meaning of the International Recovery of Child Support and Family Maintenance Convention Act, 2023; (“État contractant”)

“Director” means the Director of the Family Responsibility Office; (“directeur”)

“income source” means an individual, corporation or other entity that owes or makes any payment, whether periodically or in a lump sum, to or on behalf of a payor of,

(a) wages, wage supplements or salary, or draws or advances on them,

(b) a commission, bonus, piece-work allowance or similar payment,

(c) a payment made under a contract for service,

(d) a benefit under an accident, disability or sickness plan,

(e) a disability, retirement or other pension,

(f) an annuity,

(g) vacation pay, termination pay and severance pay,

(h) an employee loan,

(i) a shareholder loan or dividends on shares, if the corporation that issued the shares is effectively controlled by the payor or the payor and the payor’s parent, spouse, child or other relative or a body corporate which the payor and his or her parent, spouse, child or other relative effectively control, directly or indirectly,

(j) refunds under the Income Tax Act (Canada),

(k) lump sum payments under the Family Orders and Agreements Enforcement Assistance Act (Canada),

(l) income of a type described in the regulations; (“source de revenu”)

“payor” means a person who is required to pay support under a support order; (“payeur”)

“provisional order” means an order that has no effect until it is confirmed by another court and includes orders made under sections 7 and 30 of the Interjurisdictional Support Orders Act, 2002 and section 44 of the Family Law Act; (“ordonnance conditionnelle”)

“recipient” means a person entitled to support under a support order or the parent, other than the payor, of a child entitled to support under a support order; (“bénéficiaire”)

“reciprocating jurisdiction” has the same meaning as in the Interjurisdictional Support Orders Act, 2002; (“autorité pratiquant la réciprocité”)

“regulations” means the regulations made under this Act; (“règlements”)

“spouse” means,

(a) a spouse as defined in section 1 of the Family Law Act, or

(b) either of two persons who live together in a conjugal relationship outside marriage; (“conjoint”)

“support deduction order” means a support deduction order made or deemed to have been made under this Act or its predecessor; (“ordonnance de retenue des aliments”)

“support order” means a provision in an order made in or outside Ontario and enforceable in Ontario for the payment of money as support or maintenance, and includes a provision for,

(a) the payment of an amount periodically, whether annually or otherwise and whether for an indefinite or limited period, or until the happening of a specified event,

(b) a lump sum to be paid or held in trust,

(c) payment of support or maintenance in respect of a period before the date of the order,

(d) payment to an agency of an amount in reimbursement for a benefit or assistance provided to a party under a statute, including a benefit or assistance provided before the date of the order,

(e) payment of expenses in respect of a child’s prenatal care and birth,

(e.1) payment of expenses in respect of DNA testing to establish parentage,

(f) the irrevocable designation, by a spouse who has a policy of life insurance or an interest in a benefit plan, of the other spouse or a child as the beneficiary, or

(g) interest or the payment of legal fees or other expenses arising in relation to support or maintenance,

and includes such a provision in,

(h) a domestic contract that is enforceable under section 35 of the Family Law Act, or

(i) a notice of calculation that is enforceable under section 39 of the Family Law Act. (“ordonnance alimentaire”) 1996, c. 31, s. 1 (1); 1999, c. 6, s. 26; 2002, c. 13, s. 57 (1); 2005, c. 5, s. 28; 2005, c. 16, s. 1; 2014, c. 7, Sched. 10, s. 1 (1); 2016, c. 23, s. 48; 2020, c. 25, Sched. 1, s. 29 (1); 2021, c. 4, Sched. 11, s. 10; 2023, c. 9, Sched. 16, s. 25 (1).

Interpretation – income source

(2)  An individual, corporation or other entity continues to be an income source despite temporary interruptions in the payments owed to a payor. 1996, c. 31, s. 1 (2).

Same – related orders

(3)  A support deduction order is related to the support order on which it is based and a support order is related to the support deduction order that is based on it. 1996, c. 31, s. 1 (3).

Same — recalculated child support

(4)  A reference in this Act to a support order that is changed includes reference to a support order that is subject to a recalculation under section 39.1 of the Family Law Act. 2014, c. 7, Sched. 10, s. 1 (2).

**Section Amendments with date in force (d/m/y)**

1999, c. 6, s. 26 (1-3) - 01/03/2000

[2002, c. 13, s. 57 (1)](http://www.ontario.ca/laws/statute/S02013" \l "s57s1) - 31/03/2003

[2005, c. 5, s. 28 (1-4)](http://www.ontario.ca/laws/statute/S05005" \l "s28s1) - 09/03/2005; [2005, c. 16, s. 1 (1, 2)](http://www.ontario.ca/laws/statute/S05016" \l "s1s1) - 13/06/2005

[2014, c. 7, Sched. 10, s. 1 (1, 2)](http://www.ontario.ca/laws/statute/S14007" \l "sched10s1s1) - 04/04/2016

[2016, c. 23, s. 48](http://www.ontario.ca/laws/statute/S16023" \l "s48) - 05/12/2016

[2020, c. 25, Sched. 1, s. 29 (1)](http://www.ontario.ca/laws/statute/S20025" \l "sched1s29s1) - 01/03/2021

[2021, c. 4, Sched. 11, s. 10 (1, 2)](http://www.ontario.ca/laws/statute/S21004" \l "sched11s10s1) - 19/04/2021

[2023, c. 9, Sched. 16, s. 25 (1)](http://www.ontario.ca/laws/statute/S23009" \l "sched16s25s1) - 01/02/2024

Part II  
Director of the Family Responsibility Office

Director of Family Responsibility Office

**2** There shall be a Director of the Family Responsibility Office who shall be appointed by the Lieutenant Governor in Council. 1996, c. 31, s. 2.

Delegation

**3** (1)  The Director may, in writing, authorize a person or class of persons employed in the Director’s office to exercise any of the powers or perform any of the duties of the Director. 2009, c. 33, Sched. 8, s. 2 (1).

Decisions

(2)  A decision made by a person exercising the Director’s powers or performing the Director’s duties under subsection (1) shall be deemed to be a decision of the Director. 2009, c. 33, Sched. 8, s. 2 (1).

**Section Amendments with date in force (d/m/y)**

[2009, c. 33, Sched. 8, s. 2 (1)](http://www.ontario.ca/laws/statute/S09033" \l "sched8s2s1) - 15/12/2009

Assignment of Director’s powers, etc.

**4** (1)  The Minister responsible for the administration of this Act may, subject to the approval of the Lieutenant Governor in Council, assign to any person, agency or body, or class thereof, any of the powers, duties or functions of the Director under this Act, subject to the limitations, conditions and requirements set out in the assignment. 1996, c. 31, s. 4 (1); 2014, c. 7, Sched. 10, s. 2.

Same

(2)  An assignment may include powers, duties or functions that are not purely administrative in nature, including statutory powers of decision and discretionary powers given to the Director under this Act, and may provide that an assignee may be a party in any action or proceeding instead of the Director. 1996, c. 31, s. 4 (2).

Fees, etc.

(3)  An assignment may, subject to any regulation made under clause 63 (1), set out the fees, costs, disbursements, surcharges and other charges that the assignee may charge to the payor, or a method for determining them, how and when they may be collected, and may exempt the assignee from clause 22 (a) of the Collection and Debt Settlement Services Act. 1996, c. 31, s. 4 (3); 2013, c. 13, Sched. 1, s. 13.

Same

(4)  An assignee may charge fees, costs, disbursements, surcharges and other charges as set out in the assignment and such fees, costs, disbursements, surcharges and other charges may,

(a) be in respect of services for which the Director may not charge anything;

(b) be higher than a fee, cost, disbursement, surcharge or other charge that the Director is permitted to charge for the same service; and

(c) be applied in a manner other than that provided in section 57. 1996, c. 31, s. 4 (4).

Same

(5)  Any fees, costs, disbursements, surcharges or other charges charged by an assignee must be charged to the payor and may be added to the amount of arrears owing by the payor and may be collected in like manner as arrears. 1996, c. 31, s. 4 (5).

Interest

(6)  For the purposes of subsections (3), (4) and (5),

“other charges” includes interest at a rate prescribed by regulation. 1996, c. 31, s. 4 (6).

Use of information restricted

(7)  An assignee shall not use or disclose the information it has collected in carrying out any power, duty or function assigned to the assignee under subsection (1) except for the purposes of this Act. 1996, c. 31, s. 4 (7).

**Section Amendments with date in force (d/m/y)**

[2013, c. 13, Sched. 1, s. 13](http://www.ontario.ca/laws/statute/S13013" \l "sched1s13) - 01/01/2015

[2014, c. 7, Sched. 10, s. 2](http://www.ontario.ca/laws/statute/S14007" \l "sched10s2) - 24/07/2014

Duty of Director

**5** (1)  It is the duty of the Director to enforce support orders where the support order and the related support deduction order, if any, are filed in the Director’s office and to pay the amounts collected to the person to whom they are owed. 1996, c. 31, s. 5 (1).

Transition

(2)  Subject to subsection (4), a support order or support deduction order that is filed in the office of the Director of the Family Support Plan immediately before the day this section comes into force shall be deemed to be filed in the Director’s office on the day this section comes into force. 1996, c. 31, s. 5 (2).

Same

(3)  If a support deduction order is filed in the office of the Director of the Family Support Plan immediately before the day this section comes into force and the related support order was never filed in his or her office before that day, it is the duty of the Director to enforce the support deduction order so long as it is filed in the Director’s office. 1996, c. 31, s. 5 (3).

Same

(4)  If a support deduction order is filed in the office of the Director of the Family Support Plan immediately before the day this section comes into force and the related support order was withdrawn from his or her office before that day, either when the support order was made or later, the support deduction order shall be deemed to be withdrawn from the Director’s office on the day this section comes into force. 1996, c. 31, s. 5 (4).

Powers

**6** (1)  The Director shall carry out his or her duties in the manner, if any, that appears practical to the Director and, for the purpose, may commence and conduct a proceeding and take any steps in the Director’s name for the benefit of recipients, including,

(a) enforcing support deduction orders that are filed in the Director’s office, as provided by this Act;

(b) employing any other enforcement mechanisms expressly provided for in this Act;

(c) employing any other enforcement mechanisms not expressly provided for in this Act. 1996, c. 31, s. 6 (1).

Methods of paying support

(1.0.1)  In carrying out his or her duties under subsection (1), the Director may determine methods of payment that may be used by a payor to pay amounts owing under a support order. 2020, c. 34, Sched. 4, s. 1 (1).

Policies and procedures

(1.1)  The Director may establish policies and procedures respecting subsection (1), including policies and procedures respecting the method of payment to be used by a payor, and the policies and procedures shall be considered in the exercise of the Director’s powers and the performance of the Director’s duties under that subsection. 2009, c. 33, Sched. 8, s. 2 (2); 2020, c. 34, Sched. 4, s. 1 (2).

Transition

(2)  The Director may enforce the payment of arrears of support under a support order although they were incurred before the order was filed in the Director’s office or before July 2, 1987. 1996, c. 31, s. 6 (2).

Same

(3)  The Director may enforce the payment of the arrears of support owed on the day this section comes into force under an order that,

(a) is not a support order as defined in subsection 1 (1) but was a support order within the meaning of the Family Support Plan Act, as it read immediately before its repeal by this Act; and

(b) is filed in the office of the Director of the Family Support Plan immediately before such repeal. 1996, c. 31, s. 6 (3).

Same

(4)  For the purpose of subsection (3), an order described in that subsection shall be deemed to be a support order as defined in subsection 1 (1). 1996, c. 31, s. 6 (4).

(5)  Repealed. See: Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006* – December 31, 2011.

Enforcement alternatives

(6)  Enforcement of a support order or support deduction order by one means does not prevent enforcement by other means at the same time or different times. 1996, c. 31, s. 6 (6).

Enforcement by Director exclusive

(7)  Subject to section 4, no person other than the Director shall enforce a support order that is filed in the Director’s office. 1996, c. 31, s. 6 (7).

Same

(8)  Subject to section 4, no person other than the Director shall enforce a support deduction order, whether the order is filed in the Director’s office or not. 1996, c. 31, s. 6 (8).

**Section Amendments with date in force (d/m/y)**

[2009, c. 33, Sched. 8, s. 2 (2)](http://www.ontario.ca/laws/statute/S09033" \l "sched8s2s2) - 15/12/2009

[Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

[2020, c. 34, Sched. 4, s. 1 (1, 2)](http://www.ontario.ca/laws/statute/S20034" \l "sched4s1s1) - 08/12/2020

Director may refuse to enforce

**7** (1)  Despite section 5, the Director may at any time refuse to enforce a support order or support deduction order, or any part of such support order or support deduction order, that is filed in the Director’s office if, in his or her opinion,

(a) the amount of the support is nominal;

(b) the amount of the support cannot be determined from the face of the order because it is expressed as a percentage of the payor’s income or it is dependent on another variable that does not appear on the order;

(c) the meaning of the order is unclear or ambiguous;

(d) the recipient has not complied with reasonable requests to provide the Director with accurate or sufficient information as may be needed in order to enforce the order or respecting the amount of arrears owed under the order;

(e) the whereabouts of the recipient cannot be determined after reasonable efforts have been made;

(f) the payor is in prison serving a sentence of five years or longer and has no assets or income available to satisfy the support order and any arrears under the order;

(g) the payor is receiving benefits under the Family Benefits Act, assistance under the General Welfare Assistance Act or the Ontario Works Act, 1997 or income support under the Ontario Disability Support Program Act, 1997 and has no assets or income available to satisfy the support order and any arrears under the order;

(h) the recipient repeatedly accepts payment of support directly from the payor;

(i) the recipient consents to a limitation of enforcement of the support order by the Director;

(j) enforcement of the support order has been stayed by a court; or

(k) enforcement of the order is otherwise unreasonable or impractical. 1996, c. 31, s. 7 (1); 1997, c. 25, Sched. E, s. 2 (1); 2021, c. 25, Sched. 7, s. 1 (1).

Policies and procedures

(2)  The Director may establish policies and procedures respecting subsection (1) and the policies and procedures shall be considered in the exercise of the Director’s discretion under that subsection. 2009, c. 33, Sched. 8, s. 2 (3).

Deemed withdrawal

(3)  If the Director refuses to enforce an order or any part of such order under subsection (1), the Director shall notify the payor and the recipient and such order or any part of such order, as the case may be, shall be deemed to be withdrawn from the Director’s office on the date set out in the notice. 2021, c. 25, Sched. 7, s. 1 (2).

Cost of living clauses

(4)  The Director shall not enforce a cost of living clause in a support order or support deduction order made in Ontario unless it is calculated in accordance with subsection 34 (5) of the Family Law Act or in a manner prescribed by regulation. 1996, c. 31, s. 7 (4).

Same

(5)  The Director shall not enforce a cost of living clause in a support order or a support deduction order if the support order was made outside Ontario unless it is calculated in a manner that the Director considers similar to that provided in subsection 34 (5) of the Family Law Act or in a manner prescribed by regulation. 1996, c. 31, s. 7 (5).

Same

(6)  Where the cost of living clause in an order is not calculated in accordance with subsection 34 (5) of the Family Law Act or in a manner prescribed by regulation or, if the order was made outside Ontario, in a manner that the Director considers similar, the Director shall, subject to subsection (1), enforce the order as if it contained no cost of living clause. 1996, c. 31, s. 7 (6).

Transition

(7)  Despite subsections (5) and (6), if an order contains a cost of living clause that is not calculated in accordance with subsection 34 (5) of the Family Law Act or in a manner prescribed by regulation or, if the order was made outside Ontario, in a manner that the Director considers similar, which became effective before this section came into force,

(a) the Director shall continue to enforce the order and the cost of living clause at the same amount at which the Director of the Family Support Plan was enforcing them immediately before this section came into force; and

(b) the Director shall not make any further adjustments under the cost of living clause after this section comes into force. 1996, c. 31, s. 7 (7).

Same

(8)  This section applies even if the order was filed in the Director’s office before this section comes into force. 1996, c. 31, s. 7 (8).

**Section Amendments with date in force (d/m/y)**

1997, c. 25, Sched. E, s. 2 (1) - 01/07/1998

[2009, c. 33, Sched. 8, s. 2 (3)](http://www.ontario.ca/laws/statute/S09033" \l "sched8s2s3) - 15/12/2009

[2021, c. 25, Sched. 7, s. 1 (1, 2)](http://www.ontario.ca/laws/statute/S21025" \l "sched7s1s1) - 03/06/2021

**7.1**

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 2](http://www.ontario.ca/laws/statute/S05016" \l "s2) - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2015

Director to cease enforcement

Termination of support obligation

**8** (1)  Subject to section 8.3, the Director shall cease enforcement of a support obligation provided for in a support order or support deduction order filed in the Director’s office if the support obligation has terminated. 2009, c. 33, Sched. 8, s. 2 (4).

How termination is determined

(2)  For the purpose of subsection (1), a support obligation is terminated if,

(a) the parties to the support order or support deduction order agree, in the manner prescribed by the regulations, that the support obligation has terminated;

(a.1) the Director is informed by the recipient, in the manner prescribed by the regulations, that the support obligation has terminated;

(b) the support order or support deduction order states that the support obligation terminates on a set calendar date, and that date arrives;

(c) a court orders that the obligation has terminated; or

(d) in the case of an obligation for the support of a child, the Director receives notice, in accordance with the regulations, of the child’s death. 2009, c. 33, Sched. 8, s. 2 (4); 2021, c. 25, Sched. 7, s. 2 (1).

Payor’s death

(3)  The Director shall not enforce a support order or support deduction order against the estate of a payor after he or she is notified, in accordance with the regulations, of the payor’s death. 2009, c. 33, Sched. 8, s. 2 (4).

Notice to Director

(4)  For the purposes of clause (2) (a), if a support order or related support deduction order is filed in the Director’s office, each party to the support order shall give the Director notice of a termination of a support obligation under the order, in the manner and at the time prescribed by the regulations. 2009, c. 33, Sched. 8, s. 2 (4).

Recipient’s Notice to Director

(5)  For the purposes of clause (2) (a.1), if a support order or related support deduction order is filed in the Director’s office, the recipient shall give the Director notice of a termination of a support obligation under such order, in the manner and at the time prescribed by the regulations. 2021, c. 25, Sched. 7, s. 2 (2).

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 3](http://www.ontario.ca/laws/statute/S05016" \l "s3) - 30/06/2006

[2009, c. 33, Sched. 8, s. 2 (4)](http://www.ontario.ca/laws/statute/S09033" \l "sched8s2s4) - 01/01/2011

[2021, c. 25, Sched. 7, s. 2 (1, 2)](http://www.ontario.ca/laws/statute/S21025" \l "sched7s2s1) - 03/06/2021

Director’s discretion

**8.1**  (1)  Despite section 5 and subject to section 8.3, the Director has discretion to discontinue enforcement of a support order or support deduction order that is filed in the Director’s office if,

(a) the payor notifies the Director in accordance with subsection 8 (4) that the support obligation has terminated;

(b) the Director serves on the recipient a request to confirm or deny that the support obligation has terminated; and

(c) the recipient does not respond within 20 days after being served. 2005, c. 16, s. 3; 2009, c. 33, Sched. 8, s. 2 (5-7).

Written response

(1.1)  For the purposes of clause (1) (c), the response must be in writing. 2009, c. 33, Sched. 8, s. 2 (8).

Reinstatement

(2)  If, after enforcement has been discontinued in accordance with subsection (1), the Director receives a written notice from the recipient denying that the support obligation has terminated, the Director may resume enforcement. 2005, c. 16, s. 3.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 3](http://www.ontario.ca/laws/statute/S05016" \l "s3) - 30/06/2006

[2009, c. 33, Sched. 8, s. 2 (5-8)](http://www.ontario.ca/laws/statute/S09033" \l "sched8s2s5) - 01/01/2011

Director’s discretion re child that has attained the age of majority

**8.1.1**(1)  Despite section 5 and subject to section 8.3, with respect to a support order or support deduction order that is filed in the Director’s office and that pertains to a child who has attained the age of majority, the Director has discretion to discontinue enforcement or, in accordance with section 8.2, enforce a lesser amount of support if,

(a) the Director serves on the recipient a request to provide any information the Director considers necessary to establish that, with respect to the child who has attained the age of majority, the enforcement of the support obligation should continue; and

(b) the recipient does not respond in writing within 20 days after being served or the Director is of the opinion that the information provided by the recipient does not meet the requirements in clause (a). 2021, c. 25, Sched. 7, s. 3.

Reinstatement

(2)  If, after the Director exercises discretion to discontinue enforcement or enforce a lesser amount in accordance with subsection (1), the Director receives a written response from the recipient to the Director’s request, the Director may resume enforcement or reinstate the amount enforced before the reduction. 2021, c. 25, Sched. 7, s. 3.

Director’s discretion may be exercised upon payor’s request

(3)  The Director may exercise his or her discretion referred to in subsection (1) upon the written request of the payor. 2021, c. 25, Sched. 7, s. 3.

**Section Amendments with date in force (d/m/y)**

[2021, c. 25, Sched. 7, s. 3](http://www.ontario.ca/laws/statute/S21025" \l "sched7s3) - 03/06/2021

Discretion to enforce for lesser amount if child’s entitlement ceases

**8.2**  (1)  Subject to section 8.3, if the conditions set out in subsection (2) are satisfied with respect to a support order or support deduction order, the Director may exercise discretion to enforce a lesser amount of support in accordance with the table set out in the applicable child support guidelines. 2005, c. 16, s. 3; 2009, c. 33, Sched. 8, s. 2 (9).

Conditions

(2)  The conditions referred to in subsection (1) are:

1. The order was made in accordance with the table set out in the applicable child support guidelines.

2. One of the following applies:

i. It has been agreed under clause 8 (2) (a) that the support obligation under the order has terminated with respect to a child.

ii. The payor notifies the Director in accordance with subsection 8 (4) that the support obligation has terminated, the Director serves on the recipient a request to confirm or deny that the support obligation has terminated, and the recipient does not respond within 20 days after being served.

iii. The Director is informed by the recipient, in the manner prescribed by the regulations, that the support obligation under the order has terminated with respect to a child.

3. The support obligation under the order still continues with respect to another child.

4. The order states,

i. the number of children, and

ii. the total amount of support determined in accordance with the table. 2005, c. 16, s. 3; 2009, c. 33, Sched. 8, s. 2 (10); 2021, c. 25, Sched. 7, s. 4.

Written response

(3)  For the purposes of subparagraph 2 ii of subsection (2), the response must be in writing. 2009, c. 33, Sched. 8, s. 2 (11).

Reinstatement

(4)  If, after the Director exercises the discretion to enforce a lesser amount in reliance on subparagraph 2 ii of subsection (2), the Director receives a written notice from the recipient denying that the support obligation has terminated, the Director may reinstate the amount enforced before the reduction. 2009, c. 33, Sched. 8, s. 2 (11).

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 3](http://www.ontario.ca/laws/statute/S05016" \l "s3) - 30/06/2006

[2009, c. 33, Sched. 8, s. 2 (9-11)](http://www.ontario.ca/laws/statute/S09033" \l "sched8s2s9) - 01/01/2011

[2021, c. 25, Sched. 7, s. 4](http://www.ontario.ca/laws/statute/S21025" \l "sched7s4) - 03/06/2021

Agency’s consent required

**8.3**If a support order has been assigned to an agency described in subsection 33 (3) of the Family Law Act, the Director shall not cease, discontinue or reduce enforcement of the support order without the agency’s consent. 2009, c. 33, Sched. 8, s. 2 (12).

**Section Amendments with date in force (d/m/y)**

[2009, c. 33, Sched. 8, s. 2 (12)](http://www.ontario.ca/laws/statute/S09033" \l "sched8s2s12) - 01/01/2011

Disputes

**8.4**(1)  If the parties to a support order do not agree that a support obligation has terminated or if the agency referred to in section 8.3 does not provide its consent under that section, the court that made the support order shall, on the motion of a party to the support order or of the agency,

(a) decide whether the support obligation has terminated; and

(b) make an order to that effect. 2009, c. 33, Sched. 8, s. 2 (12).

Same

(2)  If the support order was not made by a court, the order described in subsection (1) shall be made by the Ontario Court of Justice or the Family Court. 2009, c. 33, Sched. 8, s. 2 (12).

Same

(3)  If an issue as to whether the support obligation has terminated arises within an application between the parties, it is not necessary to make a separate motion under subsection (1). 2009, c. 33, Sched. 8, s. 2 (12).

Order to repay

(4)  A court that finds that a support obligation has terminated may order repayment in whole or in part from a person who received support after the obligation was terminated if the court is of the opinion that the person ought to have notified the Director that the support obligation had terminated. 2009, c. 33, Sched. 8, s. 2 (12).

Same

(5)  In determining whether to make an order under subsection (4), the court shall consider the circumstances of each of the parties to the support order. 2009, c. 33, Sched. 8, s. 2 (12).

Role of Director

(6)  An order under subsection (4) is not a support order and shall not be enforced by the Director. 2009, c. 33, Sched. 8, s. 2 (12).

Continued enforcement

(7)  The Director shall continue to enforce the support obligation until he or she receives a copy of the court’s order terminating the support obligation. 2009, c. 33, Sched. 8, s. 2 (12).

Same

(8)  Despite the termination of a support obligation, the Director shall continue to enforce the support obligation in respect of any arrears that have accrued. 2009, c. 33, Sched. 8, s. 2 (12).

Director not a party

(9)  The Director is not a party to,

(a) a proceeding to determine a person’s entitlement to support under a support order; or

(b) a motion to decide whether a support obligation has terminated. 2009, c. 33, Sched. 8, s. 2 (12).

**Section Amendments with date in force (d/m/y)**

[2009, c. 33, Sched. 8, s. 2 (12)](http://www.ontario.ca/laws/statute/S09033" \l "sched8s2s12) - 01/01/2011

Part III  
Support Orders and Support Deduction Orders — Making and Filing

Contents of support order

**9** (1)  Every support order made by an Ontario court, other than a provisional order, shall state in its operative part that unless the order is withdrawn from the Director’s office, it shall be enforced by the Director and that amounts owing under the order shall be paid to the Director, who shall pay them to the person to whom they are owed. 1996, c. 31, s. 9 (1).

Court may require that order may not be withdrawn

(2)  If the court considers it appropriate to do so, it may state in the operative part of the order, instead of the wording prescribed by subsection (1), that the order and the related support deduction order shall be enforced by the Director and that they cannot be withdrawn from the Director’s office. 1996, c. 31, s. 9 (2).

Application to notices of calculation

(2.1)  The wording required by subsection (1) to be included in every support order made by an Ontario court shall be included in every support order that is a notice of calculation. 2014, c. 7, Sched. 10, s. 3 (1).

Director retains discretion to not enforce orders

(3)  Section 7 applies to every support order worded as provided in subsection (1), (2) or (2.1), whether the order was made before or after this section comes into force and despite the wording of an order made under subsection (2). 1996, c. 31, s. 9 (3); 2014, c. 7, Sched. 10, s. 3 (2).

**Section Amendments with date in force (d/m/y)**

[2014, c. 7, Sched. 10, s. 3 (1, 2)](http://www.ontario.ca/laws/statute/S14007" \l "sched10s3s1) - 04/04/2016

Support deduction orders to be made

**10** (1)  An Ontario court that makes a support order, as defined in subsection 1 (1), shall also make a support deduction order. 1996, c. 31, s. 10 (1).

New orders to be made

(2)  When a support order is changed and the changed order is a support order as defined in subsection 1 (1), the court shall also make a support deduction order to reflect the change. 2005, c. 16, s. 4.

Transition

(3)  When a support order, within the meaning of the Family Support Plan Act as it read immediately before its repeal by this Act, is changed and the changed order is a support order as defined in subsection 1 (1), the court shall also make a support deduction order to reflect the change. 2005, c. 16, s. 4.

Order mandatory

(4)  A support deduction order shall be made even though the court cannot identify an income source in respect of the payor at the time the support order is made. 1996, c. 31, s. 10 (4).

Exception

(5)  A support deduction order shall not be made in respect of a provisional order. 1996, c. 31, s. 10 (5).

Same

(6)  A notice of recalculation under section 39.1 of the Family Law Act does not require a support deduction order reflecting the recalculation. 2014, c. 7, Sched. 10, s. 4.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 4](http://www.ontario.ca/laws/statute/S05016" \l "s4) - 13/06/2005

[2014, c. 7, Sched. 10, s. 4](http://www.ontario.ca/laws/statute/S14007" \l "sched10s4) - 04/04/2016

Form of support deduction order

**11** (1)  A support deduction order shall be in the form prescribed by the regulations. 1996, c. 31, s. 11 (1).

Information re payor, income source

(2)  Before making a support deduction order, the court shall make such inquiries of the parties as it considers necessary to determine the names and addresses of each income source of the payor and the amounts paid to the payor by each income source and shall make such other inquiries to obtain information as may be prescribed by the regulations. 1996, c. 31, s. 11 (2).

Same

(3)  If the support order is sought on consent or by way of motion for judgment or if the making of the support order is uncontested, the parties shall give the court the particulars described in subsection (2) and such other information as may be prescribed by the regulations. 1996, c. 31, s. 11 (3).

Completion of form, etc.

(4)  The support deduction order shall be completed and signed by the court, or by the clerk or registrar of the court, at the time the support order is made and shall be entered in the court records promptly after it is signed, even if the support order may not have been settled or signed at that time. 1996, c. 31, s. 11 (4).

Precedence of orders

**11.1**In the event of a conflict between a support order and the support deduction order made in relation to the support order, the support order prevails. 2009, c. 33, Sched. 8, s. 2 (13).

**Section Amendments with date in force (d/m/y)**

[2009, c. 33, Sched. 8, s. 2 (13)](http://www.ontario.ca/laws/statute/S09033" \l "sched8s2s13) - 15/12/2009

Court to file orders

Support orders

**12** (1)  The clerk or registrar of the court that makes a support order shall file it with the Director’s office promptly after it is signed. 1996, c. 31, s. 12 (1).

Support deduction orders

(2)  The clerk or registrar of the court that makes a support deduction order shall file it with the Director’s office promptly after it is signed, even if the related support order may not have been settled or signed at the time. 1996, c. 31, s. 12 (2).

Filing notices of calculation

**12.1**On giving notice of a calculation under section 39 of the Family Law Act, the child support calculation service, as defined in that section, shall file a copy of the notice with the Director’s office. 2014, c. 7, Sched. 10, s. 5.

**Section Amendments with date in force (d/m/y)**

[2014, c. 7, Sched. 10, s. 5](http://www.ontario.ca/laws/statute/S14007" \l "sched10s5) - 04/04/2016

Filing notices of recalculation

**12.2**On giving notice of a recalculation under section 39.1 of the Family Law Act that relates to a support order that is being enforced by the Director, the child support recalculation service, as defined in that section, shall file a copy of the notice with the Director’s office. 2014, c. 7, Sched. 10, s. 6.

**Section Amendments with date in force (d/m/y)**

[2014, c. 7, Sched. 10, s. 6](http://www.ontario.ca/laws/statute/S14007" \l "sched10s6) - 04/04/2016

Orders of other jurisdictions

**13** (1)  When a support order made by a court outside Ontario is registered under subsection 19 (1) of the Interjurisdictional Support Orders Act, 2002 or Article 10 (1) (a) of the Convention in the Schedule to the International Recovery of Child Support and Family Maintenance Convention Act, 2023, the clerk who registers the order shall promptly file it with the Director’s office, unless the order is accompanied by a notice signed by the person seeking enforcement stating that he or she does not want the order enforced by the Director. 2002, c. 13, s. 57 (2); 2023, c. 9, Sched. 16, s. 25 (2).

Same – Divorce Act (Canada) orders

(2)  A support order made by a court outside Ontario under the Divorce Act (Canada) may be filed in the Director’s office by the recipient under the order and, for the purpose of subsection 20 (3) of the Divorce Act (Canada), the order becomes enforceable by the Director upon its filing in the Director’s office without it having been registered in a court in Ontario. 1996, c. 31, s. 13 (2).

**Section Amendments with date in force (d/m/y)**

[2002, c. 13, s. 57 (2)](http://www.ontario.ca/laws/statute/S02013" \l "s57s2) - 31/03/2003

[2023, c. 9, Sched. 16, s. 25 (2)](http://www.ontario.ca/laws/statute/S23009" \l "sched16s25s2) - 01/02/2024

Orders filed by Minister, etc.

**14** (1)  If a recipient has applied and is eligible for, or has received, a benefit under the Family Benefits Act or assistance under the General Welfare Assistance Act or the Ontario Works Act, 1997 or income support under the Ontario Disability Support Program Act, 1997, a support order may be filed in the Director’s office, whether or not the payor and recipient have given a notice to withdraw under subsection 16 (1.1), by the following:

1. The Ministry of Community and Social Services in the name of the Minister.

2. A municipality, excluding a lower-tier municipality in a regional municipality.

3. A district social services administration board under the District Social Services Administration Boards Act.

4. A band approved under section 15 of the General Welfare Assistance Act.

5. A delivery agent under the Ontario Works Act, 1997. 1997, c. 25, Sched. E, s. 2 (2); 2002, c. 17, Sched. F, Table; 2005, c. 16, s. 5 (1).

Same, reciprocating jurisdiction or contracting state

(1.1)  If a recipient has applied and is eligible for, or has received, social assistance benefits in a reciprocating jurisdiction or contracting state, or if a support order has been assigned to a social assistance provider in a reciprocating jurisdiction or contracting state, the support order may be filed in the Director’s office by the social assistance provider in the reciprocating jurisdiction or contracting state, whether or not the payor and recipient have given a notice to withdraw under subsection 16 (1.1). 2005, c. 16, s. 5 (2); 2023, c. 9, Sched. 16, s. 25 (3).

Same

(2)  If a support order is filed under subsection (1) or (1.1), the related support deduction order, if any, shall be deemed to be filed in the Director’s office at the same time. 1997, c. 25, Sched. E, s. 2 (2); 2005, c. 16, s. 5 (3).

**Section Amendments with date in force (d/m/y)**

1997, c. 25, Sched. E, s. 2 (2) - 01/07/1998

[2002, c. 17, Sched. F, Table](http://www.ontario.ca/laws/statute/S02017" \l "schedfs1s1) - 01/01/2003

[2005, c. 16, s. 5 (1-3)](http://www.ontario.ca/laws/statute/S05016" \l "s5s1) - 13/06/2005

[2023, c. 9, Sched. 16, s. 25 (3)](http://www.ontario.ca/laws/statute/S23009" \l "sched16s25s3) - 01/02/2024

Payors, recipients may file support orders

**15** Subject to sections 12, 12.1, 12.2, 13 and 14, a support order may be filed in the Director’s office only by the payor or recipient under the order. 1996, c. 31, s. 15; 2014, c. 7, Sched. 10, s. 7 (1, 2).

**Section Amendments with date in force (d/m/y)**

[2014, c. 7, Sched. 10, s. 7 (1, 2)](http://www.ontario.ca/laws/statute/S14007" \l "sched10s7s1) - 04/04/2016

Withdrawal of orders

**16** (1)  A support order or support deduction order filed in the office of the Director may be withdrawn at any time, as described in subsection (1.1), unless the support order states that it and the related support deduction order cannot be withdrawn from the Director’s office. 2005, c. 16, s. 6.

Method

(1.1)  Withdrawal is effected by a written notice signed by,

(a) the recipient and the payor, if the payor is in compliance as defined in the regulations; or

(b) the recipient, if the payor is not in compliance as defined in the regulations. 2005, c. 16, s. 6.

Consent of agency filing order

(2)  A support order and related support deduction order, if any, that have been assigned to an agency referred to in subsection 14 (1) may not be withdrawn under subsection (1) except by the agency or with the consent of the agency so long as the orders are under assignment. 1997, c. 25, Sched. E, s. 2 (3).

Effect of withdrawal

(3)  The Director shall cease enforcement of an order upon its withdrawal from the Director’s office. 1996, c. 31, s. 16 (3).

Same

(4)  If there are arrears owing to an agency referred to in subsection 14 (1) from a past assignment, the Director may continue to enforce the support order and related support deduction order, if any, to collect the arrears owed to the agency, even if the payor and recipient have withdrawn the orders under this section. 1997, c. 25, Sched. E, s. 2 (4).

Support and support deduction order must be withdrawn together

(5)  A support order cannot be withdrawn under subsection (1) unless the related support deduction order, if any, is also withdrawn and a support deduction order cannot be withdrawn under subsection (1) unless the related support order, if any, is also withdrawn. 1996, c. 31, s. 16 (5).

Filing after withdrawal

(6)  A support order or support deduction order that has been withdrawn under subsection (1) or that has been deemed to have been withdrawn under subsection 7 (3) may be filed in the office of the Director at any time by a written notice signed by either the payor or the recipient. 2001, c. 9, Sched. C, s. 1.

Effect

(7)  Filing under subsection (6) has the same effect for all purposes, including the purposes of subsection 6 (2), as filing under sections 12 to 15. 2001, c. 9, Sched. C, s. 1.

Application

(7.1)  Subsection (7) applies whether the order was filed under subsection (6) before or after the day the Government Efficiency Act, 2001 receives Royal Assent. 2001, c. 9, Sched. C, s. 1.

Support and support deduction orders, filing together after withdrawal

(7.2)  A support order cannot be filed under subsection (6) unless the related support deduction order, if any, is also filed and a support deduction order cannot be filed under subsection (6) unless the related support order is also filed. 2001, c. 9, Sched. C, s. 1.

Notice of recalculation

(7.3)  In the case of a support order that was subject to a recalculation under section 39.1 of the Family Law Act after the support order or support deduction order was withdrawn, the notice of recalculation shall also be filed. 2014, c. 7, Sched. 10, s. 8.

Transition

(8)  Despite subsection 6 (4), subsection (7) does not apply to an order that is not a support order as defined in subsection 1 (1), but was a support order within the meaning of the Family Support Plan Act, as it read immediately before its repeal by this Act, and was filed in the office of the Director of the Family Support Plan immediately before this section came into force. 1996, c. 31, s. 16 (8).

**Section Amendments with date in force (d/m/y)**

1997, c. 25, Sched. E, s. 2 (3, 4) - 01/07/1998

[2001, c. 9, Sched. C, s. 1](http://www.ontario.ca/laws/statute/S01009" \l "schedcs1) - 29/06/2001

[2005, c. 16, s. 6](http://www.ontario.ca/laws/statute/S05016" \l "s6) - 13/06/2005

[2014, c. 7, Sched. 10, s. 8](http://www.ontario.ca/laws/statute/S14007" \l "sched10s8) - 04/04/2016

Notice of filings and withdrawals

**17** The Director shall give notice of the filing or withdrawal of a support order or support deduction order to all the parties to the order, and at the request of any agency referred to in subsection 14 (1), to the agency. 1997, c. 25, Sched. E, s. 2 (5).

**Section Amendments with date in force (d/m/y)**

1997, c. 25, Sched. E, s. 2 (5) - 01/07/1998

Duty to advise re unfiled support orders

**18** Where a support deduction order that was made before this section came into force is filed in the Director’s office but the related support order was never filed in the Director’s office, the recipient shall inform the Director in writing of,

(a) the amount of money received on account of the support order other than by means of the support deduction order; and

(b) any changes in the amount to be paid under the support order. 1996, c. 31, s. 18; 2005, c. 16, s. 7.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 7](http://www.ontario.ca/laws/statute/S05016" \l "s7) - 13/06/2005

Updating contact information

**19** A payor or recipient under a support order or support deduction order that is filed in the Director’s office shall advise the Director of any changes to the following, within 10 days after the change:

1. Any name or alias used by the payor or recipient, including any spelling variation of any name or alias.

2. The payor’s or recipient’s home address, and the mailing address if different from the home address.

3. Any telephone number of the payor or recipient.

4. Other contact information, such as the payor’s or recipient’s work address, fax number or e-mail address, if the payor or recipient has previously provided that contact information to the Director. 2007, c. 7, Sched. 15, s. 1.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 8](http://www.ontario.ca/laws/statute/S05016" \l "s8) - 13/06/2005

[2007, c. 7, Sched. 15, s. 1](http://www.ontario.ca/laws/statute/S07007" \l "sched15s1) - 17/05/2007

Part IV  
Support Deduction Orders — Enforcement

Director to enforce support deduction orders

**20** (1)  The Director shall enforce a support deduction order that is filed in the Director’s office, subject to section 7, to any change made to the support deduction order to any alternative payment order made under section 28 and to any decision of the Director to use a different method of payment, until the related support order is terminated and there are no arrears owing or until the support order and support deduction order are withdrawn. 2005, c. 16, s. 9; 2020, c. 34, Sched. 4, s. 2.

Notice of support deduction order to income sources

(2)  The Director may serve a notice of a support deduction order to each income source from whom the Director is seeking payment, and may serve new notices when the amount to be paid under a support order changes or arrears are owing. 1996, c. 31, s. 20 (2).

Contents of notice

(3)  The notice shall set out the amount of support owed by the payor under the support order and may also set out any amount in arrears under the support order and the amount required to be paid by the income source to the Director. 1996, c. 31, s. 20 (3).

Notice to payor

(4)  The Director shall send to the payor a copy of every notice sent under subsection (2). 1996, c. 31, s. 20 (4).

Notice deemed garnishment for *Family Orders and Agreements Enforcement Assistance Act* (Canada)

(5)  A notice of a support deduction order shall be deemed to be a notice of garnishment made under provincial garnishment law for the purposes of the Family Orders and Agreements Enforcement Assistance Act (Canada). 1996, c. 31, s. 20 (5).

Support deduction order not affected by stay of enforcement of support order

(6)  The operation or enforcement of a support deduction order is not affected by an order staying the enforcement of the related support order unless the support order is also stayed. 1996, c. 31, s. 20 (6).

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 9](http://www.ontario.ca/laws/statute/S05016" \l "s9) - 13/06/2005

[2020, c. 34, Sched. 4, s. 2](http://www.ontario.ca/laws/statute/S20034" \l "sched4s2) - 08/12/2020

Support deduction order deemed to be made

**21** (1)  A support deduction order shall be deemed to have been made in respect of a support order described in subsection (8) if,

(a) the payor or the recipient requests that the Director enforce the support order under this Part and the Director considers it practical to do so; or

(b) the Director considers it advisable to enforce the support order under this Part. 1996, c. 31, s. 21 (1); 2014, c. 7, Sched. 10, s. 9 (1).

Notice to other party

(2)  The Director shall give notice to the other party of the Director’s intention to enforce the support order under this Part. 1996, c. 31, s. 21 (2); 2014, c. 7, Sched. 10, s. 9 (2).

Exception

(2.1)  Subsection (2) does not apply in the case of a support order that is a notice of calculation. 2014, c. 7, Sched. 10, s. 9 (3).

When and by what court deemed order is made

(3)  The support deduction order shall, 30 days after the notice is served, be deemed to have been made by the court that made the support order or,

(a) if the support order was made under the Divorce Act (Canada) by a court outside Ontario, by the Superior Court of Justice or, where applicable, the Family Court;

(b) if the support order (other than an order under the Divorce Act (Canada)) was made by a court outside Ontario, by a court in Ontario that is the same level as the court that has the jurisdiction to make the order enforceable in Ontario;

(c) if the support order is a domestic contract, by the Ontario Court of Justice or the Family Court. 1996, c. 31, s. 21 (3); 2005, c. 16, s. 10 (1, 2); 2014, c. 7, Sched. 10, s. 9 (4, 5).

Same, notice of calculation

(3.1)  If the support order is a notice of calculation, the support deduction order shall be deemed to have been made by the Ontario Court of Justice or the Family Court. 2014, c. 7, Sched. 10, s. 9 (6).

Alternative payment order

(4)  The payor may make a motion for an alternative payment order under section 28, in the court that is deemed to have made the support deduction order. 2005, c. 16, s. 10 (3); 2014, c. 7, Sched. 10, s. 9 (7).

Delay of effective date

(5)  If a motion is made under subsection (4), a deemed support deduction order does not come into force until the motion is determined. 1996, c. 31, s. 21 (5); 2005, c. 16, s. 10 (4).

Withdrawal of support deduction order

(6)  Section 16 applies to a deemed support deduction order. 1996, c. 31, s. 21 (6).

No form required

(7)  Subsection 11 (1) does not apply to a deemed support deduction order. 1996, c. 31, s. 21 (7).

Application of this section

(8)  This section applies only to support orders filed in the Director’s office that are,

(a) support orders made by an Ontario court before March 1, 1992;

(b) domestic contracts that are enforceable under section 35 of the Family Law Act;

(b.1) notices of calculation that are enforceable under section 39 of the Family Law Act;

(c) support orders made by a court outside Ontario that are enforceable in Ontario. 1996, c. 31, s. 21 (8); 2014, c. 7, Sched. 10, s. 9 (8, 9).

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 10 (1-4)](http://www.ontario.ca/laws/statute/S05016" \l "s10s1) - 13/06/2005

[2014, c. 7, Sched. 10, s. 9 (1, 2, 4, 5, 7, 8)](http://www.ontario.ca/laws/statute/S14007" \l "sched10s9s1) - 24/07/2014; [2014, c. 7, Sched. 10, s. 9 (3, 6, 9)](http://www.ontario.ca/laws/statute/S14007" \l "sched10s9s3) - 04/04/2016

Duty of income source

**22** (1)  An income source that receives notice of a support deduction order, whether or not the income source is named in the order, shall, subject to section 23, deduct from the money the income source owes to the payor the amount of the support owed by the payor, or such other amount that is set out in the notice, and shall pay that amount to the Director. 1996, c. 31, s. 22 (1).

First payment

(2)  The income source shall begin making payments to the Director not later than the day the first payment is to be paid to the payor that falls at least 14 days after the day on which the income source is served with the notice. 1996, c. 31, s. 22 (2).

Electronic payment

(2.1)  The income source may make the payments by a prescribed method of electronic transmission. 2005, c. 16, s. 11.

Payor’s duty to pay

(3)  Until an income source begins deducting support payments in respect of a support deduction order or if payments by an income source are interrupted or terminated, the payor shall pay the amounts owing under the support order to the Director, if the support order is filed in the Director’s office, or to the recipient, if the support order is not filed in the Director’s office. 1996, c. 31, s. 22 (3).

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 11](http://www.ontario.ca/laws/statute/S05016" \l "s11) - 13/06/2005

Maximum deduction by income source

**23** (1)  The total amount deducted by an income source and paid to the Director under a support deduction order shall not exceed 50 per cent of the net amount owed by the income source to the payor. 1996, c. 31, s. 23 (1).

(2)  Repealed. See: Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006* – December 31, 2011.

Exception for certain federal payments

(3)  Despite subsection (1), up to 100 per cent of a payor’s income tax refund or other lump sum payment that is attachable under the Family Orders and Agreements Enforcement Assistance Act (Canada) may be deducted and paid to the Director under a support deduction order. 1996, c. 31, s. 23 (3).

(4)  Repealed. See: Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006* – December 31, 2011.

Interpretation – net amount

(5)  For the purposes of this section,

“net amount” means the total amount owed by the income source to the payor at the time payment is to be made to the Director, less the total of the following deductions:

1. Income Tax.

2. Canada Pension Plan.

3. Employment Insurance.

4. Union dues.

5. Such other deductions as may be prescribed by the regulations. 1996, c. 31, s. 23 (5).

Same

(6)  Despite any other provision of this Act, no deduction shall be made under a support deduction order in respect of amounts owing to a payor as reimbursement for expenses covered by a medical, health, dental or hospital insurance contract or plan. 1996, c. 31, s. 23 (6).

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 12](http://www.ontario.ca/laws/statute/S05016" \l "s12) - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

[Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

Crown bound by support deduction order

**24** (1)  A support deduction order is effective against the Crown only in respect of amounts payable on behalf of the administrative unit served with notice of the support deduction order to the payor named in the notice. 1996, c. 31, s. 24 (1).

Social assistance benefits

(2)  Despite subsection (1), no amounts shall be deducted from any amount payable to a payor as a benefit under the Family Benefits Act or as assistance under the General Welfare Assistance Act or the Ontario Works Act, 1997 or as income support under the Ontario Disability Support Program Act, 1997, in order to comply with a support deduction order unless authorized under the Ontario Works Act, 1997 or the Ontario Disability Support Program Act, 1997. 1997, c. 25, Sched. E, s. 2 (6).

Definition

(3)  In subsection (1),

“administrative unit” means a ministry of the Government of Ontario, a Crown agency within the meaning of the Crown Agency Act or the Office of the Assembly. 1996, c. 31, s. 24 (3).

**Section Amendments with date in force (d/m/y)**

1997, c. 25, Sched. E, s. 2 (6) - 01/07/1998

Duty to inform re payment interruption

**25** (1)  Within 10 days after the termination or beginning of an interruption of payments by an income source to a payor, both the income source and the payor shall give written notice of the termination or interruption to the Director, together with such other information as may be required by the regulations. 1996, c. 31, s. 25 (1).

Same

(2)  If notice has been or should have been given under subsection (1),

(a) the payor and the income source, within 10 days after the resumption of payments that have been interrupted, shall give written notice to the Director of the resumption;

(b) the payor, within 10 days of beginning employment with another income source or of becoming entitled to payments from another income source, shall give written notice to the Director of the new employment or entitlement and of the name and address of the income source. 1996, c. 31, s. 25 (2).

Disputes re income source

**26** (1)  If an individual, corporation or other entity served with notice of a support deduction order is not an income source of the payor named in the notice, the individual, corporation or other entity shall give written notice in the prescribed form of that fact to the Director within 10 days after the service of the notice. 1996, c. 31, s. 26 (1).

Same

(2)  The Director or an individual, corporation or other entity who has notified the Director under subsection (1) may, on notice to each other, make a motion to the court that made or is deemed to have made the support deduction order to determine whether the individual, corporation or other entity is an income source. 1996, c. 31, s. 26 (2); 2005, c. 16, s. 13 (1).

Same

(3)  The Director or an income source may, on notice to each other, make a motion to the court that made or is deemed to have made the support deduction order to determine,

(a) whether the income source has failed to comply with the order; or

(b) whether the amount the income source is deducting and paying to the Director under the order is correct. 1996, c. 31, s. 26 (3); 2005, c. 16, s. 13 (2).

Determination by court

(4)  In a motion under subsection (2) or (3), the court shall determine the issue in a summary manner and make such order as it considers appropriate in the circumstances. 1996, c. 31, s. 26 (4).

Limitation

(5)  A motion shall not be made under subsection (2) by an individual (other than the Director), corporation or other entity until at least 14 days after the individual, corporation or other entity gave written notice to the Director as required by subsection (1). 1996, c. 31, s. 26 (5); 2005, c. 16, s. 13 (3).

Same

(6)  A motion shall not be made by an income source under subsection (3) unless the income source has given written particulars of the proposed motion to the Director at least 14 days before serving the Director with notice of the motion. 1996, c. 31, s. 26 (6); 2005, c. 16, s. 13 (4).

Liability

(7)  An income source is liable to pay to the Director any amount that it failed without proper reason to deduct and pay to the Director after receiving notice of a support deduction order and, in a motion under subsection (3), the court may order the income source to pay the amount that it ought to have deducted and paid to the Director. 1996, c. 31, s. 26 (7).

Other enforcement

(8)  In addition to any other method available to enforce an order in a civil proceeding, any order made under subsection (4) or (7) may be enforced under this Act in the same manner and with the same remedies as a support order. 1996, c. 31, s. 26 (8).

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 13 (1-4)](http://www.ontario.ca/laws/statute/S05016" \l "s13s1) - 13/06/2005

Disputes, etc., by payor

**27** (1)  A payor, on motion in the court that made or is deemed to have made the support deduction order,

(a) may dispute the amount being deducted by an income source under a support deduction order if he or she is of the opinion that because of a mistake of fact more is being deducted than is required under this Act;

(b) may dispute whether he or she has defaulted in paying support after an alternative payment order has been made under section 28;

(c) may seek relief regarding the amount that is being deducted by an income source under a support deduction order for arrears under a support order. 1996, c. 31, s. 27 (1); 2005, c. 16, s. 14 (1).

Motion to increase deductions for arrears

(2)  If an order has been made on a motion under clause (1) (c), the Director may, on motion in the court that made the order, request that the amount to be deducted by an income source be increased if there has been an improvement in the payor’s financial circumstances. 1996, c. 31, s. 27 (2).

Dispute over entitlement

(3)  On a motion under subsection (1) or (2), the payor shall not dispute the entitlement of a person to support under a support order. 1996, c. 31, s. 27 (3).

Necessary party

(4)  The Director is a necessary party to a motion under subsection (1) and the payor is a necessary party to a motion under subsection (2). 1996, c. 31, s. 27 (4).

Determination by court

(5)  The court shall determine the issue in a motion under subsection (1) or (2) in a summary manner and make such order as it considers appropriate in the circumstances. 1996, c. 31, s. 27 (5).

Same

(6)  On a motion under clause (1) (c), the payor shall be presumed to have the ability to pay the amount being deducted for arrears and the court may change the amount being deducted only if it is satisfied that the payor is unable for valid reasons to pay that amount, but this does not affect the accruing of arrears. 1996, c. 31, s. 27 (6); 2005, c. 16, s. 14 (2).

Change of support deduction order

(7)  A court shall not change the amount to be paid under a support deduction order except under subsection (5) or if the related support order is changed. 1996, c. 31, s. 27 (7); 2005, c. 16, s. 14 (3); 2020, c. 34, Sched. 4, s. 3.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 14 (1-3)](http://www.ontario.ca/laws/statute/S05016" \l "s14s1) - 13/06/2005

[2020, c. 34, Sched. 4, s. 3](http://www.ontario.ca/laws/statute/S20034" \l "sched4s3) - 08/12/2020

Alternative payment order

**28** (1)  A court that makes a support deduction order may make an order requiring the payor to make payments directly to the Director, at the same time as it makes the support deduction order, or subsequently on motion. 2005, c. 16, s. 15.

Same

(2)  A court that is deemed to have made a support deduction order may, on a motion made under subsection 21 (4), make an order requiring the payor to make payments directly to the Director. 2005, c. 16, s. 15.

Effect on support order and support deduction order

(3)  An alternative payment order made under subsection (1) or (2) suspends the support deduction order, but it does not affect the payor’s obligations under the support order nor does it affect any other means of enforcing the support order. 2005, c. 16, s. 15.

Criteria

(4)  The court may make an alternative payment order under subsection (1) or (2) only if,

(a) it finds that it would be unconscionable, having regard to all of the circumstances, to require the payor to make support payments by means of a support deduction order; or

(b) the parties to the support order agree that they do not want support payments collected by means of a support deduction order and the court requires the payor to post such security as it considers adequate and in accordance with the regulations. 2005, c. 16, s. 15.

Agency’s consent required

(5)  If the support order has been assigned to an agency described in subsection 33 (3) of the Family Law Act or if there are arrears owing to the agency from a past assignment, the court shall not make an alternative payment order in the circumstances described in clause (4) (b) without the agency’s consent. 2005, c. 16, s. 15.

Unconscionable, determination

(6)  The following shall not be considered by a court in determining whether it would be unconscionable to require a payor to make support payments by means of a support deduction order:

1. The fact that the payor has demonstrated a good payment history in respect of his or her debts, including support obligations.

2. The fact that the payor has had no opportunity to demonstrate voluntary compliance in respect of support obligations.

3. The fact that the parties have agreed to the making of an alternative payment order.

4. The fact that there are grounds upon which a court might find that the amount payable under the support order should be changed. 2005, c. 16, s. 15.

Security

(7)  For the purposes of clause (4) (b), security shall be in a minimum amount equal to the support payable for four months and the security shall be in money or in such other form as may be prescribed in the regulations. 2005, c. 16, s. 15.

When Director is a party

(8)  The Director is not a party to a motion made to obtain an alternative payment order, but if the motion relates to a support deduction order deemed to have been made under section 21, the Director,

(a) shall also be served with notice of the motion; and

(b) may be added as a party. 2005, c. 16, s. 15.

When agency is a party

(9)  If the support order was filed in the Director’s office by an agency under subsection 14 (1), or has been assigned to an agency referred to in that subsection, the agency,

(a) shall also be served with notice of the motion; and

(b) may be added as a party. 2005, c. 16, s. 15.

Completion of form, etc.

(10)  An alternative payment order shall be completed and signed by the court or by the clerk or registrar of the court at the time it is made and shall be entered in the court records promptly after it is signed. 2005, c. 16, s. 15.

Prompt filing

(11)  The clerk or registrar of the court that makes an alternative payment order shall file it in the Director’s office promptly after it is made. 2005, c. 16, s. 15.

Form and effective date

(12)  An alternative payment order shall be in the form prescribed by the regulations and takes effect only when it is filed in the Director’s office and every income source affected by the alternative payment order has received notice of it and of its effect on the support deduction order. 2005, c. 16, s. 15.

Termination of alternative payment order

(13)  An alternative payment order is automatically terminated if the payor fails to post security of the type or within the time period set out in the alternative payment order or if the payor fails to comply with the support order. 2005, c. 16, s. 15.

Effect of termination

(14)  When an alternative payment order is terminated under subsection (13), the support deduction order is reinstated and the Director may immediately realize on any security that was posted. 2005, c. 16, s. 15.

Effect of withdrawing support order and support deduction order

(15)  If the support order and the related support deduction order are withdrawn from the Director’s office while an alternative payment order is in effect, the alternative payment order is terminated and the Director shall repay to the payor any security that was posted. 2005, c. 16, s. 15.

Effect of changing support order or support deduction order

(16)  If the support order or the related support deduction order is changed while an alternative payment order is in effect, the alternative payment order is terminated and the Director shall repay to the payor any security that was posted. 2005, c. 16, s. 15.

Transition

(17)  A suspension order made under this section as it read on the day before section 15 of the Family Responsibility and Support Arrears Enforcement Amendment Act, 2005 came into force has the same effect as an alternative payment order, and this Act applies to the suspension order as if it were an alternative payment order. 2005, c. 16, s. 15.

**Section Amendments with date in force (d/m/y)**

1997, c. 25, Sched. E, s. 2 (7) - 01/07/1998

[2005, c. 16, s. 15](http://www.ontario.ca/laws/statute/S05016" \l "s15) - 13/06/2005

Income source to keep information confidential

**29** Information about a payor obtained as a result of the application of this Part by an income source or an individual, corporation or other entity believed to be an income source shall not be disclosed by the income source or the individual, corporation or other entity, as the case may be, or any director, officer, employee or agent thereof, except for the purposes of complying with a support deduction order or this Act. 1996, c. 31, s. 29.

Priority of support deduction orders

**30** (1)  Despite any other Act, a support deduction order has the same priority over other judgment debts as a support order has under the Creditors’ Relief Act, 2010 and all support orders and support deduction orders rank equally with each other. 1996, c. 31, s. 30 (1); 2010, c. 16, Sched. 4, s. 25 (1).

Same

(2)  If an income source is required to make payments to the Director under a support deduction order and the income source receives a garnishment notice related to the same support obligation, the income source shall make full payment under the support deduction order and the garnishment shall be of no effect until the income source has received notice from the Director that an alternative payment order has been made or that the support deduction order is terminated or withdrawn from the Director’s office. 2005, c. 16, s. 16.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 16](http://www.ontario.ca/laws/statute/S05016" \l "s16) - 13/06/2005

[2010, c. 16, Sched. 4, s. 25 (1)](http://www.ontario.ca/laws/statute/S10016" \l "sched4s25s1) - 25/10/2010

Anti-avoidance

**31** An agreement by the parties to a support order to change enforcement of a support deduction order that is filed in the Director’s office and any agreement or arrangement to avoid or prevent enforcement of a support deduction order that is filed in the Director’s office are of no effect. 1996, c. 31, s. 31; 2005, c. 16, s. 17.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 17](http://www.ontario.ca/laws/statute/S05016" \l "s17) - 13/06/2005

Conflict with other Acts

**32** A support deduction order may be enforced despite any provision in any other Act protecting any payment owed by an income source to a payor from attachment or other process for the enforcement of a judgment debt. 1996, c. 31, s. 32.

Part V  
Suspension of Drivers’ Licences

Definition, Part V

**33** In this Part,

“driver’s licence” has the same meaning as in subsection 1 (1) of the Highway Traffic Act. 1996, c. 31, s. 33.

**Section Amendments with date in force (d/m/y)**

1996, c. 31, s. 64 - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

First notice

**34** When a support order that is filed in the Director’s office is in default, the Director may serve a first notice on the payor, informing the payor that his or her driver’s licence may be suspended unless, within 30 days after the day the first notice is served,

(a) the payor makes an arrangement satisfactory to the Director for complying with the support order and for paying the arrears owing under the support order;

(b) the payor obtains an order to refrain under subsection 35 (1) and files the order in the Director’s office; or

(c) the payor pays all arrears owing under the support order. 1996, c. 31, s. 34.

**Section Amendments with date in force (d/m/y)**

1996, c. 31, s. 64 - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

Order to refrain

**35** (1)  If a payor is served with a first notice under section 34 and makes a motion to change the support order, the payor may also, on notice to the Director, make a motion for an order that the Director refrain from directing the suspension of the payor’s driver’s licence under subsection 37 (1), on the terms that the court considers just, which may include payment terms. 2005, c. 16, s. 18; 2009, c. 33, Sched. 8, s. 2 (14).

Certain support variation applications

(2)  For the purposes of this section, submitting a support variation application to the designated authority in Ontario under the Interjurisdictional Support Orders Act, 2002 or to the Central Authority in Ontario under the International Recovery of Child Support and Family Maintenance Convention Act, 2023 has the same effect as making a motion to change a support order. 2023, c. 9, Sched. 16, s. 25 (4).

Effect on arrears

(3)  Payment terms that are included in an order to refrain do not affect the accruing of arrears, nor do they affect any other means of enforcing the support order. 2005, c. 16, s. 18.

Exceptions

(4)  Despite subsection (1), a motion for an order to refrain may be made,

(a) before making a motion to change the support order, on the undertaking of the payor or the payor’s lawyer to obtain, within 20 days after the date of the order to refrain, a court date for the motion to change the support order; or

(b) without making a motion to change the support order, if the payor has started an appeal of the support order and the appeal has not been determined. 2005, c. 16, s. 18.

Court with jurisdiction to change support order

(5)  A motion for an order to refrain shall be made in the court that has jurisdiction to change the support order. 2005, c. 16, s. 18.

Same

(6)  The court that has jurisdiction to change a support order is,

(a) in the case of a support order that was made in Ontario,

(i) the court that made the support order, unless subclause (ii) applies,

(ii) if the support order is a provision in a domestic contract, the Ontario Court of Justice or the Family Court; and

(b) in the case of a support order that was made outside Ontario,

(i) if the support order was made under the Divorce Act (Canada), the Superior Court of Justice or the Family Court,

(ii) if the support order is registered under the Interjurisdictional Support Orders Act, 2002 or the International Recovery of Child Support and Family Maintenance Convention Act, 2023, the court in Ontario that has jurisdiction under that Act to vary the support order. 2005, c. 16, s. 18; 2020, c. 34, Sched. 4, s. 4; 2023, c. 9, Sched. 16, s. 25 (5).

Financial statement and proof of income

(7)  A payor who makes a motion for an order to refrain shall serve and file together with the notice of motion,

(a) a financial statement, in the form prescribed by the regulations or in the form prescribed by the rules of court; and

(b) such proof of income as may be prescribed by the regulations. 2005, c. 16, s. 18; 2014, c. 7, Sched. 10, s. 10.

Exception, undertaking

(8)  Despite clause (7) (b), if the payor is unable to serve and file the proof of income before the motion is heard, the court may make the order to refrain subject to the undertaking of the payor or the payor’s lawyer to serve and file the proof of income within 20 days. 2005, c. 16, s. 18.

Court may change or terminate order to refrain

(9)  When an undertaking is made under subsection (8), the court may change or terminate the order to refrain, without proof of a material change in circumstances, on motion by the Director, if,

(a) the 20-day period has expired and the proof of income has not been served and filed; or

(b) the proof of income has been served and filed and the court is satisfied that a different order would have been made if the proof of income had been available when the motion for the order to refrain was heard. 2005, c. 16, s. 18.

Time limits and changing order to refrain

(10)  A court shall not make an order to refrain after the 30-day period referred to in the first notice, but an order to refrain may be changed, on motion by the payor or the Director, at any time before the motion to change support is determined if there is a material change in the payor’s circumstances. 2005, c. 16, s. 18.

Same

(11)  A court may make an order to refrain only within the 30-day period referred to in the first notice and may make only one order to refrain in respect of any first notice. 2005, c. 16, s. 18.

Same

(12)  For greater certainty, the 30-day period referred to in the first notice can not be extended for the purposes of subsections (10) and (11). 2005, c. 16, s. 18.

Same

(13)  For greater certainty, if the 30-day period referred to in the first notice expires on a day when court offices are closed, the last day for making an order to refrain is the last day on which court offices are open before the 30-day period expires. 2005, c. 16, s. 18.

Order re arrears

(14)  When a court that has determined a motion for an order to refrain also determines the related motion to change support, the court,

(a) shall state the amount of the arrears owing, after any change to the support order; and

(b) may make an order respecting payment of the arrears. 2005, c. 16, s. 18.

Same

(15)  For the purpose of clause (14) (b), the court may make any order that may be made under clause 41 (10) (a), (b), (c), (e), (h) or (i) or subsection 41 (19) and, in the case of an order provided by clause 41 (10) (h) or (i), imprisonment does not discharge arrears under the support order. 2005, c. 16, s. 18.

When Director is a party

(16)  The Director is not a party to a motion to change a support order referred to in subsection (1), but the Director and the payor are the only parties to a motion under subsection (1) for an order to refrain. 2005, c. 16, s. 18.

Filing with Director’s office

(17)  The court shall file a copy of the order in the Director’s office promptly after the order is signed. 2005, c. 16, s. 18.

Form and effective date

(18)  An order to refrain shall be in the form prescribed by the regulations and takes effect only when it is filed in the Director’s office. 2005, c. 16, s. 18.

Duration of order

(19)  An order to refrain terminates on the earliest of,

(a) the day the order to refrain is terminated under subsection (9);

(b) the day the motion to change or the appeal is determined;

(c) the day the support order is withdrawn from the Director’s office; and

(d) the day that is six months after the order to refrain is made. 2005, c. 16, s. 18.

Exception

(20)  Despite subsection (19), an order to refrain made before the making of a motion to change the support order is automatically terminated if the payor does not, within 20 days after the date of the order to refrain, obtain a court date for the motion to change the support order. 2005, c. 16, s. 18.

Extension of order

(21)  The court that made an order to refrain may, on a motion made by the payor with notice to the Director, extend the order for one further period of,

(a) three months, unless clause (b) applies; or

(b) six months, if the motion to change is being dealt with under section 44 of the Family Law Act, section 18.1, 18.2 or 19 of the Divorce Act (Canada), the Interjurisdictional Support Orders Act, 2002 or the International Recovery of Child Support and Family Maintenance Convention Act, 2023. 2005, c. 16, s. 18; 2020, c. 25, Sched. 1, s. 29 (2); 2023, c. 9, Sched. 16, s. 25 (6).

Time for extending order

(22)  An extending order under subsection (21) shall not be made after the order to refrain has terminated. 2005, c. 16, s. 18.

Same

(23)  For greater certainty, if the order to refrain terminates on a day when court offices are closed, the last day for making an extending order is the last day on which court offices are open before the order terminates. 2005, c. 16, s. 18.

Application of order

(24)  An order to refrain is applicable only to the notice in respect of which the motion for an order to refrain was made under subsection (1). 2005, c. 16, s. 18.

**Section Amendments with date in force (d/m/y)**

1996, c. 31, s. 64 - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

[2005, c. 16, s. 18](http://www.ontario.ca/laws/statute/S05016" \l "s18) - 13/06/2005; [2005, c. 16, s. 37](http://www.ontario.ca/laws/statute/S05016" \l "s37) - no effect - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

[2009, c. 33, Sched. 8, s. 2 (14)](http://www.ontario.ca/laws/statute/S09033" \l "sched8s2s14) - 15/12/2009

[2014, c. 7, Sched. 10, s. 10](http://www.ontario.ca/laws/statute/S14007" \l "sched10s10) - 24/07/2014

[2020, c. 25, Sched. 1, s. 29 (2)](http://www.ontario.ca/laws/statute/S20025" \l "sched1s29s2) - 01/03/2021; [2020, c. 34, Sched. 4, s. 4](http://www.ontario.ca/laws/statute/S20034" \l "sched4s4) - 08/12/2020

[2023, c. 9, Sched. 16, s. 25 (4-6)](http://www.ontario.ca/laws/statute/S23009" \l "sched16s25s4) - 01/02/2024

Final notice

**36** (1)  The Director may serve a final notice on the payor if, at any time in the 24 months after the payor made an arrangement under clause 34 (a) or obtained an order under subsection 35 (1) or clause 35 (14) (b), the payor fails to comply with,

(a) the terms of the arrangement made with the Director in response to the first notice;

(b) the terms of an order to refrain under subsection 35 (1); or

(c) the terms of the changed support order and an order respecting payment of arrears under clause 35 (14) (b). 1996, c. 31, s. 36 (1); 2005, c. 16, s. 19.

Contents

(2)  The final notice shall inform the payor that his or her driver’s licence may be suspended,

(a) unless, within 15 days after the day the final notice is served,

(i) the payor complies with clause (1) (a), (b) or (c), or

(ii) the payor pays all arrears owing under the support order; or

(b) if, within 24 months after the payor makes an arrangement under clause (1) (a) or obtains an order under subsection 35 (1) or clause 35 (14) (b), the payor fails to comply with the arrangement or order. 1996, c. 31, s. 36 (2); 2005, c. 16, s. 19 (2).

Interpretation: arrangement in response to notice

(3)  For the purposes of this section, an arrangement is made in response to a first notice if it is made within the time referred to in the first notice. 1996, c. 31, s. 36 (3).

Same

(4)  An arrangement that is made in response to a first notice and is then amended by agreement in writing remains an arrangement made in response to the first notice. 1996, c. 31, s. 36 (4).

**Section Amendments with date in force (d/m/y)**

1996, c. 31, s. 64 - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

[2005, c. 16, s. 19 (1, 2)](http://www.ontario.ca/laws/statute/S05016" \l "s19s1) - 13/06/2005; [2005, c. 16, s. 38 (1, 2)](http://www.ontario.ca/laws/statute/S05016" \l "s38s1) - no effect - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

Direction to suspend

After first notice

**37** (1)  The Director may direct the Registrar of Motor Vehicles to suspend a payor’s driver’s licence if, within the 30-day period referred to in the first notice, the payor does not,

(a) make an arrangement satisfactory to the Director for complying with the support order;

(b) obtain an order to refrain under subsection 35 (1) and file the order in the Director’s office; or

(c) pay all arrears owing under the support order. 1996, c. 31, s. 37 (1).

After final notice

(2)  The Director may direct the Registrar of Motor Vehicles to suspend a payor’s driver’s licence if, within the 15-day period referred to in the final notice or at any time in the 24-month period referred to in the final notice, the payor does not,

(a) comply with clause 36 (1) (a), (b) or (c); or

(b) pay all arrears owing under the support order. 1996, c. 31, s. 37 (2); 2005, c. 16, s. 20.

Form of direction

(3)  A direction under this section shall be in a form approved by the Director and the Registrar of Motor Vehicles. 1996, c. 31, s. 37 (3).

**Section Amendments with date in force (d/m/y)**

1996, c. 31, s. 64 - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

[2005, c. 16, s. 20](http://www.ontario.ca/laws/statute/S05016" \l "s20) - 13/06/2005; [2005, c. 16, s. 39](http://www.ontario.ca/laws/statute/S05016" \l "s39) - no effect - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

Direction to reinstate

**38** (1)  The Director shall direct the Registrar of Motor Vehicles to reinstate a driver’s licence suspended as a result of a direction under section 37 if,

(a) the payor pays all the arrears owing under the support order;

(b) the payor is complying with the terms of the arrangement made with the Director in response to the first notice;

(c) the payor is complying with the terms of an order to refrain that has not expired;

(d) the support order has been changed and the payor is complying with the terms of the changed support order, including the terms of any order under clause 35 (14) (b) that relates to the support order;

(d.1) the payor makes an arrangement satisfactory to the Director for complying with the support order and for paying the arrears owing under the support order; or

(e) the support order is withdrawn under section 16. 1996, c. 31, s. 38 (1); 2005, c. 16, s. 21 (1).

Notice revived if payor breaches arrangement or order

(2)  If the Director directs the Registrar of Motor Vehicles to reinstate a driver’s licence under clause (1) (b), (c) or (d) and the payor subsequently defaults within 24 months from the date of reinstatement or if the payor subsequently defaults within 24 months after the payor entered into an arrangement under clause 34 (a) or obtained an order under clause 35 (14) (b), the Director may proceed to act in accordance with the most recent notice that was served on the payor under this Part. 1996, c. 31, s. 38 (2); 2005, c. 16, s. 21 (2).

More than one order in default

(3)  If the payor is in default on one or more other support orders, the Director shall not direct the Registrar of Motor Vehicles to reinstate the driver’s licence unless,

(a) all arrears under all the support orders are paid;

(b) an arrangement or arrangements have been made, on terms satisfactory to the Director, to pay all arrears under all the support orders, and the payor is in compliance with the arrangement or arrangements; or

(c) all arrears under all the support orders are the subject of a court order or orders for payment and the payor is in compliance with the court order or orders. 2005, c. 16, s. 21 (3).

Discretion to reinstate

(4)  The Director may direct the Registrar of Motor Vehicles to reinstate a driver’s licence suspended as a result of a direction under section 37 if, in the opinion of the Director, it would be unconscionable not to do so. 1996, c. 31, s. 38 (4); 2005, c. 16, s. 21 (4).

Form of direction

(5)  A direction under this section shall be in a form approved by the Director and the Registrar of Motor Vehicles. 1996, c. 31, s. 38 (5).

**Section Amendments with date in force (d/m/y)**

1996, c. 31, s. 64 - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

[2005, c. 16, s. 21 (1-4)](http://www.ontario.ca/laws/statute/S05016" \l "s21s1) - 13/06/2005; [2005, c. 16, s. 40 (1-4)](http://www.ontario.ca/laws/statute/S05016" \l "s40s1) - no effect - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

Anti-avoidance

**39** An agreement by the parties to a support order to avoid or prevent its enforcement under this Part is of no effect. 1996, c. 31, s. 39.

**Section Amendments with date in force (d/m/y)**

1996, c. 31, s. 64 - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

**39.1-39.4**

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 22](http://www.ontario.ca/laws/statute/S05016" \l "s22) - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2015

Part VI  
Other Enforcement Mechanisms

Financial statements

**40** (1)  The Director may request that a payor who is in default under a support order, where the support order or related support deduction order is filed in the Director’s office, complete and deliver to the Director a financial statement in the form prescribed by the regulations together with such proof of income as may be required by the regulations. 1996, c. 31, s. 40 (1).

Same

(2)  The payor shall deliver the completed financial statement to the Director within 15 days after he or she was served with the request to complete the form. 1996, c. 31, s. 40 (2).

Changes in information

(3)  If a payor discovers that any information was incomplete or wrong at the time he or she completed the financial statement, he or she shall, within 10 days of the discovery, deliver the corrected information to the Director. 1996, c. 31, s. 40 (3).

Failure to comply

(4)  The Ontario Court of Justice or the Family Court, on the motion of the Director, may order a payor to comply with a request under subsection (1) and subsections 41 (6) and (7) apply with necessary modifications. 1996, c. 31, s. 40 (4); 2005, c. 16, s. 23.

Limitation

(5)  The Director may request a financial statement under this section once in any six-month period but this does not restrict the Director’s right to obtain a financial statement under section 41. 1996, c. 31, s. 40 (5).

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 23](http://www.ontario.ca/laws/statute/S05016" \l "s23) - 13/06/2005

Default hearing

**41** (1)  When a support order that is filed in the Director’s office is in default, the Director may prepare a statement of the arrears and, by notice served on the payor together with the statement of arrears, may require the payor to deliver to the Director a financial statement and such proof of income as may be required by the regulations and to appear before the court to explain the default. 2005, c. 16, s. 24.

Same

(2)  When a support order that is not filed in the Director’s office is in default, the recipient may file a request with the court, together with a statement of arrears, and, on such filing, the clerk of the court shall, by notice served on the payor together with the statement of arrears, require the payor to file a financial statement and appear before the court to explain the default. 2005, c. 16, s. 24.

Persons financially connected to payor

(3)  The Director or the recipient may, at any time during a default hearing under subsection (1) or (2), request that the court make an order under subsection (4) or (5) or both. 2005, c. 16, s. 24.

Financial statement

(4)  The court may, by order, require a person to file a financial statement and any other relevant documents with the court if the court is satisfied that the person is financially connected to the payor. 2005, c. 16, s. 24.

Adding party

(5)  The court may, by order, add a person as a party to the hearing if the court,

(a) has made or could make an order under subsection (4); and

(b) is satisfied on considering all the circumstances, including the purpose and effect of the dealings between the person and the payor and their benefit or expected benefit to the payor, that there is some evidence that the person has sheltered assets or income of the payor such that enforcement of the support order against the payor may be frustrated. 2005, c. 16, s. 24.

Form of statements

(6)  A financial statement and statement of arrears required by subsection (2) shall be in the form prescribed by the rules of the court and a financial statement required by subsection (1) or (4) shall be in the form prescribed by the regulations. 2005, c. 16, s. 24.

Arrest of payor

(7)  If the payor fails to file the financial statement or to appear as the notice under subsection (1) or (2) requires, the court may issue a warrant for the payor’s arrest for the purpose of bringing him or her before the court. 2005, c. 16, s. 24.

Bail

(8)  Section 150 (interim release by justice of the peace) of the Provincial Offences Act applies with necessary modifications to an arrest under the warrant. 2005, c. 16, s. 24.

Presumptions at hearing

(9)  At the default hearing, unless the contrary is shown, the payor shall be presumed to have the ability to pay the arrears and to make subsequent payments under the order, and the statement of arrears prepared and served by the Director shall be presumed to be correct as to arrears accruing while the order is filed in the Director’s office. 2005, c. 16, s. 24.

Powers of court

(10)  The court may, unless it is satisfied that the payor is unable for valid reasons to pay the arrears or to make subsequent payments under the order, order that the payor,

(a) pay all or part of the arrears by such periodic or lump sum payments as the court considers just, but an order for partial payment does not rescind any unpaid arrears;

(b) discharge the arrears in full by a specified date;

(c) comply with the order to the extent of the payor’s ability to pay;

(d) make a motion to change the support order;

(e) provide security in such form as the court directs for the arrears and subsequent payment;

(f) report periodically to the court, the Director or a person specified in the order;

(g) provide to the court, the Director or a person specified in the order particulars of any future change of address or employment as soon as they occur;

(h) be imprisoned continuously or intermittently until the period specified in the order, which shall not be more than 180 days, has expired, or until the arrears are paid, whichever is sooner; and

(i) on default in any payment ordered under this subsection, be imprisoned continuously or intermittently until the period specified in the order, which shall not be more than 180 days, has expired, or until the payment is made, whichever is sooner. 2005, c. 16, s. 24; 2014, c. 7, Sched. 10, s. 11 (1).

No effect on accruing of arrears or other means of enforcement

(11)  An order under subsection (10) does not affect the accruing of arrears, nor does it limit or otherwise affect any other means of enforcing the support order. 2005, c. 16, s. 24; 2014, c. 7, Sched. 10, s. 11 (2).

Order against person financially connected to payor

(12)  If the court is satisfied that a person who was made a party to the hearing under subsection (5) sheltered assets or income of the payor such that enforcement of the support order against the payor has been frustrated, the court may, having regard to all the circumstances, including the purpose and effect of the dealings and the benefit or expected benefit therefrom to the payor, make any order against the person that it may make against the payor under clauses (10) (a), (b), (c), (e), (f) and (g) and subsection (19), to the extent of the value of the sheltered assets or income and, for the purpose, in clause (10) (c), “payor’s” shall be read as “person’s”. 2005, c. 16, s. 24.

Same

(13)  Subsections (7) and (8) apply with necessary modifications to a person with respect to whom an order is made under subsection (4) or (5). 2005, c. 16, s. 24.

Temporary orders

(14)  The court may make a temporary order against the payor, or a person who was made a party to the hearing under subsection (5), that includes any order that may be made under subsection (10) or (12), as the case may be. 2005, c. 16, s. 24.

Power to change order

(15)  The court that made an order under subsection (10) or (12) may change the order on motion if there is a material change in the payor’s or other person’s circumstances, as the case may be. 2005, c. 16, s. 24.

Enforcement of order

(16)  The Director may enforce an order against a person made under subsection (12), (14) or (15) in the same manner as he or she may enforce an order against the payor. 2005, c. 16, s. 24.

Imprisonment does not discharge arrears

(17)  Imprisonment of a payor under clause (10) (h) or (i) does not discharge arrears under an order. 2005, c. 16, s. 24.

No early release

(18)  Section 28 of the Ministry of Correctional Services Act does not apply to the imprisonment of a payor under clause (10) (h) or (i). 2005, c. 16, s. 24.

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 41 (18) of the Act is amended by striking out “Section 28 of the Ministry of Correctional Services Act” at the beginning and substituting “For greater certainty, section 102 of the Correctional Services and Reintegration Act, 2018”. (See: 2018, c. 6, Sched. 3, s. 9)

Realizing on security

(19)  An order for security under clause (10) (e) or a subsequent order of the court may provide for the realization of the security by seizure, sale or other means, as the court directs. 2005, c. 16, s. 24.

Proof of service not necessary

(20)  Proof of service of a support order or a changed support order is not necessary for the purpose of a default hearing. 2005, c. 16, s. 24.

Joinder of default and change hearings

(21)  A default hearing under this section and a hearing on a motion to change the support order may be held together or separately. 2005, c. 16, s. 24.

Effect of change on default hearing

(22)  If an order changing a support order is made while a default hearing under this section in relation to the support order is under way,

(a) the default hearing continues;

(b) it is not necessary to serve fresh documents under subsection (1) or (2); and

(c) the payment terms of the changed support order shall be incorporated into any subsequent order made under subsection (10). 2005, c. 16, s. 24.

Spouses compellable witnesses

(23)  Spouses are competent and compellable witnesses against each other on a default hearing. 2005, c. 16, s. 24.

Records sealed

(24)  A financial statement or other document filed under subsection (4) shall be sealed in the court file and shall not be disclosed except as permitted by the order or a subsequent order or as necessary to enforce an order made under subsection (12) or (14) against a person other than the payor. 2005, c. 16, s. 24.

Definition

(25)  In this section,

“court” means the Ontario Court of Justice or the Family Court. 2005, c. 16, s. 24.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 24](http://www.ontario.ca/laws/statute/S05016" \l "s24) - 13/06/2005

[2014, c. 7, Sched. 10, s. 11 (1, 2)](http://www.ontario.ca/laws/statute/S14007" \l "sched10s11s1) - 24/07/2014

[2018, c. 6, Sched. 3, s. 9](http://www.ontario.ca/laws/statute/S18006" \l "sched3s9) - not in force

Registration against land

**42** (1)  A support order may be registered in the proper land registry office against the payor’s land and on registration the obligation under the order becomes a charge on the property. 1996, c. 31, s. 42 (1).

Sale of property

(2)  A charge created by subsection (1) may be enforced by sale of the property against which it is registered in the same manner as a sale to realize on a mortgage. 1996, c. 31, s. 42 (2).

Discharge or postponement of charge

(3)  A court may order the discharge, in whole or in part, or the postponement, of a charge created by subsection (1), on such terms as to security or other matters as the court considers just. 1996, c. 31, s. 42 (3).

Notice

(4)  An order under subsection (3) may be made only after notice to the Director, if the support order or a related support deduction order is filed with the Director’s office for enforcement. 2005, c. 16, s. 25.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 25](http://www.ontario.ca/laws/statute/S05016" \l "s25) - 13/06/2005

Registration under the *Personal Property Security Act*

**43** (1)  Arrears owing from time to time under a support order are, upon registration by the Director or the recipient with the registrar under the *Personal Property Security Act* of a notice claiming a lien and charge under this section, a lien and charge on any interest in all the personal property in Ontario owned or held at the time of registration or acquired afterwards by the payor. 1996, c. 31, s. 43 (1).

Amounts included and priority

(2)  The lien and charge is in respect of the arrears owed by the payor under a support order at the time of registration of the notice and the arrears owed by the payor under the support order which accrue afterwards while the notice remains registered and, upon registration of a notice of lien and charge, the lien and charge has priority over,

(a) any perfected security interest registered after the notice is registered;

(b) any security interest perfected by possession after the notice is registered; and

(c) any encumbrance or other claim that is registered against or that otherwise arises and affects the payor’s property after the notice is registered. 1996, c. 31, s. 43 (2).

Exception

(3)  For the purpose of subsection (2), the notice of lien and charge does not have priority over a perfected purchase money security interest in collateral or its proceeds and shall be deemed to be a security interest perfected by registration for the purpose of the priority rules under section 28 of the *Personal Property Security Act*. 1996, c. 31, s. 43 (3).

Effective period

(4)  The notice of lien and charge is effective from the time assigned to its registration by the registrar or branch registrar until its discharge or expiry. 1996, c. 31, s. 43 (4).

Secured party

(5)  In addition to any other rights and remedies, if any arrears under a support order remain unpaid, the Director or recipient, as the case may be, has, in respect of the lien and charge,

(a) all the rights, remedies and duties of a secured party under sections 17, 59, 61, 62, 63 and 64, subsections 65 (4), (5), (6) and (7) and section 66 of the *Personal Property Security Act*;

(b) a security interest in the collateral for the purpose of clause 63 (4) (c) of that Act; and

(c) a security interest in the personal property for the purposes of sections 15 and 16 of the *Repair and Storage Liens Act*, if it is an article as defined in that Act. 1996, c. 31, s. 43 (5).

Registration of documents

(6)  The notice of lien and charge shall be in the form of a financing statement as prescribed by regulation under the *Personal Property Security Act* and may be tendered for registration at a branch office as provided in Part IV of that Act. 1996, c. 31, s. 43 (6).

Errors in documents

(7)  The notice of lien and charge is not invalidated nor its effect impaired by reason only of an error or omission in the notice or in its execution or registration, unless a reasonable person is likely to be materially misled by the error or omission. 1996, c. 31, s. 43 (7).

*Bankruptcy and Insolvency Act* (Canada) unaffected

(8)  Subject to Crown rights provided under section 87 of the *Bankruptcy and Insolvency Act* (Canada), nothing in this section affects or purports to affect the rights and obligations of any person under that Act. 1996, c. 31, s. 43 (8).

Writs of seizure and sale

**44** (1)  If a writ of seizure and sale is filed with a sheriff in respect of a support order, the person who filed the writ may at any time file with the sheriff a statutory declaration specifying,

(a) the amount currently owing under the order; or

(b) any name, alias or spelling variation of any name or alias used by the payor. 2007, c. 7, Sched. 15, s. 2 (1).

Same

(2)  When a statutory declaration is filed under clause (1) (a), the writ of seizure and sale shall be deemed to be amended to specify the amount owing in accordance with the statutory declaration. 2007, c. 7, Sched. 15, s. 2 (1).

Same

(2.1)  When a statutory declaration is filed under clause (1) (b), the writ of seizure and sale shall be deemed to be amended to include the names specified on the statutory declaration. 2007, c. 7, Sched. 15, s. 2 (1).

Notice from sheriff of opportunity to amend writ

(3)  A sheriff who comes into possession of money to be paid out under a writ of seizure and sale in respect of a support order shall, not later than seven days after making the entry required by subsection 4 (1) of the Creditors’ Relief Act, 2010, give notice to the person who filed the writ of the opportunity to file a statutory declaration under clause (1) (a). 1996, c. 31, s. 44 (3); 2007, c. 7, Sched. 15, s. 2 (2); 2010, c. 16, Sched. 4, s. 25 (2).

Same

(4)  A sheriff who receives a request for information about the amount owing under a writ of seizure and sale in respect of a support order from a person seeking to have the writ removed from the sheriff’s file shall promptly give notice to the person who filed the writ of the opportunity to file a statutory declaration under clause (1) (a). 1996, c. 31, s. 44 (4); 2007, c. 7, Sched. 15, s. 2 (3).

Removal of writ from sheriff’s file

(5)  A sheriff shall not remove a writ of seizure and sale in respect of a support order from his or her file unless,

(a) the writ has expired and has not been renewed;

(b) the sheriff receives written notice from the person who filed the writ to the effect that the writ should be withdrawn;

(c) notice is given under subsection (3) or (4), a statutory declaration is subsequently filed under clause (1) (a) and the writ, as deemed to be amended under subsection (2), has been fully satisfied; or

(d) notice is given under subsection (3) or (4), 10 days have elapsed since the notice was given, no statutory declaration has been filed under clause (1) (a) since the giving of the notice and the writ has been fully satisfied. 1996, c. 31, s. 44 (5); 2007, c. 7, Sched. 15, s. 2 (4, 5).

Delivery of statutory declaration to land registrar

(6)  If a copy of a writ of seizure and sale has been delivered by the sheriff to a land registrar under section 136 of the Land Titles Act and a statutory declaration is filed under subsection (1) in respect of the writ, the sheriff shall promptly deliver a copy of the statutory declaration to the land registrar and the amendment deemed to be made to the writ under subsection (2) or (2.1) does not bind land registered under the Land Titles Act until a copy of the statutory declaration has been received and recorded by the land registrar. 1996, c. 31, s. 44 (6); 2007, c. 7, Sched. 15, s. 2 (6).

**Section Amendments with date in force (d/m/y)**

[2007, c. 7, Sched. 15, s. 2 (1-6)](http://www.ontario.ca/laws/statute/S07007" \l "sched15s2s1) - 17/05/2007

[2010, c. 16, Sched. 4, s. 25 (2)](http://www.ontario.ca/laws/statute/S10016" \l "sched4s25s2) - 25/10/2010

Garnishment of joint accounts

**45** (1)  Upon being served on a financial institution, a notice of garnishment issued by the Director to enforce a support order against a payor attaches 50 per cent of the money credited to a deposit account held in the financial institution in the name of the payor together with one or more other persons as joint or joint and several deposit account holders, and the financial institution shall pay up to 50 per cent of the money credited to the deposit account to the Director in accordance with the notice of garnishment. 1996, c. 31, s. 45 (1).

Duties of financial institution

(2)  The financial institution shall, within 10 days of being served with the notice of garnishment,

(a) pay the money to the Director and, at the same time, notify the Director if the account is held jointly or jointly and severally in the name of two or more persons; and

(b) notify the co-holders of the account who are not named in the notice of garnishment of the garnishment. 1996, c. 31, s. 45 (2).

Dispute by co-holder

(3)  Within 30 days after the financial institution notified the Director under clause (2) (a), a co-holder of the deposit account may file a dispute to the garnishment in the Ontario Court of Justice or the Family Court claiming ownership of all or part of the money that the financial institution paid to the Director. 1996, c. 31, s. 45 (3); 2005, c. 16, s. 26.

Director to hold money for 30 days

(4)  If the financial institution notifies the Director under clause (2) (a), the Director shall not release the money received under subsection (1) until 30 days after the financial institution so notified the Director, and the Director may release the money after the 30 days unless a co-holder of the deposit account first serves on the Director a copy of the dispute to the garnishment that the co-holder filed under subsection (3). 1996, c. 31, s. 45 (4).

Determination by court

(5)  In a hearing to determine the dispute to the garnishment, the money paid to the Director shall be presumed to be owned by the payor and the court shall order,

(a) that the garnishment be limited to the payor’s interest in the money that was paid to the Director; and

(b) that all or part of the money that was paid to the Director be returned to the co-holder only if it is satisfied that the co-holder owns that money. 1996, c. 31, s. 45 (5).

Payment by Director

(6)  Upon receipt of a copy of the court’s order, the Director shall return to the co-holder any money determined by the court to belong to the co-holder and may release any remaining money, if any, to the recipient. 1996, c. 31, s. 45 (6).

Action by joint account co-holder against payor

(7)  A co-holder may bring an action against the payor in a court of competent jurisdiction,

(a) to recover any money owned by the co-holder that was paid to the Director under subsection (1);

(b) to recover any interest that the co-holder would have earned on the money owned by the co-holder that was paid to the Director under subsection (1). 1996, c. 31, s. 45 (7).

Director and recipient are not parties

(8)  The Director and the recipient are not parties to an action under subsection (7). 1996, c. 31, s. 45 (8).

Definition

(9)  In this section,

“deposit account” includes a deposit as defined in the *Deposits Regulation Act* and a demand account, time account, savings account, passbook account, checking account, current account and other similar accounts in,

(a) a bank listed in Schedule I or II to the Bank Act (Canada),

(b) a loan corporation or trust corporation as defined in the Loan and Trust Corporations Act,

(c) a credit union as defined in the Credit Unions and Caisses Populaires Act, 2020, or

(d) a similar institution.

(e) Repealed: 2002, c. 8, Sched. I, s. 11.

1996, c. 31, s. 45 (9); 2002, c. 8, Sched. I, s. 11; 2020, c. 36, Sched. 7, s. 310.

**Section Amendments with date in force (d/m/y)**

[2002, c. 8, Sched. I, s. 11](http://www.ontario.ca/laws/statute/S02008" \l "schedis11) - 05/01/2005

[2005, c. 16, s. 26](http://www.ontario.ca/laws/statute/S05016" \l "s26) - 13/06/2005

[2020, c. 36, Sched. 7, s. 310](http://www.ontario.ca/laws/statute/S20036" \l "sched7s310) - 01/03/2022

Garnishment of lottery prizes

**46** (1)  In this section,

“Corporation” means the Ontario Lottery and Gaming Corporation; (“Société”)

“lottery” means a lottery scheme, as defined in section 1 of the *Ontario Lottery and Gaming Corporation Act, 1999*, that is conducted by the Corporation in Ontario and involves the issuance and sale of tickets; (“loterie”)

“prize” means a prize in a lottery. (“prix”) 1999, c. 12, Sched. B, s. 8; 2014, c. 7, Sched. 10, s. 12.

Deduction of arrears from prize

(2)  If a payor who owes arrears under a support order that is filed in the Director’s office is entitled to a single monetary prize of $1,000 or more from the Corporation, the Corporation shall,

(a) deduct from the prize the amount of the arrears or the amount of the prize, whichever is less;

(b) pay the amount deducted to the Director; and

(c) pay any balance to the payor. 1999, c. 12, Sched. B, s. 8.

Non-monetary prize

(3)  If a payor who owes arrears under a support order that is filed in the Director’s office is entitled to a non-monetary prize from the Corporation that the Corporation values at $1,000 or more, the Corporation shall promptly disclose to the Director,

(a) any identifying information about the payor from the Corporation’s records, including his or her name and address; and

(b) a complete description of the prize. 1999, c. 12, Sched. B, s. 8.

Exchange of information

(4)  For the purposes of subsections (2) and (3),

(a) the Director shall disclose to the Corporation any identifying information about payors from the Director’s records, including their names and addresses and the status and particulars of their support obligations; and

(b) the Corporation shall disclose to the Director any identifying information about prize winners from its records, including their names and addresses. 1999, c. 12, Sched. B, s. 8.

**Section Amendments with date in force (d/m/y)**

1999, c. 12, Sched. B, s. 8 - 22/12/1999

[2014, c. 7, Sched. 10, s. 12 (1, 2)](http://www.ontario.ca/laws/statute/S14007" \l "sched10s12s1) - 24/07/2014

Reporting default to consumer reporting agency

**47** The Director may disclose the information set out in section 47.2 to a consumer reporting agency registered under the Consumer Reporting Act. 2005, c. 16, s. 27.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 27](http://www.ontario.ca/laws/statute/S05016" \l "s27) - 31/12/2006

Reporting default to prescribed entity

**47.1**  (1)  The Director may disclose the information set out in section 47.2 to a prescribed entity that is,

(a) a professional or occupational organization;

(b) the governing body of a self-governing or regulated profession; or

(c) an entity that is responsible for licensing or registering individuals for occupational purposes. 2005, c. 16, s. 27.

Presumption

(2)  In the absence of evidence to the contrary, it shall be presumed that the amount disclosed with respect to arrears as described in clause 47.2 (d) is correct. 2005, c. 16, s. 27.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 27](http://www.ontario.ca/laws/statute/S05016" \l "s27) - 31/12/2006

Information that may be disclosed

**47.2**  The information that may be disclosed under section 47 or 47.1 is,

(a) the name of a payor who is in default on a support order filed in the Director’s office;

(b) the date of the support order;

(c) the amount and frequency of the payor’s support obligation under the support order;

(d) the amount of the arrears owing under the support order at the time of the disclosure; and

(e) such other information as may be prescribed. 2005, c. 16, s. 27.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 27](http://www.ontario.ca/laws/statute/S05016" \l "s27) - 31/12/2006

Restraining order

**48** A court, including the Ontario Court of Justice, may make an order restraining the disposition or wasting of assets that may hinder or defeat the enforcement of a support order or support deduction order. 1996, c. 31, s. 48; 2005, c. 16, s. 28.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 28](http://www.ontario.ca/laws/statute/S05016" \l "s28) - 13/06/2005

Arrest of absconding payor

**49** (1)  The Ontario Court of Justice or the Family Court may issue a warrant for a payor’s arrest for the purpose of bringing him or her before the court if the court is satisfied that the payor is about to leave Ontario and that there are reasonable grounds for believing that the payor intends to evade his or her obligations under the support order. 1996, c. 31, s. 49 (1); 2005, c. 16, s. 29 (1).

Bail

(2)  Section 150 (interim release by justice of the peace) of the Provincial Offences Act applies with necessary modifications to an arrest under the warrant. 1996, c. 31, s. 49 (2).

Powers of court

(3)  When the payor is brought before the court, it may make any order provided for in subsection 41 (10). 1996, c. 31, s. 49 (3); 2005, c. 16, s. 29 (2).

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 29 (1, 2)](http://www.ontario.ca/laws/statute/S05016" \l "s29s1) - 13/06/2005

Recognition of extra-provincial garnishments

**50** (1)  The clerk of the Ontario Court of Justice or Family Court shall issue a notice of garnishment to enforce the support or maintenance obligation upon the filing of a garnishment process that,

(a) is issued outside Ontario and is directed to a garnishee in Ontario;

(b) states that it is issued in respect of support or maintenance; and

(c) is written in or accompanied by a sworn or certified translation into English or French. 2021, c. 25, Sched. 7, s. 5 (1).

Foreign currencies

(2)  If the garnishment process refers to an obligation in a foreign currency, section 44 of the Interjurisdictional Support Orders Act, 2002 applies with necessary modifications. 1996, c. 31, s. 50 (2); 2002, c. 13, s. 57 (3).

Exception, support deduction document issued by another Canadian jurisdiction

(3)  The Director may serve a document on a person in Ontario for the purpose of attaching the income or funds referred to in that document, if the following conditions are met:

1. The document is filed in the Director’s office by a competent authority that is responsible for enforcement in another Canadian province or territory.

2. The Director is of the opinion that the document is similar in nature to a notice of support deduction order under this Act and has been issued by a competent authority in another Canadian province or territory.

3. The document relates to the income or funds of a payor who is required to make payments pursuant to a support obligation that is being enforced by a competent authority in another Canadian province or territory.

4. The payor has or is purported to have income or funds located in Ontario.

5. Any other conditions as may be prescribed by the regulations. 2021, c. 25, Sched. 7, s. 5 (2).

Service of document

(4)  The document served under subsection (3) shall be served in the same manner as a notice of support deduction order under this Act may be served. 2021, c. 25, Sched. 7, s. 5 (2).

Document has same force and effect

(5)  For the purposes of this Act, once the document referred to in subsection (3) is served, it has the same force and effect and may be dealt with in the same manner as a notice of support deduction order under this Act. 2021, c. 25, Sched. 7, s. 5 (2).

**Section Amendments with date in force (d/m/y)**

[2002, c. 13, s. 57 (3)](http://www.ontario.ca/laws/statute/S02013" \l "s57s3) - 31/03/2003

[2005, c. 16, s. 30](http://www.ontario.ca/laws/statute/S05016" \l "s30) - 13/06/2005

[2021, c. 25, Sched. 7, s. 5 (1, 2)](http://www.ontario.ca/laws/statute/S21025" \l "sched7s5s1) - 03/06/2021

Part VII  
Offences and Penalties

Offences – payors, income sources, etc.

Payors

**51** (1)  A payor who knowingly contravenes or knowingly fails to comply with section 19 or subsection 25 (1) or (2) or 40 (2) or (3) is guilty of an offence and on conviction is liable to a fine of not more than $10,000. 1996, c. 31, s. 51 (1).

Income sources

(2)  An income source who knowingly contravenes or knowingly fails to comply with subsection 22 (2) or 25 (1) or (2) or section 29 is guilty of an offence and on conviction is liable to a fine of not more than $10,000. 1996, c. 31, s. 51 (2).

Individuals, etc., believed to be an income source

(3)  An individual, corporation or other entity that knowingly contravenes or knowingly fails to comply with subsection 26 (1) or section 29 is guilty of an offence and on conviction is liable to a fine of not more than $10,000. 1996, c. 31, s. 51 (3).

Offences – assignees

**52** (1)  An assignee under section 4 who knowingly contravenes or knowingly fails to comply with this Act or its regulations or the limitations, conditions or requirements set out in the assignment is guilty of an offence and on conviction is liable to a fine of not more than $10,000. 1996, c. 31, s. 52 (1).

Same – directors, officers, employees, agents

(2)  A director, officer, employee or agent of an assignee who commits an offence described in subsection (1) on conviction is liable to a fine of not more than $10,000. 1996, c. 31, s. 52 (2).

Same – directors, officers

(3)  A director or officer of an assignee is guilty of an offence if he or she,

(a) knowingly causes, authorizes, permits or participates in the commission of an offence described in subsection (1); or

(b) fails to take reasonable care to prevent the commission of an offence described in subsection (1). 1996, c. 31, s. 52 (3).

Penalty

(4)  A person who is convicted of an offence under subsection (3) is liable to a fine of not more than $10,000. 1996, c. 31, s. 52 (4).

Contempt

**53** (1)  In addition to its powers in respect of contempt, a court, including the Ontario Court of Justice, may punish by fine or imprisonment, or by both, any wilful contempt of, or resistance to, its process, rules or orders under this Act, but the fine shall not exceed $10,000 nor shall the imprisonment exceed 90 days. 1996, c. 31, s. 53 (1); 2005, c. 16, s. 31.

Conditions of imprisonment

(2)  An order for imprisonment under subsection (1) may be conditional upon default in the performance of a condition set out in the order and may provide for the imprisonment to be served intermittently. 1996, c. 31, s. 53 (2).

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 31](http://www.ontario.ca/laws/statute/S05016" \l "s31) - 13/06/2005

Part VIII  
Miscellaneous

Director’s access to information

Definitions

**54** (1)  In this section,

“enforcement-related information” means information that indicates any of the following about a payor:

0.1 name, alias or spelling variation of any name or alias,

1. employer or place of employment,

2. wages, salary or other income,

2.1 indexing factors applied to the payor’s wages, salary, pension or other income,

3. assets or liabilities,

4. home, work or mailing address, or location,

5. telephone number, fax number or e-mail address; (“renseignements liés à l’exécution”)

“recipient information” means information that indicates any of the following about a recipient:

0.1 name, alias or spelling variation of any name or alias,

1. home, work or mailing address, or location,

2. telephone number, fax number or e-mail address. (“renseignements sur le bénéficiaire”)

2005, c. 16, s. 32; 2007, c. 7, Sched. 15, s. 3.

Power of Director

(2)  The Director may, for the purpose of enforcing a support order or support deduction order filed in the Director’s office or for the purpose of assisting an office or person in another jurisdiction performing similar functions to those performed by the Director,

(a) demand enforcement-related information or recipient information from any person, public body or other entity from a record in the possession or control of the person, public body or other entity;

(b) subject to subsections (4) and (5), have access to all records that may contain enforcement-related information or recipient information and that are in the possession or control of any ministry, agency, board or commission of the Government of Ontario in order to search for and obtain the information from the records;

(c) subject to subsections (4) and (5), enter into an agreement with any person, public body or other entity, including the Government of Canada, a Crown corporation, the government of another province or territory or any agency, board or commission of such government, to permit the Director to have access to records in the possession or control of the person, public body or other entity that may contain enforcement-related information or recipient information, in order to search for and obtain the information from the records; and

(d) disclose information obtained under clause (a), (b) or (c) to a person performing similar functions to those of the Director in another jurisdiction. 2005, c. 16, s. 32.

10-day period for response

(3)  When the Director demands information under clause (2) (a), the person, public body or other entity shall provide the information within 10 days after being served with the demand. 2005, c. 16, s. 32.

Access to part of record

(4)  Where the record referred to in clause (2) (b) or (c) is part of a larger record, the Director,

(a) may have access to the part of the record that may contain enforcement-related information or recipient information; and

(b) may have incidental access to any other information contained in that part of the record, but may not use or disclose that other information. 2005, c. 16, s. 32.

Restriction on access to health information

(5)  Despite subsection (4), if a record described in clause (2) (b) or (c) contains health information, as defined in the regulations, the Director shall not have access to the health information but shall have access only to the part of the record that may contain enforcement-related information or recipient information. 2005, c. 16, s. 32.

Information confidential

(6)  Information obtained under subsection (2) shall not be disclosed except,

(a) to the extent necessary for the enforcement of the support order or support deduction order;

(b) as provided in clause (2) (d); or

(c) to a police officer who needs the information for a criminal investigation that is likely to assist the enforcement of the support order or support deduction order. 2005, c. 16, s. 32.

Court order for access to information

(7)  A court may, on motion, make an order requiring any person, public body or other entity to provide the court or the person whom the court names with any enforcement-related information or recipient information that is shown on a record in the possession or control of the person, public body or other entity if it appears that,

(a) the Director has been refused information after making a demand under clause (2) (a);

(b) the Director has been refused access to a record under clause (2) (b); or

(c) a person needs an order under this subsection for the enforcement of a support order that is not filed in the Director’s office. 2005, c. 16, s. 32.

Court order re agreement

(8)  A court may, on motion, make an order requiring any person, public body or other entity to enter into an agreement described in clause (2) (c) with the Director if it appears that the person, public body or other entity has unreasonably refused to enter into such an agreement. 2005, c. 16, s. 32.

Costs

(9)  If the Director obtains an order under clause (7) (a) or (b) or under subsection (8), the court shall award the costs of the motion to the Director. 2005, c. 16, s. 32.

Information confidential

(10)  Information obtained under an order under clause (7) (c) shall be sealed in the court file and shall not be disclosed except,

(a) as permitted by the order or a subsequent order;

(b) to the extent necessary for the enforcement of the support order or support deduction order;

(c) as provided in clause (2) (d); or

(d) to a police officer who needs the information for a criminal investigation that is likely to assist the enforcement of the support order or support deduction order. 2005, c. 16, s. 32.

Section governs

(11)  This section applies despite any other Act or regulation and despite any common law rule of confidentiality. 2005, c. 16, s. 32.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 32](http://www.ontario.ca/laws/statute/S05016" \l "s32) - 13/06/2005

[2007, c. 7, Sched. 15, s. 3 (1, 3)](http://www.ontario.ca/laws/statute/S07007" \l "sched15s3s1) - 17/05/2007; [2007, c. 7, Sched. 15, s. 3 (2)](http://www.ontario.ca/laws/statute/S07007" \l "sched15s3s2) - 27/07/2007

Federal-provincial agreement

**55** (1)  The Minister responsible for the administration of this Act may, on behalf of the Government of Ontario, enter into an agreement with the Government of Canada concerning the searching for and the release of information under Part I of the *Family Orders and Agreements Enforcement Assistance Act* (Canada). 1996, c. 31, s. 55 (1); 2014, c. 7, Sched. 10, s. 13.

Information obtained from federal government

(2)  The Director shall not disclose information obtained under the Family Orders and Agreements Enforcement Assistance Act (Canada) for the enforcement of a support order, except,

(a) to the extent necessary for the enforcement of the order; or

(b) as permitted by the Freedom of Information and Protection of Privacy Act. 1996, c. 31, s. 55 (2).

**Section Amendments with date in force (d/m/y)**

[2014, c. 7, Sched. 10, s. 13](http://www.ontario.ca/laws/statute/S14007" \l "sched10s13) - 24/07/2014

Payments pending court decisions

**56** (1)  The Director shall pay any money he or she receives in respect of a support order or a support deduction order to the recipient despite the commencement of any court proceeding in respect of the support obligation or its enforcement, in the absence of a court order to the contrary. 1996, c. 31, s. 56 (1).

Exception

(2)  If a court orders the Director to hold any of the money received in respect of a support order or a support deduction order pending the disposition of the proceeding, the Director shall, upon receipt of a copy of the order, hold any money he or she receives to the extent required by the court. 1996, c. 31, s. 56 (2).

Application of payments

**57** (1)  Money paid to the Director on account of a support order or support deduction order shall be credited as prescribed by the regulations. 1996, c. 31, s. 57 (1).

Same

(2)  Despite anything in this Act, the payor shall not be credited with making a payment until the money for that payment is received by the Director and if a payment is made but not honoured, the amount of the payment shall be added to the support arrears owed by the payor. 1996, c. 31, s. 57 (2).

Fees

**58** (1)  The Director shall not charge any fee to any person for his or her services except as provided by regulation. 1996, c. 31, s. 58 (1).

Enforcement of orders to collect fees, etc.

(2)  The Director may continue to enforce a support order or support deduction order to collect an amount described in subsection (3), even if,

(a) the support order or support deduction order to which the amount relates has been withdrawn from the Director’s office;

(b) there is no current support obligation, and there are no arrears, or any arrears are rescinded by a changed support order; or

(c) the support obligation has terminated and there are no arrears, or any arrears are rescinded by a changed support order. 2005, c. 16, s. 33.

Same

(3)  Subsection (2) applies with respect to,

(a) fees;

(b) costs awarded to the Director by a court;

(c) any amount owed to the Director as reimbursement for money paid to a recipient; and

(d) any amount similar to the ones described in clauses (a), (b) and (c) that is owed to a support enforcement program in a reciprocating jurisdiction or contracting state, if the support order to which the amount relates is registered in Ontario under the Interjurisdictional Support Orders Act, 2002 or the International Recovery of Child Support and Family Maintenance Convention Act, 2023. 2005, c. 16, s. 33; 2023, c. 9, Sched. 16, s. 25 (7).

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 33](http://www.ontario.ca/laws/statute/S05016" \l "s33) - 13/06/2005

[2023, c. 9, Sched. 16, s. 25 (7)](http://www.ontario.ca/laws/statute/S23009" \l "sched16s25s7) - 01/02/2024

Protection from personal liability

**59** (1)  No action or other proceeding for damages shall be instituted against the Director or any employee of the Director’s office for any act done in good faith in the execution or intended execution of any duty or authority under this Act or for any alleged neglect or default in the execution in good faith of any duty or authority under this Act. 1996, c. 31, s. 59 (1).

Crown not relieved of liability

(2)  Despite subsection 8 (3) of the Crown Liability and Proceedings Act, 2019, subsection (1) does not relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (1) to which it would otherwise be subject. 1996, c. 31, s. 59 (2); 2019, c. 7, Sched. 17, s. 72.

**Section Amendments with date in force (d/m/y)**

[2019, c. 7, Sched. 17, s. 72](http://www.ontario.ca/laws/statute/S19007" \l "sched17s72) - 01/07/2019

Acting by lawyer

**60** Anything that this Act requires to be signed or done by a person, or that is referred to in this Act as signed or done by a person, may be signed or done by a lawyer acting on the person’s behalf. 1996, c. 31, s. 60.

Disclosure of personal information

**61** (1)  The Director shall collect, disclose and use personal information about an identifiable individual for the purpose of enforcing a support order or a support deduction order under this Act. 1996, c. 31, s. 61 (1).

Same

(2)  Any person, public body or other entity that is referred to in clause 54 (2) (a) shall disclose personal information about an identifiable individual to the Director for the purpose of section 54, within 10 days after being served with the Director’s demand. 2005, c. 16, s. 34 (1).

Notice to individual not required

(3)  Subsection 39 (2) of the Freedom of Information and Protection of Privacy Act does not apply to the collection of personal information about an identifiable individual under this Act. 1996, c. 31, s. 61 (3).

Act prevails over confidentiality provisions

(4)  This Act prevails over a confidentiality provision in another Act that would, if not for this Act, prohibit the disclosure of information to the Director. 1996, c. 31, s. 61 (4).

Law enforcement

(5)  The Director shall be deemed to be engaged in law enforcement for the purposes of section 14 of the Freedom of Information and Protection of Privacy Act when collecting information, under section 54 or otherwise, for the purpose of enforcing a support order or support deduction order under this Act. 2005, c. 16, s. 34 (2).

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 34 (1, 2)](http://www.ontario.ca/laws/statute/S05016" \l "s34s1) - 13/06/2005

Obtaining information about payor by means of Internet posting

Director’s discretion

**61.1**  (1)  The Director may post a payor’s name and other prescribed information relating to the payor on a website on the Internet if,

(a) the payor is in default under a support order;

(b) the support order or a related support deduction order is filed in the Director’s office;

(c) the Director has been unsuccessful in locating the payor; and

(d) the prescribed conditions are satisfied. 2005, c. 16, s. 35.

Purpose of posting

(2)  The sole purpose of posting information under subsection (1) is to assist the Director in locating the payor. 2005, c. 16, s. 35.

Confidentiality of information obtained as a result of posting

(3)  Subsection 54 (6) applies, with necessary modifications, to any information obtained by the Director as a result of the posting. 2005, c. 16, s. 35.

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 35](http://www.ontario.ca/laws/statute/S05016" \l "s35) - 31/12/2006

Act binds Crown

**62** This Act binds the Crown. 1996, c. 31, s. 62.

Regulations

**63** (1)  The Lieutenant Governor in Council may make regulations,

(a) prescribing forms and providing for their use;

(b) prescribing types of income for the purposes of clause (l) of the definition of “income source” in subsection 1 (1);

(c) prescribing the manner of calculating a cost of living clause for the purposes of subsections 7 (4), (5), (6) and (7);

(d) prescribing classes of persons and information to be supplied to the court and the manner in which information is to be supplied for the purposes of subsections 11 (2) and (3);

(e) prescribing practices and procedures related to the filing and withdrawal of support orders and support deduction orders and to the enforcement, suspension and termination of such orders filed in the Director’s office;

(e.1) defining “in compliance” for the purposes of subsection 16 (1.1);

(e.2) prescribing methods of electronic transmission for the purpose of subsection 22 (2.1);

(f) prescribing deductions for the purposes of subsection 23 (5);

(g) prescribing information that shall be supplied under subsection 25 (1);

(g.1) prescribing practices and procedures relating to the filing and withdrawal of alternative payment orders under section 28;

(h) governing the form and posting of security by a payor under section 28 and the realization thereon;

(i) respecting proof of income for the purposes of sections 35, 40 and 41;

(j) prescribing, for the purposes of clause 47.2 (e), other information that may be disclosed under section 47 or 47.1;

(k) prescribing,

(i) fees to be charged by the Director for administrative services, including preparing and photocopying documents on request, and

(ii) fees for any steps taken by the Director to enforce a support order in response to the persistent or wilful default by a payor;

(k.1) prescribing fees for the repeated filing of a support order or support deduction order, and specifying what constitutes repeated filing;

(l) prescribing the maximum fees, costs, disbursements, surcharges and other charges, or a method for determining the maximum fees, costs, disbursements, surcharges and other charges, that an assignee under section 4 may charge a payor, including fees, costs, disbursements, surcharges and other charges for services for which the Director is not permitted to charge and including fees, costs, disbursements, surcharges or other charges that are higher than the fees, costs, disbursements, surcharges and other charges that the Director may charge for the same service, prescribing how and when such fees, costs, disbursements, surcharges and other charges may be collected, prescribing the manner in which they may be applied and prescribing the rate of interest to be charged on any of them;

(m) prescribing methods of and rules respecting service, filing and notice for the purposes of this Act, including different methods and rules for different provisions and different methods and rules for service on or notice to the Crown;

(n) providing that a support deduction order is not effective against the Crown unless a statement of particulars in the prescribed form is served with the notice of the order;

(o) defining “health information” for the purposes of subsection 54 (5);

(p) prescribing the manner in which payments received by the Director are to be credited;

(p.1) governing the delivery of payments to recipients, including requiring recipients to provide the Director with the information and authorization required to enable the Director to make direct deposits into the recipients’ accounts with financial institutions;

(p.2) setting out recommended standard terms for support orders;

(q) prescribing anything that is required or authorized by this Act to be prescribed. 1996, c. 31, s. 63; 2005, c. 16, s. 36 (1, 2, 4, 5-8).

Repeated filing

(2)  A fee prescribed under clause (1) (k.1) may be charged against both the payor and the recipient, regardless of which one of them files the order. 2005, c. 16, s. 36 (9).

**Section Amendments with date in force (d/m/y)**

[2005, c. 16, s. 36 (1, 2, 4, 6-9)](http://www.ontario.ca/laws/statute/S05016" \l "s36s1) - 13/06/2005; [2005, c. 16, s. 36 (3)](http://www.ontario.ca/laws/statute/S05016" \l "s36s3) - see [Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2015; [2005, c. 16, s. 36 (5)](http://www.ontario.ca/laws/statute/S05016" \l "s36s5) - 31/12/2006

**64** Repealed. See: Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006* – December 31, 2011.

**Section Amendments with date in force (d/m/y)**

[Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

**65.-70** Omitted (amends or repeals other Acts). 1996, c. 31, ss. 65-70.

**71** Repealed. See: Table of Public Statute Provisions Repealed Under Section 10.1 of the *Legislation Act, 2006* – December 31, 2011.

**Section Amendments with date in force (d/m/y)**

[Table of Public statute provisions repealed under section 10.1 of the *Legislation Act, 2006*](https://www.ontario.ca/laws/public-statute-provisions-repealed-under-section-101-legislation-act-2006) - 31/12/2011

**72** Omitted (amends or repeals other Acts). 1996, c. 31, s. 72.

**Section Amendments with date in force (d/m/y)**

1997, c. 16, s. 18 - 01/01/1998

**73** Omitted (amends or repeals other Acts). 1996, c. 31, s. 73.

**74** Omitted (provides for coming into force of provisions of this Act). 1996, c. 31, s. 74.

**75** Omitted (enacts short title of this Act). 1996, c. 31, s. 75.

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