

UNDERSTANDING CHILD SUPPORT



What is Child Support?

Child Support is financial support usually paid by one parent to the other parent as a contribution to the cost of raising their children following the breakdown of a marriage or a de facto relationship.

How much Child Support is paid?

- The amount paid depends on the child's age, the number of children in the family and the parenting arrangements in place.
- The law provides for child support until each child is 18 years old or has completed secondary education, whichever comes last.
- Once a child has reached 18 years, they can seek financial assistance by way of adult Child Maintenance either by agreement between the parents and/or carer or by seeking an Order from the Federal Circuit and Family Court of Australia. The Court must not make a Child Maintenance Order unless it is satisfied that the maintenance is necessary to enable the child to complete their education or because of a disability.
- Child support can also be paid to a non-parent carer including grandparents and where other legal guardians are appointed in the absence of a parent.

How is payment made?

Child Support can be paid directly between one parent to the other parent or payments can be collected by the Agency then passed onto the receiving parent. Child support can also be collected and enforced where a parent is living overseas. There are several reciprocating countries with similar agencies that can help collect and enforce child support.



How is Child Support calculated?

The basic formula used to calculate the amount of child support identifies the costs of raising children by using the parents' combined taxable income bracket and the ages of the children then identifying the proportions of the costs of raising children which should be paid by each parent after deducting a self-support amount from the individual taxation incomes.

You can make your own private agreement about Child Support and how to share your children's additional costs such as schooling, medical bills and other day to day expenses such as sporting uniforms and shoes. All private agreements should be properly documented and registered with the Agency.

How do I apply?

Following separation either or both parents and/or carers can apply to Services Australia (Agency) for a formal assessment of Child Support. This Agency is responsible for calculation, collection and enforcement of the assessed amount of Child Support.

Need further information?

In Australia, the Department of Social Services and its agency known as Child Support Agency (Services Australia) is responsible for administering the relevant child support legislation across different states and territories. For more information about how to apply for child support and to use the agency calculator to estimate your child support, visit the Services Australia website: servicessaustralia.gov.au/separated-parents

We're Here to Help

If you have any questions, are unsure about next steps or would like legal assistance speak to our team of experienced family lawyers or visit our website for more information.

Learn more: Free Discovery Call

For Legal Advice: Book Initial Consultation