Gouvernement du Québec

O.C. 1135-2008, 10 December 2008

Code of Civil Procedure (R.S.Q., c. C-25)

Determination of child support payments — Amendment

Regulation to amend the Regulation respecting the determination of child support payments

WHEREAS, under article 825.8 of the Code of Civil Procedure (R.S.Q., c. C-25), the Government, by regulation, is to establish standards for the determination of the child support payments to be made by a parent, on the basis of the basic parental contribution determined in respect of the child, of the child care expenses, post-secondary education expenses and special expenses relating to the child and of the parents' custodial arrangement in respect of the child;

WHEREAS, under that article, the Government is to prescribe the use of a form and of a related table determining, on the basis of the parents' disposable income and the number of children, the basic parental contribution, as well as the production of evidentiary documents:

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the determination of child support payments was published in Part 2 of the *Gazette officielle du Québec* of 8 October 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation to amend the Regulation respecting the determination of child support payments, attached to this Order in Council, be made.

GÉRARD BIBEAU, Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the determination of child support payments*

Code of Civil Procedure (R.S.Q., c. C-25, a. 825.8)

- **1.** Schedules I and II to the Regulation respecting the determination of child support payments are replaced by Schedules I and II attached to this Regulation.
- **2.** This Regulation comes into force on 1 January 2009.

^{*} The Regulation respecting the determination of child support payments, made by Order in Council 484-97 dated 9 April 1997 (1997, G.O. 2, 1651), was last amended by the regulation made by Order in Council 1102-2007 dated 12 December 2007 (2007, G.O. 2, 3656A). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 September 2008.

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										Esta	blished b	y the co	ourt	
					Please co	mplete in	block le	tters.						
	form	. togethe	r, the paren	t who comple	tes the for	rm must p	orovide	quired docume all information ttion about the	and d	locumer				
Part 1	– Ident	ificatio	n											
100	Surnam	e						Given name	e(s)					
			(Father's ide	entification)					-(-)					
101	Surnam	е	(Mother's id	entification)				Given name	e(s)					
		Indicate t	,	,	mmon child	d of the na	rents in	respect of who	om the	applicat	ion is mad	de		
102		inalouto t	ino dato oi bi	104	THE TOTAL OF THE	a or the pe		•	06	арриоси	1011 10 1110			
102	Year	Month	Day	101	Year	Month	Day	. '`	,,	Year	Month	Day		
103	Year		——— Day	105	Year	Month		. 10	07	 Year	Month			
Dowt 2			of parents	incomo	rear	WOTHT	Day			rear	MOHIT	Day		
Indicate	income ovincial	for the income	current year tax returns	or foreseeak	ment not	ices for		months, as t t fiscal year			Also atta		requ	
200	Gross s (Attach p													_
201	Commi	ssions/t	ips											_
202	(Gross in		expenses rel	ss or self-empleating to the busing			nt)							_
203	Employ	ment in	surance be	nefits and pa	rental ins	urance b	enefits							_
204	Suppor	t paid by	y a third pa	ty and receiv	ed for ow	vn needs								_
205	Retiren	nent or o	disability be	nefits, or othe	er benefits	S								_
206	Interest	t, dividei	nds, and ot	ner investme	nt income)								_
207		ental incon		ses associated wild expenses for o			rables)							_
208	and any	g family-re sums grar inancial as	ted by the Mir	nent transfers, la lister of Education ram for education	on		stance be	enefits						_

209

TOTAL

(Add lines 200 to 208)

Part 3 – Calculation of parents' disposable income for the purpose of calculating the contribution

					FATHER	MOTHER
300	Annual income (Line 209)					
301	Basic deduction (See table)					
302	Deduction for union dues					
303	Deduction for professional fees					
304	Total deductions (Add lines 301 to 303)					
305	Disposable income of each parent (Line 300 - line 304) Enter "0" if negative					
306	Disposable income of both parents (Add the two amounts from line 305)					
307	$\begin{array}{ll} \mbox{Distribution factor (\%) of income} \\ \mbox{Father's disposable income} & (\mbox{line } 305 \div \mbox{line } 306 \times 100) \\ \mbox{Mother's disposable income} & (\mbox{line } 305 \div \mbox{line } 306 \times 100) \\ \end{array}$				%	%
Part 4	– Calculation of the annual parental cont	ribution				
Note 1	This contribution covers the children's com	plete needs ex	cl	uding the expens	ses in line 406.	
400	Number of common children of the parents in rethe application is made	espect of whom	1			_
401	Basic parental contribution according to dispos both parents (line 306) and the number of child (See table in Schedule II)			(See Note 1)		
402	Basic parental contribution of each parent (Line 401 x line 307)			,		
		FATHER		MOTHER		
403	Net child care expenses		+			
404	Net post-secondary education expenses		+			
405	Net special expenses (Please specify:)		+			
406	Total expenses (See Note 2) (Add lines 403 to 405)		+			
	'					

Contribution of each parent to expenses

(Line 406 x line 307)

407

Part 5 - Calculation of annual support according to custody time

(Complete only the division that applies to your situation.)

- Note 2: The child support amount payable calculated under this part assumes that the total expenses (line 406) are paid by the parent receiving the support payments. Otherwise, please make the required adjustments as they apply to your situation in line 512.1, 518.1, 526.1, 534.1 or 564.1, and give the reasons.
- Note 3: The child support amount established in line 533 or 559 assumes that the basic parental contribution will be assumed by each parent on the basis of the custody apportionment factor. If this is not the case, please make the required adjustments as they apply to your situation in line 534.1 or 564.1, and give the reasons.

(Comple	n 1 Sole custody te this division if the non-custodial parent assumes visiting and outing rights ting 20% or less of custody time.)	FATHER	MOTHER
510	Identify the non-custodial parent ("X")		
511	Annual contribution of both parents (Line 401 + line 406)		
512	Annual support payable by the non-custodial parent <i>(See Note 2)</i> (Line 511 x line 307)		
512.1	Adjusted annual support payable Reason:		
(Comple	n 1.1 Adjustment for visiting and prolonged outing rights te this division if the non-custodial parent assumes visiting and outing rights thing between 20% and 40% of custody time.)		
513	Identify the non-custodial parent ("X")		
514	Annual contribution of both parents (Line 401 + line 406)		
515	Percentage of custody time represented by visiting and prolonged outing rights (Number of days $___$ \div 365 x 100)		%
516	Compensation for visiting and prolonged outing rights (Percentage from line 515 20% = % x line 401)		
517	Adjusted annual contribution of both parents (Line 514 - line 516)		
518	Annual support payable by the non-custodial parent <i>(See Note 2)</i> (Line 517 x line 307)		
518.1	Adjusted annual support payable Reason:		
	n 2 Sole custody granted to each parent te this division if each parent has sole custody of at least one child.)		
520	Indicate the number of children in the father's custody		
521	Indicate the number of children in the mother's custody		
522	Basic parental contribution of each parent (Line 402)		
523	Average cost per child (Line 401 ÷ line 400)		
524	Cost of care for each parent (Father: line 523 x line 520) (Mother: line 523 x line 521)		
525	Basic annual support (Line 522 - line 524) Enter "0" if negative		
526	Annual support payable (See Note 2) (Line 525 + line 407) Enter "0" if line 525 is "0"		
526.1	Adjusted annual support payable Reason:		

Part 5 - Calculation of annual support based on custody time (cont'd)

(Fill out	on 3 Shared custody t this division if each parent has at least 40% of custody respect of all the children.)	FATHER	MOTHER
530	Distribution factor (%) of custody	%	%
531	Basic parental contribution of each parent (Line 402)		
532	Cost of care for each parent (Line 401 x line 530)		
533	Basic annual support (See Note 3) (Line 531 - line 532) Enter "0" if negative		
534	Annual support payable (See Note 2) (Line 533 + line 407) Enter "0" if line 533 is "0"		
534.1	Adjusted annual support payable Reason:		

Division 4 Sole custody and/or custody with visiting and prolonged outing rights and/or shared custody (Fill out this division if more than one type of custody arrangement applies: sole custody and/or custody of a child with visiting and outing rights representing between 20% and 40% of custody time and/or shared custody.)

		FATHER		MOTHER
540	Average cost per child (Line 401 ÷ line 400)			
541	Number of children in sole custody			
542	Cost of care of children in sole custody (Line 540 x line 541)		_	
543	Basic contribution of the custodial parent (Line 542 x line 307)		_	
544	Difference between the cost of care and the basic contribution of custodial parent (Line 542 - line 543)			
545	Basic annual support payable for children in sole custody (Father: line 544 of mother - line 544 of father) Enter "0" if the result is negative (Mother: line 544 of father - line 544 of mother) Enter "0" if the result is negative		-	
546	Number of children in a situation of custody with visiting and prolonged outing rights			
547	Cost of care of children in a situation of prolonged custody (Line 540 x line 546)		_	
548 (f)	Percentage of custody time represented by visiting and prolonged outing rights (father) (Number of days of custody ÷ 365 x 100)	0	%	
548 (m)	Percentage of custody time represented by visiting and prolonged outing rights (mother) (Number of days of custody ÷ 365 x 100)		_	%

Part 5 – Calculation of annual support based on custody time (cont'd)

Division 4 (cont'd)

549 (f)	Compensation for father's visiting and prolonged outing rights (Percentage from line 548 (f) 20 % = % X line 547 (mother)			
549 (m)	Compensation for mother's visiting and prolonged outing rights (Percentage from line 548 (m) 20 % = % X line 547 (father)	 _		
550	Cost of care of children in a situation of prolonged custody – adjusted (Line 547 - line 549)	 _		
551	Custodial parent's basic annual contribution (Line 550 x line 307)	 _		
552	Difference between the cost of care and the basic annual contribution (Line 550 - line 551)	 _		
553	Annual support payable for custody with visiting and prolonged outing rights (Father: line 552 of mother - line 552 of father) Enter "0" if the result is negative (Mother: line 552 of father - line 552 of mother) Enter "0" if the result is negative	 _		
554	Number of children in shared custody		_	
555	Cost of care of children in shared custody (Line 540 x line 554)	 		
556	Distribution factor (%) of shared custody (Father: number of days of custody \div 365 x 100) (Mother: number of days of custody \div 365 x 100)	 _%		%
557	Basic parental contribution of each parent for children in shared custody (Line 555 x line 307)	 _		
558	Cost of shared custody for each parent (Line 555 x line 556)	 _		
559	Basic annual support for the children in shared custody <i>(See Note 3)</i> (Line 557 - line 558) Enter "0" if negative	 _		
Summa	ary of Division 4			
560	Basic annual support for children in sole custody (Line 545)	 _		
561	Annual support payable for custody with visiting and prolonged outing rights (Line 553)	 _		
562	Basic annual support for the children in shared custody (Line 559)	 _		
563	Total basic annual support (See Note 3) (Father: (lines $560 + 561 + 562$ of father) – (lines $560 + 561 + 562$ of mother)) Enter "0" if negative (Mother: (lines $560 + 561 + 562$ of mother) – (lines $560 + 561 + 562$ of father)) Enter "0" if negative	 _		
564	Support payable (See Note 2) (Line 563 + line 407) Enter "0" if line 563 is "0"	 _		
564.1	Adjusted annual support payable Reason:	 _		

Part 6	- Capacity to pay of debtor
600	Disposable income of the parent required to pay support (Line 305)
601	Multiply line 600 by 50%
602	Annual support payable based on the calculations under a division of Part 5
603	Annual support payable (Enter the lesser amount between lines 601 and 602)
Part 7	– Agreement between parents
	t this part if the parents agree on a support amount that departs from the amount calculated under one of the divisions in or Part 6 of this form.)
700	Annual support payable
701	Annual support payable according to agreement between parents
702	Difference between the two amounts (Line 701 line 700)
703	State precisely the reasons for that difference:
Part 8	e – Payment frequency
800	Enter the payment frequency and the amount of support payable (See Note 4):
	Monthly (÷ 12) \$
	This frequency has been: offered agreed on determined by the court
801	Date of first payment:

Note 4: If support payments are made through the Minister of Revenue pursuant to the Act to facilitate the payment of support, the payment frequency may be adjusted according to the terms and conditions set forth in the Act.

Part 9 - Statement of each parent's assets and liabilities

ASSETS: Give cash amounts, amounts deposited in bank accounts or other financial institutions and the market value of property in each of the following categories (regardless of any debt related thereto): immovables, furniture, automobiles, works of art, jewellery, shares, bonds, interests in a business, other investments, pension plans, retirement savings plans, receivables, etc.

LIABILITIES: Give debts or financial commitments of any nature in the form of loans or credit (hypothecary loans, personal loans, lines of credit, credit cards, instalment purchases, security, etc.) or that you must pay under a statute (fiscal debts, assessments, dues and other unpaid duties or fees, etc.) or court decision (damages, support, employment insurance or income security overpayment, fines, etc.)

FATHER'S ASSETS	VALUE	FATHER'S LIABILITIES	VALUE
Others (attach details)		Others (attach details)	
TOTAL		TOTAL	
		Summary (assets - liabilities)	
MOTHER'S ASSETS	VALUE	MOTHER'S LIABILITIES	VALUE
Others (attach details)		Others (attach details)	
TOTAL		TOTAL	
		SUMMARY (assets - liabilities)	
Part 10 – Declaration under oath			
I declare that the above information is accur and complete for my part, and I sign:	rate	I declare that the above information is accurate and complete for my part, and I sign:	
at		at	
this day of		this day of	
Father's signature		Mother's signature	
Declaration made under oath before me		Declaration made under oath before me	
at		at	
this day of		this day of	
Signature of person authorized to administe	r oaths	Signature of person authorized to administer oath	S

SCHEDULE II

(s. 3)

BASIC PARENTAL CONTRIBUTION DETERMINATION TABLE (Effective as of 1 January 2009)

	Disposable Income of		Basic Annual Contribution (\$) Number of Children						
	Parents (\$)	•	1 child	2 children	3 children	4 children	5 children	6 children ⁽¹⁾	
1	-	1 000	500	500	500	500	500	500	
1 001	-	2 000	1 000	1 000	1 000	1 000	1 000	1 000	
2 001	-	3 000	1 500	1 500	1 500	1 500	1 500	1 500	
3 001	-	4 000	2 000	2 000	2 000	2 000	2 000	2 000	
4 001	-	5 000	2 430	2 500	2 500	2 500	2 500	2 500	
5 001	-	6 000	2 480	3 000	3 000	3 000	3 000	3 000	
6 001	-	7 000	2 590	3 500	3 500	3 500	3 500	3 500	
7 001	-	8 000	2 690	4 000	4 000	4 000	4 000	4 000	
8 001	-	9 000	2 770	4 320	4 500	4 500	4 500	4 500	
9 001	-	10 000	2 830	4 440	5 000	5 000	5 000	5 000	
10 001	-	12 000	2 990	4 640	5 490	6 000	6 000	6 000	
12 001	-	14 000	3 150	4 900	5 810	6 750	7 000	7 000	
14 001	-	16 000	3 350	5 170	6 180	7 180	8 000	8 000	
16 001	-	18 000	3 540	5 460	6 570	7 670	8 790	9 000	
18 001	-	20 000	3 760	5 770	6 980	8 210	9 410	10 000	
20 001	-	22 000	4 030	6 180	7 500	8 820	10 140	11 000	
22 001	-	24 000	4 240	6 5 1 0	7 930	9 330	10 750	12 000	
24 001	-	26 000	4 460	6 870	8 380	9 890	11 410	12 930	
26 001	-	28 000	4 690	7 160	8 830	10 460	12 120	13 760	
28 001	-	30 000	4 900	7 460	9 200	10 970	12 720	14 480	
30 001	-	32 000	5 090	7 720	9 600	11 490	13 350	15 230	
32 001	-	34 000	5 290	8 000	10 010	11 980	13 970	15 970	
34 001	-	36 000	5 500	8 260	10 370	12 480	14 580	16 680	
36 001	-	38 000	5 680	8 570	10 710	12 860	15 020	17 170	
38 001	-	40 000	5 900	8 820	11 030	13 250	15 470	17 660	
40 001	-	42 000	6 100	9 070	11 370	13 640	15 920	18 190	
42 001	-	44 000	6 300	9 360	11 680	14 000	16 320	18 640	
44 001	-	46 000	6 500	9 600	12 000	14 390	16 770	19 180	
46 001	-	48 000	6 690	9 910	12 360	14 830	17 300	19 770	
48 001	-	50 000	6 890	10 140	12 710	15 260	17 810	20 360	
50 001	-	52 000	7 100	10 410	13 060	15 720	18 340	21 000	
52 001	-	54 000	7 300	10 700	13 410	16 120	18 850	21 570	
54 001	-	56 000	7 480	10 960	13 770	16 610	19 410	22 220	
56 001	-	58 000	7 680	11 230	14 120	16 990	19 900	22 790	
58 001	-	60 000	7 880	11 470	14 450	17 430	20 410	23 380	

	Disposable Income of			Ba	sic Annual C Number o	Contribution f Children	(\$)	
	Parents (\$)		1 child	2 children	3 children	4 children	5 children	6 children ⁽¹⁾
60 001	-	62 000	8 070	11 740	14 780	17 840	20 890	23 930
62 001	-	64 000	8 240	11 980	15 140	18 270	21 420	24 560
64 001	-	66 000	8 430	12 240	15 480	18 690	21 910	25 120
66 001	-	68 000	8 620	12 440	15 740	19 050	22 350	25 660
68 001	-	70 000	8 730	12 640	16 020	19 420	22 810	26 200
70 001	-	72 000	8 870	12 830	16 290	19 730	23 200	26 660
72 001	-	74 000	9 010	13 020	16 560	20 090	23 640	27 170
74 001	-	76 000	9 180	13 200	16 830	20 460	24 090	27 710
76 001	-	78 000	9 280	13 350	17 030	20 720	24 390	28 070
78 001	-	80 000	9 400	13 520	17 260	20 990	24 730	28 470
80 001	-	82 000	9 520	13 670	17 460	21 260	25 050	28 850
82 001	-	84 000	9 620	13 820	17 680	21 530	25 390	29 240
84 001	-	86 000	9 790	13 980	17 890	21 780	25 700	29 600
86 001	-	88 000	9 880	14 100	18 060	22 020	25 980	29 940
88 001	-	90 000	9 950	14 220	18 210	22 200	26 190	30 190
90 001	-	92 000	10 040	14 340	18 400	22 440	26 500	30 550
92 001	-	94 000	10 130	14 460	18 550	22 640	26 710	30 790
94 001	-	96 000	10 240	14 580	18 730	22 860	27 000	31 120
96 001	-	98 000	10 310	14 700	18 860	23 050	27 220	31 420
98 001	-	100 000	10 410	14 800	19 010	23 210	27 430	31 650
100 001	-	102 000	10 490	14 900	19 170	23 420	27 680	31 940
102 001	-	104 000	10 560	15 000	19 320	23 580	27 920	32 190
104 001	-	106 000	10 650	15 110	19 450	23 790	28 130	32 460
106 001	-	108 000	10 720	15 230	19 620	23 980	28 390	32 740
108 001	-	110 000	10 790	15 320	19 780	24 170	28 610	33 000
110 001	-	112 000	10 890	15 430	19 920	24 340	28 850	33 280
112 001	-	114 000	10 970	15 520	20 080	24 540	29 100	33 540
114 001	-	116 000	11 060	15 630	20 220	24 710	29 300	33 790
116 001	-	118 000	11 130	15 720	20 360	24 870	29 520	34 050
118 001	-	120 000	11 210	15 820	20 500	25 080	29 730	34 280
120 001	-	122 000	11 280	15 910	20 630	25 230	29 940	34 530
122 001	-	124 000	11 340	16 020	20 770	25 410	30 170	34 780
124 001	-	126 000	11 420	16 110	20 910	25 560	30 390	35 040
126 001	-	128 000	11 510	16 200	21 060	25 750	30 600	35 300
128 001	_	130 000	11 580	16 300	21 190	25 910	30 800	35 540
130 001	-	132 000	11 650	16 410	21 350	26 080	31 030	35 780
132 001	-	134 000	11 720	16 490	21 470	26 280	31 250	36 030
134 001	-	136 000	11 800	16 590	21 610	26 440	31 450	36 290
136 001	-	138 000	11 880	16 670	21 770	26 600	31 690	36 530
138 001	-	140 000	11 950	16 780	21 900	26 790	31 900	36 790

	Disposable		Basic Annual Contribution (\$) Number of Children						
	Income of Parents (\$)		1 child	2 children	3 children	4 children	5 obildnon	6 children ⁽¹⁾	
140.001		1.42.000							
140 001	-	142 000	12 030	16 870	22 040	26 960	32 110	37 030	
142 001	-	144 000	12 110	16 980	22 180	27 130	32 340	37 290	
144 001	-	146 000	12 180	17 070	22 320	27 280	32 560	37 540	
146 001	-	148 000	12 260	17 160	22 470	27 500	32 770	37 790	
148 001	-	150 000	12 340	17 270	22 610	27 650	33 000	38 050	
150 001	-	152 000	12 420	17 370	22 740	27 820	33 210	38 290	
152 001	-	154 000	12 480	17 450	22 880	28 000	33 430	38 520	
154 001	-	156 000	12 570	17 560	23 050	28 180	33 670	38 800	
156 001	-	158 000	12 640	17 670	23 170	28 340	33 860	39 050	
158 001	-	160 000	12 720	17 750	23 300	28 520	34 100	39 310	
160 001	-	162 000	12 790	17 840	23 460	28 710	34 310	39 550	
162 001	-	164 000	12 870	17 940	23 600	28 880	34 520	39 790	
164 001	_	166 000	12 940	18 050	23 750	29 050	34 740	40 060	
166 001	-	168 000	13 010	18 150	23 880	29 220	34 980	40 310	
168 001	-	170 000	13 090	18 240	24 010	29 400	35 180	40 550	
170 001	-	172 000	13 180	18 340	24 170	29 580	35 410	40 820	
172 001	_	174 000	13 260	18 440	24 300	29 750	35 610	41 050	
174 001	_	176 000	13 330	18 530	24 450	29 930	35 850	41 330	
176 001	_	178 000	13 400	18 640	24 580	30 100	36 060	41 570	
178 001	_	180 000	13 480	18 750	24 760	30 280	36 280	41 830	
180 001	_	182 000	13 570	18 830	24 880	30 450	36 510	42 080	
182 001	_	184 000	13 640	18 940	25 020	30 620	36 720	42 320	
184 001	_	186 000	13 700	19 030	25 170	30 800	36 930	42 580	
186 001	_	188 000	13 790	19 110	25 310	30 990	37 170	42 840	
188 001		190 000	13 860	19 210	25 450	31 140	37 380	43 090	
190 001		192 000	13 940	19 320	25 590	31 340	37 600	43 340	
192 001	-	194 000	14 020	19 430	25 730	31 520	37 820	43 610	
194 001	-	194 000	14 100	19 520	25 730	31 680	38 050	43 850	
196 001	-	198 000	14 100	19 520	26 030	31 860	38 250	44 110	
	-								
198 001	- Di	200 000	14 240	19 720	26 170	32 040	38 490 38 490	44 350	
	Disposable		14 240	19 720	26 170	32 040		44 350	
	income		plus	plus	plus	plus	plus	plus	
	greater than		3.5 %	4.5 %	6.5 %	8.0 %	10.0 %	11.5 %	
	\$ 200,000 (2)		of	of	of	of	of	of	
			excess	excess	excess	excess	excess	excess	
			amount	amount	amount	amount	amount	amount	

⁽¹⁾ For families of 7 children or more, multiply the difference between 5 and 6 children by the number of additional children and add the product to the basic annual contribution for 6 children (s.11).

Amount of the basic deduction for the purpose of calculating disposable income (line 301 on the Child Support Determination Form) effective as of 1 January 2009: \$10,100

⁽²⁾ For the portion of income exceeding \$200,000, the percentage indicated is shown for information purposes only (s.10).