

# How do I get child support?



FAMILY VIOLENCE LAW HELP

[www.familyviolencelaw.gov.au](http://www.familyviolencelaw.gov.au)

Child support is money that is paid to support children after their parents separate. Every parent has a financial duty to support their children.

A parent may have to pay child support if they were married, in a de facto relationship, never lived together or never had a relationship. It also may apply to same-sex parents.

If you have separated from the other parent, you can apply for a child support assessment. You can apply even if you are separated under one roof.

You can apply [online](#), or call Child Support on **131 272** to apply over the phone.

## How is child support calculated?

A mathematical formula is used to figure out how much child support should be paid. This is called a 'child support assessment'.

For an estimate of how much will need to be paid, see the [Child Support Online Estimator](#).

If you think the child support assessment is unfair because it does not take into account special circumstances in your case, you should contact Child Support to discuss this. They may be able to change how much is paid.

Get legal advice and call Child Support on **131 272** as soon as you can.





## Do I have to apply for child support?

If your children are spending most of their time living with you, it's up to you to apply for child support.

If you are scared to apply for child support because of domestic and family violence, you should get legal advice. You can talk to a Centrelink social worker about a child support exemption so your Family Tax Benefit doesn't get reduced.

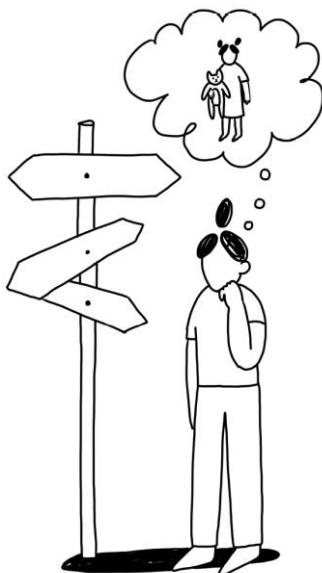


If you receive Centrelink benefits, you must apply for child support from the other parent. If you receive Family Tax Benefits, you will continue to receive this for **13 weeks** after you separate. If you haven't applied for Child Support, after 13 weeks, your 'Family Tax Benefit A' will be reduced to the base level.

It's important to apply as soon as you can after you separate because you will be paid from the date you apply. Child Support won't back-date your payments to when you separated.

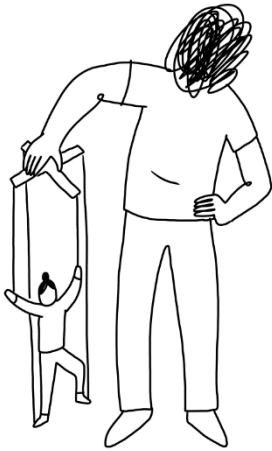
## What happens if the other parent says they aren't the father?

Child Support will only accept an application for child support if you can prove that the other parent is a biological or adoptive parent of your child or, in some cases, a former same-sex partner.



Child Support will assume that a person is a parent if for example – they are named on the child's birth certificate or the parents were married to each other when the child was born.

If you're not sure if you can prove that the other person is a parent, get legal advice.



## What can I do if I have experienced domestic and family violence and am scared to ask the other parent for child support?

Child Support can collect the money for you. They can do this by taking money from the other parent's wages or tax refunds or by starting court action against them.

If you are scared to apply for child support from the other parent, you should get legal advice. You can talk to a Centrelink social worker about getting an exemption.



An exemption means you do not have to apply for child support from the other parent. If you are getting Family Tax Benefits, this means your benefits will not be reduced, but you won't get any child support payments. You cannot be back-paid child support from the other parent if you get the exemption and later decide you want to start claiming child support.

If you are getting the exemption and no longer have fears for your safety, you should to speak to Child Support about the other parent starting to pay you.



To see if you are eligible for the exemption, get legal advice or speak to a Centrelink social worker. You can go to your local service centre or call Centrelink on 136 150 and ask to speak with a social worker.



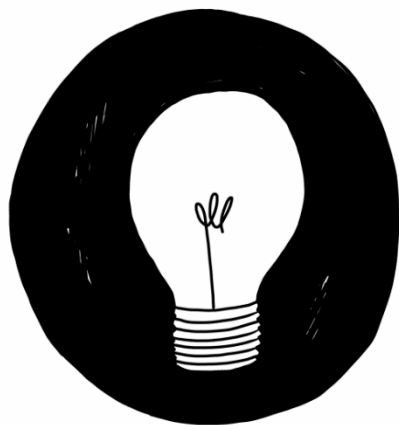
## How do I collect child support?

If Child Support makes a child support assessment, you can ask them to collect the money from the other parent for you. This means Child Support may chase up unpaid money for you.

Otherwise, you can arrange to privately collect the money from the other parent. If the other parent stops paying you, you will need to get legal advice about how to chase the unpaid money yourself.

If you are collecting the money privately, you can change your mind and ask Child Support to start collecting payments for you instead.

For more information, get legal advice.



## What if my or the other parent's circumstances change?

The amount of child support paid to a parent can be changed when circumstances change.

Changes could include things like:

- a change in one parent's income
- the birth of a new child
- changes to the care arrangements for your children
- things like extra costs for caring for your children—for example, an expensive school or health care costs.



It is important to let Child Support know as soon as possible if your circumstances change.

Call Child Support on **131 272** to discuss your options. It's also a good idea to get legal advice because there are time-limits for taking action and objecting to a decision by Child Support.



## I am not seeing my kids. Do I still have to pay child support?

Yes. Every parent has a legal duty to support their children financially.

## What are child support agreements?

Parents can make agreements called ‘child support agreements’ or ‘private agreements’ about child support. These agreements set out in writing how much and how often one parent will pay child support to the other parent.



It is important that you get legal advice before you make a child support agreement. They are difficult to change later and can sometimes disadvantage the parent who has the children living with them most of the time.

## What if I disagree with a decision made by Child Support?

Child Support must tell you in writing about most decisions it makes about your case. If you think Child Support are wrong, you can object and ask for a review of the decision.

You must object in writing no later than **28 days** after the decision is delivered to your address. If you are out of time, you will need a reason why you are late. If you want to object, get legal advice.

