



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

FAMILY LAW ACT CHILD SUPPORT GUIDELINES REGULATIONS

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This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this regulation, current to 2006. It is intended for information and reference purposes only.

This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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FAMILY LAW ACT
Chapter F-2.1

CHILD SUPPORT GUIDELINES REGULATIONS

Pursuant to section 61 of the *Family Law Act* R.S.P.E.I. 1988, Cap. F-2.1, Council made the following regulations:

1. Definitions

In these regulations

- (a) “**Act**” means the *Family Law Act* R.S.P.E.I. 1988, Cap. F-2.1;
- (b) “**child**” includes a child as defined in clause 1(1)(a) of the Act;
- (c) “**Federal Guidelines**” means the Federal Child Support Guidelines established by regulation pursuant to section 26.1 of the *Divorce Act* (Canada), as amended from time to time;
- (d) “**order assignee**” includes a person or agency described under subsection 33(3) of the Act;
- (e) revoked by EC208/06;
- (f) “**spouse**” includes a spouse as defined in clause 1(1)(g) of the Act and includes a “**parent**” as defined in clause 1(1)(e) of the Act as one who has demonstrated a settled intention to treat a child as a child of his or her family, except under an arrangement where the child is placed for valuable consideration in a foster home by a person having lawful custody.
- (g) “**table**” revoked by EC208/06. (EC668/97; 208/06)

2. Adoption focused approach

The Federal Child Support Guidelines, subject to such modifications as are set out in these regulations, are adopted as the guidelines governing the making of orders for child support under the Act. (EC668/97; 208/06)

3. Definitions, replaced

The definitions of “**child**”, “**order assignee**”, and “**spouse**” found in section 2 of the Federal Guidelines are replaced by the definitions found in section 1 of these regulations. (EC668/97; 208/06)

4. Words substituted

- (1) In section 14 of the Federal Guidelines, the words “For the purposes of subsection 17(4) of the Act, any one of the following constitutes a change of circumstances” shall be read “For the purposes of section 37 of the *Family Law Act* R.S.P.E.I. 1988, Cap. F-2.1 any one of the following constitutes a change of circumstances.”

Idem

- (2) Paragraph 14(c) of the Federal Guidelines shall be read as follows:
- (c) in the case of an order made before May 1, 1997, the coming into force of these regulations. (*EC668/97; 208/06*)

5. Subsection 21(4.1) deemed to be included

Revoked by EC208/06. (*EC668/97; 208/06*)

6. Application of section 26

Section 26 of the Federal Guidelines applies only where the Minister has designated a child support service for the purposes of that section. (*EC668/97*)



SCHEDULE I

CHILD SUPPORT TABLES

1. Adoption of Federal Child Support Tables

The Federal Child Support Tables set out in Schedule I to the Federal Child Support Guidelines are adopted pursuant to subsection 61(4) of the Act and form part of these regulations with the modifications set out in subsection (2).

(EC668/97; 208/06)