

Maintenance Enforcement Program Facts

A series of program fact sheets to answer your most commonly asked questions

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WHEN THE DEBTOR/PAYOR OR THE CREDITOR/PAYEE LIVE OUTSIDE OF MANITOBA

A Family Resource

The Manitoba government's Maintenance Enforcement Program (MEP) protects the interests of children and spouses by enforcing maintenance orders and agreements. MEP collects, records and forwards support payments.

The **CREDITOR/PAYEE** is the person receiving the support payment.

The **DEBTOR/PAYOR** is the person paying the support.

If payments are not made, the program can take a number of steps to collect on support owed. For more details on this program, please visit our website or contact the MEP Info line 24 hours a day, seven days a week.

MEP Info line
In Winnipeg 204-948-3000
Toll-free 1-866-479-2717
E-mail: ManitobaMEPinquiries@gov.mb.ca
Website: www.manitoba.ca/mep

What happens if one party to a court order or agreement lives outside of Manitoba?

Each Canadian province has a separate maintenance enforcement program with its own legislation and tools to collect support payments. If one person lives outside of Manitoba, the Manitoba program will work with the program in that province or territory. When a person lives outside of Canada, Manitoba's program can only help if they live in a country that is a reciprocating jurisdiction – that is a country with an agreement to work with Manitoba.

How will an order from another province or country be recognized in Manitoba?

Court orders from outside Manitoba must be registered in Manitoba's Court of Queen's Bench before collection and enforcement action can be started by Manitoba's program. This will be done by the program after the necessary documents have been received.

What if the debtor lives outside of Manitoba?

Collection and enforcement takes place where the debtor lives. The Manitoba program forwards the court order or agreement and file information to the program where the debtor lives for registration and collection action.

Manitoba's program will work with the program where the debtor lives to collect and enforce support payments. The other program would collect the payment, record it, and send it to Manitoba's program. MEP records and sends the payment to the creditor.

What if the creditor/debtor lives outside Manitoba?

When the creditor lives outside Manitoba but the debtor lives in Manitoba, the other province, territory or country will give the Manitoba

program the court order or agreement and necessary file information.

The Manitoba program will register the order or agreement, monitor and enforce the payment of support and collect it directly from the debtor. Collected payments are recorded and sent by the Manitoba program to the program in the area where the creditor is living.

What if both parties live outside of Manitoba?

The Manitoba Maintenance Enforcement Program will close the file and the creditor will need to register with the program in the area where he or she lives. There may be exceptions to this. Ex:

- where the creditor previously received income assistance in Manitoba and the Manitoba government has a claim to unpaid support for that time
- where the debtor has income or assets in Manitoba that can only be collected by the MEP

Reciprocating Jurisdictions

Manitoba has agreements with other similar programs all over the world to help collect support or maintenance payments. These interjurisdictional enforcement agreements include:

Canada:

All other provinces and territories of Canada.

United States:

All U.S. states	District of Columbia
Puerto Rico	Guam
American Samoa	U.S. Virgin Islands

Continued...

Other countries:

United Kingdom:

England Scotland Northern Ireland
Wales Guernsey, Alderney & Sark
Jersey Isle of Man

Europe:

Austria Czech Republic Germany
Malta Norway Poland
Slovak Republic Switzerland

Africa:

Ghana Australia New Zealand
South Africa Fiji Papua New Guinea
Zimbabwe Barbados

Asia:

Hong Kong Singapore

How can I get or change a support order if one party lives outside Manitoba?

If the other person lives outside Manitoba, you may be able to use a simplified application form to request a support order or change a support order **OR** you may need to make a court application in Manitoba or in the jurisdiction where the other person lives. The procedure you follow will depend on where the other person lives and whether the order was made in Canada under the *Divorce Act* or under provincial law. The simplified application available under *The Inter-jurisdictional Support Orders Act* is not available for orders made under the *Divorce Act*, so you may want to see a lawyer to help you. You can also find information on Changing Child Support Orders in Manitoba at

www.gov.mb.ca/justice/family/law/changembsupportorder.html.

If you can use the simplified application, you can find the forms at www.gov.mb.ca/justice/family/law/index.html, or http://web2.gov.mb.ca/laws/rules/forms_e.php.

The forms are free on the Manitoba Justice website.

Once you have completed the forms, you must take them to a court office and submit the original and two photocopies to the court officer known as a designated authority. The completed application forms will then be sent to the appropriate authority in the other jurisdiction. The court or other authority in that jurisdiction will consider your application and the respondent's evidence before making a support or support variation order.

Please note other jurisdictions may require additional forms not available on the Manitoba Justice website. Contact Manitoba Justice Family Law Branch for more information at 204-945-0268 in Winnipeg or outside Manitoba or toll-free 1-800-282-8069 (ext. 0268) in Manitoba, or e-mail to ISOQuestions@gov.mb.ca

Fact sheets available from MEP:

- 1 How to Register with the Maintenance Enforcement Program
- 2 Making Payments
- 3 Responsibilities of the Creditor/Payee
- 4 Responsibilities of the Debtor/Payor
- 5 Responsibilities of the Maintenance Enforcement Program
- 6 When the Debtor/Payor or the Creditor/Payee Live Outside of Manitoba
- 7 Employment and Income Assistance (EIA) and Assigned Maintenance
- 8 Confidentiality and Privacy Protection
- 9 If you have a Compliment or Complaint

MEP Offices:

Winnipeg Central Payment Processing

100 - 352 Donald St., Winnipeg, MB R3B 2H8
8:30 a.m. - 4:30 p.m. Monday to Friday

Thompson

Room 12 - 59 Elizabeth Dr., Thompson MB R8N 1X4

Brandon

Room 108 -1104 Princess Ave., Brandon MB R7A 0P9