



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

CHILDREN'S LAW ACT CHILD SUPPORT REGULATIONS

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this Act, current to October 9, 2021. It is intended for information and reference purposes only.

This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the *Table of Public Acts* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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CHILD SUPPORT REGULATIONS

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CHILDREN'S LAW ACT

CHAPTER C-6.1

CHILD SUPPORT REGULATIONS

Pursuant to section 87 of the *Children's Law Act* R.S.P.E.I. 1988, Cap. C-6.1, Council made the following regulations:

PART 1 – INTERPRETATION AND ADMINISTRATION

1. Definitions

In these regulations,

- (a) “**Act**” means the *Children's Law Act* R.S.P.E.I. 1988, Cap. C-6.1;
- (b) “**agreement**” means an agreement referred to in subsection 10(1) of the Act entered into before, on or after the date these regulations come into force, that requires
 - (i) the payment of child support, and
 - (ii) the annual review and recalculation, in accordance with the child support guidelines, of the child support payable under the agreement;
- (c) “**anniversary date**” means, in respect of an agreement, a child support order or recalculation order, or a notice given under subsection 8(1), the date in a year on which
 - (i) the agreement or order was made, or
 - (ii) the notice was sent, in a prior year;
- (d) “**child support order**” means an order made by the court before, on or after the date that these regulations come into force, that requires
 - (i) the payment of child support, and
 - (ii) the annual review and recalculation, in accordance with the child support guidelines, of the child support payable under the order;
- (e) “**Child Support Services Office**” means the Child Support Services Office continued by subsection 7(1) of the Act;
- (f) “**deputy registrar**” means the deputy registrar of the Family Section of the Supreme Court appointed under section 29 of the *Judicature Act* R.S.P.E.I. 1988, Cap. J-2.1;
- (g) “**Director of Maintenance Enforcement**” means the Director of Maintenance Enforcement appointed under section 2 of the *Maintenance Enforcement Act* R.S.P.E.I. 1988, Cap. M-1;

- (h) “**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;
- (i) “**party**” means, in respect of an agreement or child support order, a person who is required to pay or is entitled to receive child support under the agreement or child support order;
- (j) “**payor**” means the party who is obliged to pay child support under an agreement or child support order;
- (k) “**Recalculation Officer**” means the Recalculation Officer designated under subsection 2(1);
- (l) “**recalculation order**” means an order issued under subsection 10(1) or 16(1);
- (m) “**special or extraordinary expense**” means an expense referred to in section 7 of the Federal Guidelines. (EC98/21)

2. Designation of Recalculation Officer

- (1) The Minister shall designate an employee of the Department as the Recalculation Officer.

Duties

- (2) The Recalculation Officer shall exercise the general direction and supervision of the Child Support Services Office.

Use of computer programs, etc.

- (3) The Recalculation Officer may, in the exercise and performance of the powers and duties of the Recalculation Officer under the Act and these regulations,
 - (a) use computer programs or other technical aids; and
 - (b) engage the services of or seek assistance from accountants or other experts as the Recalculation Officer considers appropriate. (EC98/21)

PART 2 – CHILD SUPPORT GUIDELINES

3. Adoption of Federal Guidelines

- (1) The Federal Guidelines, subject to such modifications as are set out in this section, are adopted as the guidelines governing the making of orders for child support under the Act.

Modification - definition of “child”

- (2) **The definition of “child” in section 2 of the Federal Guidelines is modified by**

- (a) **the deletion of the words “a child of the marriage”; and**
- (b) **the substitution of the words**

- “(i) a child of a person as determined under Part 4 of the *Children’s Law Act*, or
- (ii) a child whom a person has demonstrated a settled intention to treat as the person’s child, except under an arrangement where the child is placed for valuable consideration in a foster home by the Director Child Protection”.



Modification - definition of "order assignee"

- (3) **The definition of "order assignee" in section 2 of the Federal Guidelines is modified by**
- (a) **the deletion of the words "a minister, member or agency referred to in subsection 20.1(1) of the Act to whom a child support order is assigned in accordance with that subsection"; and**
 - (b) **the substitution of the words "a person or agency described under subsection 60(3) of the *Children's Law Act*".**

Modification - definition of "spouse"

- (4) **The definition of "spouse" in section 2 of the Federal Guidelines is modified by**
- (a) **the deletion of the words "has the meaning assigned by subsection 2(1) of the Act, and includes a former spouse"; and**
 - (b) **the substitution of the words "means a person with an obligation to provide child support for a child under section 58 of the *Children's Law Act*".**

Modification - section 14 of Federal Guidelines

- (5) **Section 14 of the Federal Guidelines shall be read as follows:**

"For the purposes of section 64 of the *Children's Law Act*, any one of the following constitutes a change of circumstances that gives rise to the making of a variation order in respect of a child support order

- (a) in the case where the amount of child support includes a determination made in accordance with the applicable table, any change in circumstances that would result in a different child support order or any provision of it;
- (b) in the case where the amount of child support does not include a determination made in accordance with a table, any change in the condition, means, needs or circumstances of either parent or of any child who is entitled to support; and
- (c) in the case of an order made before March 1, 2021, the coming into force of the Child Support Regulations under the *Children's Law Act*." (EC98/21)

4. Adoption of Federal Child Support Tables

The Federal Child Support Tables set out in Schedule I to the Federal Guidelines are adopted and form part of these regulations. (EC98/21)

PART 3 - ADMINISTRATIVE RECALCULATION OF CHILD SUPPORT**5. Income information of payor**

- (1) For the purposes of this Part, unless the context indicates otherwise, a reference to the income information of or for the payor, in respect of the review and recalculation in any year of the payor's obligation to pay child support, is a reference to
- (a) the income tax return that the payor filed with the Canada Customs and Revenue Agency for the immediately preceding year; and

- (b) a notice of assessment or reassessment issued to the payor by the Canada Customs and Revenue Agency for the immediately preceding year.

Parenting time deemed equal

- (2) For the purposes of this Part, the parties under an agreement or a child support order shall be deemed to have shared parenting time if each party has parenting time with the child for not less than 40 per cent of the time over the course of a year.

Applicable table

- (3) For the purposes of this Part, a reference to the applicable table in respect of the recalculation of a payor's obligation to pay child support under an agreement or order is,
 - (a) where the payor ordinarily resides in Prince Edward Island at the time of the recalculation, a reference to the table in Schedule I of the Federal Guidelines for Prince Edward Island ;
 - (b) where the payor ordinarily resides in a place in Canada other than in Prince Edward Island at the time of the recalculation, a reference to the table in Schedule I of the Federal Guidelines for the province or territory in which the payor ordinarily resides;
 - (c) where the payor ordinarily resides outside of Canada, or where the payor's residence is not known, at the time of the recalculation, a reference to
 - (i) the table in Schedule I of the Federal Guidelines for Prince Edward Island , if the recipient of the child support under the agreement or order ordinarily resides in Prince Edward Island at the time of the recalculation, or
 - (ii) the table in Schedule I of the Federal Guidelines for the province or territory in which the recipient of the child support under the agreement or order ordinarily resides at the time of the recalculation, if the recipient does not ordinarily reside in Prince Edward Island. (EC98/21)

Review and Recalculation

6. Application to Recalculation Officer

- (1) Subject to this Part, a party under an agreement or a child support order may apply to have the Recalculation Officer review and recalculate the amount of child support payable under the agreement or child support order by filing with the Child Support Services Office
 - (a) an application in the form approved by the Recalculation Officer;
 - (b) a copy of the agreement or child support order, as the case may be; and
 - (c) a copy of the income information for the payor under the agreement or child support order, if the agreement or order was made before September 6, 2003.

Review and recalculation

- (2) Subject to subsection (3), on receipt of an application referred to in subsection (1), the Recalculation Officer shall review and recalculate, in accordance with section 7, the amount of child support payable under an agreement or a child support order.

Grounds for refusal

- (3) The Recalculation Officer shall, on receipt of an application referred to in subsection (1), refuse to review and recalculate the amount of child support payable under an agreement or a child support order where
 - (a) the agreement or child support order indicates that the amount of child support payable under it has been determined



- (i) by taking into consideration
 - (A) the prevention of the undue hardship of a party or a child, or
 - (B) the fact that the parties share parenting time in respect of a child to whom the agreement or order applies, or
- (ii) after first determining the payor's annual income pursuant to sections 17 or 19 of the Federal Guidelines, or
- (iii) pursuant to clauses 3(2)(b) or 4(b), or section 5, of the Federal Guidelines; or
- (b) in the opinion of the Recalculation Officer, the application
 - (i) is made in respect of a matter for which an application should be made to the court under section 60 or 64 of the Act, or
 - (ii) is not made in accordance with the requirements of subsection (1).

Special or extraordinary expense

- (4) For greater certainty, where an agreement or a child support order includes an amount of child support for a special or extraordinary expense, the Recalculation Officer shall refuse to review and recalculate the amount of child support payable under the agreement or child support order for the special or extraordinary expense.

Notice of refusal

- (5) Where, on receipt of an application, the Recalculation Officer refuses to review and recalculate the child support payable under the agreement or child support order, the Recalculation Officer shall send, by regular mail, to the parties under the agreement or child support order a written notice that advises the parties of the refusal and of the reasons for the refusal.

Deemed receipt of notice

- (6) A notice sent by regular mail in accordance with subsection (5) is deemed to be received by a party upon the expiration of seven days after the notice is mailed to the party. (EC98/21)

7. Recalculation using income information of payor

- (1) This subsection and subsection (2) apply where, at least 30 days prior to the anniversary date of an agreement or a child support order, the Child Support Services Office is provided with the income information of the payor by
 - (a) the payor, if the agreement or child support order was made on or after September 6, 2003; or
 - (b) the applicant, if the agreement or order was made before September 6, 2003.

Recalculation process

- (2) The Recalculation Officer shall, before the anniversary date of an agreement or child support order, review and recalculate the amount of child support payable under the agreement or child support order in accordance with the applicable table by matching on the table the number of children under the age of majority to whom the agreement or child support order relates with the income of the payor, using the income information provided pursuant to subsection (1).

Recalculation using deemed income of payor

- (3) Where, in respect of an agreement or a child support order made on or after September 6, 2003, the payor has not, at least 30 days before the anniversary date of the agreement or child support order, provided the Child Support Services Office with the income information

required by the agreement or child support order, the Recalculation Officer shall review and recalculate the amount of child support payable under the agreement or child support order in accordance with the applicable table by matching on the table the number of children under the age of majority to whom the agreement or child support order relates with the deemed income of the payor, as determined in accordance with subsection (4).

Deemed income of payor

- (4) For the purposes of subsection (3), the income of the payor is deemed to be the sum of
- (a) the payor's income for the most recent preceding year during which the Child Support Services Office was provided, in or pursuant to the agreement or child support order, with income information for the payor; and
 - (b) 10 per cent of the payor's income referred to in clause (a).

Rounding to nearest dollar

- (5) When reviewing and recalculating under this section the amount of child support payable under an agreement or a child support order, the Recalculation Officer shall round the amount payable to the nearest dollar. *(EC98/21)*

8. Notice - no change in amount payable

- (1) Where, after recalculating the amount of child support payable under an agreement or a child support order, the Recalculation Officer determines that the amount would increase or decrease by less than \$5 per month, the Recalculation Officer
- (a) shall not issue a recalculation order in respect of the application; and
 - (b) shall send a notice, by regular mail, to the parties to the agreement or child support order that advises that no change in the amount of child support is required.

Notice - change in amount payable

- (2) Where, after recalculating the amount of child support payable under an agreement or a child support order the Recalculation Officer determines that the amount of child support would increase or decrease by \$5 or more per month, the Recalculation Officer shall send, by regular mail, a written notice to the parties to the agreement or child support order that advises them of
- (a) the recalculated amount;
 - (b) the payor's obligation under section 11 to pay the recalculated amount;
 - (c) the right of each party
 - (i) to make an application to the court under section 64 of the Act seeking a variation in the amount payable under the agreement or child support order; and
 - (ii) to file a notice of objection in the form approved by the Minister with the Child Support Services Office to preclude, subject to subsection 10(1), the issuance of a recalculation order for that recalculated amount; and
 - (d) the payor's right, in accordance with subsection 9(3), to object to the recalculation on the basis that the payor's income was less than the deemed income for the payor under subsection 7(4).

Deemed receipt of notice

- (3) A notice sent by regular mail in accordance with this section is deemed to be received by a party upon the expiration of seven days after the notice is mailed to the party. *(EC98/21)*



9. Notice of objection

- (1) Where a party to an agreement or a child support order intends to make an application to the court under section 64 of the Act, the party may, within 30 days after receipt of a notice referred to in subsection 8(2), file with the court and the Recalculation Office a completed notice of objection in the form approved by the Minister that indicates that the party will, within 60 days of filing the notice of objection with the court and the Child Support Services Office,
- (a) make the application to the court under section 64 of the Act for a variation of the amount of child support payable under the agreement or child support order;
 - (b) obtain a hearing date from the court for the application; and
 - (c) serve a copy of the application and a notice of the hearing date on the other party and the Recalculation Officer.

Recalculation order may not be issued

- (2) Where a party, in accordance with subsection (1), files a notice of objection to a recalculation for the reason referred to in that subsection, the Recalculation Officer may not issue a recalculation order in respect of the matter until one of the circumstances described in section 10 occurs.

Objection relating to deemed income

- (3) Where the payor's actual income for the immediately preceding year is less than the deemed income used by the Recalculation Officer for the recalculation, the payor may, within 30 days after the receipt of the notice referred to in subsection 8(2), object to the recalculation by filing with the court and the Recalculation Office
- (a) a notice of objection in the form approved by the Minister, objecting to the recalculation on that basis; and
 - (b) a copy of the income information for the payor for the immediately preceding year.

Effect of new income information

- (4) Where a payor, in accordance with subsection (3), files a notice of objection and the income information referred to in that subsection, the Recalculation Officer shall
- (a) recalculate, in accordance with subsections 7(2) and (5), the amount of child support payable using the income information provided by the payor; and
 - (b) comply with the requirements of section 8. (EC98/21)

10. Recalculation order

- (1) After sending to the parties to an agreement or a child support order the recalculation notice required by subsection 8(2), the Recalculation Officer shall make a recalculation order in respect of the recalculation where
- (a) no party has, within 30 days after receipt of the notice of recalculation, filed a notice of objection under subsection 9(1) with the court and the Child Support Services Office; or
 - (b) a party has, within 30 days after receipt of the notice of recalculation, filed a notice of objection under subsection 9(1) with the court and the Child Support Services Office, and the party has
 - (i) failed, within 60 days after filing the notice of objection with the court and the Child Support Service Office, to do or obtain any of the things referred to in clauses 7(1)(a) to (c),

- (ii) withdrawn the application made under clause 9(1)(a), or
- (iii) failed, within 120 days after filing the notice of objection with the court and the Child Support Services Office, to have a court hearing of the application made under clause 9(1)(a).

Requirements of recalculation order

- (2) A recalculation order made by the Recalculation Officer shall be made in writing and indicate
 - (a) the recalculated amount of child support;
 - (b) the date the payor is liable, pursuant to section 11, to pay the recalculated amount; and
 - (c) the relevant circumstances referred to in clause (1)(a) or (b) under which the recalculation order is issued.

Recalculation order to be filed, etc.

- (3) The Recalculation Officer shall
 - (a) file a copy of the recalculation order with the deputy registrar of the court;
 - (b) send, by regular mail, a copy of the recalculation order to each of the parties; and
 - (c) provide a copy of the recalculation order to the Director of Maintenance Enforcement.

Deemed receipt of order

- (4) An order sent by regular mail in accordance with subsection (3) is deemed to be received by a party upon the expiration of seven days after the order is mailed to the party. *(EC98/21)*

11. Obligation of payor

After a recalculation order has been made by the Recalculation Officer in respect of an agreement or a child support order, the payor under the agreement or child support order is liable to pay the recalculated amount of child support set out in the recalculation order on the date each month provided for in the agreement or child support order, commencing the month immediately following the month during which the recalculation order is made. *(EC98/21)*

Annual Review and Recalculation

12. Annual review and recalculation

- (1) Subject to subsection (2), every year following the year in which a recalculation order is issued under subsection 10(1), or a notice is given under subsection 8(1), in respect of an agreement or a child support order, the Recalculation Officer shall, without application by a party, review and recalculate in accordance with section 13 the amount of child support payable under the agreement or child support order.

Cessation of review, recalculation

- (2) The Recalculation Officer shall cease to review and recalculate, in accordance with subsection (1), the amount of child support payable under an agreement or a child support order following
 - (a) the expiry of the payor's obligation under the agreement or child support order to pay the amount of child support; or



- (b) the receipt by the Child Support Services Office of
 - (i) a court order made under section 64 of the Act, or
 - (ii) a copy of an agreement made by the parties that precludes the recalculation, in accordance with these regulations, of child support payable. (EC98/21)

13. Recalculation based on income information of payor

- (1) This subsection and subsection (2) apply where, in respect of an agreement or child support order, the Child Support Services Office has been provided with the income information of the payor under the agreement or child support order at least 30 days before the anniversary date of the most recent
 - (a) recalculation order, if any, that has been issued; or
 - (b) notice, if any, that has been sent under subsection 8(1).

Recalculation process

- (2) The Recalculation Officer shall, before the anniversary date referred to in subsection (1), review and recalculate the amount of child support payable under the agreement or child support order in accordance with the applicable table by matching on the table the number of children under the age of majority to whom the agreement or child support order relates with the income of the payor, using the income information provided.

Recalculation based on deemed income of payor

- (3) Where the Child Support Services Office has not been provided with the income information of the payor under an agreement or a child support order at least 30 days before the anniversary date referred to in subsection (1), the Recalculation Officer shall, before that anniversary date, review and recalculate the amount of child support payable under the agreement or child support order in accordance with the applicable table by matching on the table the number of children under the age of majority to whom the agreement or child support order relates with the deemed income of the payor, as determined in accordance with subsection (4).

Deemed income of payor

- (4) For the purposes of subsection (3), the income of the payor is deemed to be the sum of
 - (a) the payor's income for the most recent preceding year during which
 - (i) the Child Support Services Office was provided, in or pursuant to the agreement or child support order, with income information for the payor, or
 - (ii) a recalculation order was issued in respect of the agreement or child support order, as determined using that income information or the amount of the deemed income set out in that recalculation order, as the case may be; and
 - (b) 10 per cent of the payor's income referred to in clause (a).

Rounding to nearest dollar

- (5) When reviewing and recalculating under this section the amount of child support payable under an agreement or a child support order, the Recalculation Officer shall round the amount payable to the nearest dollar. (EC98/21)

14. Notice - no change in amount payable

- (1) Where, after recalculating under section 13 the amount of child support payable under an agreement or a child support order, the Recalculation Officer determines that the amount would increase or decrease by less than \$5 per month, the Recalculation Officer

- (a) shall not issue a recalculation order in respect of the recalculation; and
- (b) shall send a notice, by regular mail, to the parties to the agreement or child support order that advises that no change in the amount of child support is required.

Notice - change in amount payable

- (2) Where, after recalculating under section 13 the amount of child support payable under an agreement or a child support order, the Recalculation Officer determines that the amount of child support would increase or decrease by \$5 or more per month, the Recalculation Officer shall send, by regular mail, a written notice to the parties to the agreement or child support order that advises them of
 - (a) the recalculated amount;
 - (b) the payor's obligation under section 17 to pay the recalculated amount;
 - (c) the right of each party
 - (i) to make an application to the court under section 64 of the Act seeking a variation in the amount payable under the agreement or child support order; and
 - (ii) to file a notice of objection in the form approved by the Minister with the Child Support Services Office to preclude, subject to subsection 16(1), the issuance of a recalculation order for that recalculated amount; and
 - (d) the payor's right, in accordance with subsection 15(3), to object to the recalculation on the basis that the payor's income was less than the deemed income for the payor under subsection 13(4).

Deemed receipt of notice

- (3) A notice sent by regular mail in accordance with this section is deemed to be received by a party upon the expiration of seven days after the notice is mailed to the party. (EC98/21)

15. Notice of objection

- (1) Where a party to an agreement or a child support order intends to make an application to the court under section 64 of the Act for a variation of the amount of child support payable under the agreement or child support order, the party may, within 30 days after receipt of a notice referred to in subsection 14(2), file with the court and the Child Support Services Office a completed notice of objection in the form approved by the Minister that indicates that the party will, within 60 days of filing the notice of objection with the court and the Child Support Services Office,
 - (a) make the application to the court under section 64 of the Act;
 - (b) obtain a hearing date from the court for the application; and
 - (c) serve a copy of the application and a notice of the hearing date on the other party and the Recalculation Officer.

Recalculation order may not be issued

- (2) Where a party, in accordance with subsection (1), files a notice of objection to a recalculation for the reason referred to in that subsection, the Recalculation Officer may not issue a recalculation order in respect of the matter until one of the circumstances described in section 16 occurs.

Objection relating to deemed income

- (3) Where the payor's actual income for the immediately preceding year is less than the deemed income used by the Recalculation Officer for the recalculation, the payor may, within 30 days



after the receipt of the notice referred to in subsection 14(2), object to the recalculation by filing with the Child Support Services Office

- (a) a completed notice of objection in the form approved by the Minister, objecting to the recalculation on that basis; and
- (b) a copy of the income information for the payor for the immediately preceding year.

Effect of new income information

- (4) Where a payor, in accordance with subsection (3), files a notice of objection and the income information referred to in that subsection, the Recalculation Officer shall
 - (a) recalculate, in accordance with subsections 13(2) and (5), the amount of child support payable using the income information provided by the payor; and
 - (b) comply with the requirements of section 14. *(EC98/21)*

16. Recalculation order

- (1) After sending to the parties to an agreement or a child support order the recalculation notice required by subsection 14(2), the Recalculation Officer shall make a recalculation order in respect of the recalculation where
 - (a) no party has, within 30 days after receipt of the notice of recalculation, filed a notice of objection under subsection 15(1) with the court and the Child Support Services Office; or
 - (b) a party has, within 30 days after receipt of the notice of recalculation, filed a notice of objection under subsection 15(1) with the Child Support Services Office, and the party has
 - (i) failed, within 60 days after filing the notice of objection with the court and the Child Support Service Office, to do or obtain any of the things referred to in clauses 15(1)(a) to (c),
 - (ii) withdrawn the application made under clause 15(1)(a), or
 - (iii) failed, within 120 days after filing the notice of objection with the court and the Child Support Services Office, to have a court hearing of the application made under clause 15(1)(a).

Requirements of recalculation order

- (2) A recalculation order made by the Recalculation Officer shall be made in writing and indicate
 - (a) the recalculated amount of child support;
 - (b) the date the payor is liable, pursuant to section 17, to pay the recalculated amount; and
 - (c) the relevant circumstances referred to in clause (1)(a) or (b) under which the recalculation order is issued.

Recalculation order to be filed, etc.

- (3) The Recalculation Officer shall
 - (a) file a copy of the recalculation order with the deputy registrar of the court;
 - (b) send, by regular mail, a copy the recalculation order to each of the parties; and
 - (c) provide a copy of the recalculation order to the Director of Maintenance Enforcement.

Deemed receipt of order

- (4) An order sent by regular mail in accordance with subsection (3) is deemed to be received by a party upon the expiration of seven days after the order is mailed to the party. (EC98/21)

17. Obligation of payor

After a recalculation order has been made by the Recalculation Officer under section 16 in respect of an agreement or a child support order, the payor under the agreement or child support order is liable to pay the recalculated amount of child support set out in the recalculation order on the date each month provided for in the agreement or child support order, commencing the month immediately following the month during which the recalculation order is made. (EC98/21)

Extension of Time Periods

18. Application of section

- (1) This section applies where the court has suspended regular operations in response to
- (a) the declaration of a state of public health emergency pursuant to subsection 49(1) of the *Public Health Act* R.S.P.E.I. 1988, Cap. P-30.1; or
 - (b) the declaration of a state of emergency declared pursuant to subsection 9(1) or 9(2) of the *Emergency Measures Act* R.S.P.E.I. 1988, Cap. E-6.1.

Temporary suspension of time periods

- (2) Notwithstanding sections 7 to 10 and 12 to 16, a requirement for a party or the Recalculation Officer to do or obtain anything within a specified time period is, subject to an order of the court, suspended for the period commencing on the date on which the court suspends regular operations pursuant to subsection (1) and ending on the date that is 30 days after the date on which the court resumes regular operations.

Effect of suspension

- (3) Where a time period within which a party or the Recalculation Officer is required to do or obtain anything under sections 7 to 10 or 12 to 16 is temporarily suspended under subsection (2),
- (a) the days during which the suspension is in effect shall not be counted; and
 - (b) the time period resumes running on the date that the temporary suspension ends in accordance with subsection (2).

Suspension due to Order No. EC2020-174

- (4) Notwithstanding subsection (2), the suspension of time periods under this section instituted pursuant to Order No. EC2020-174, the declaration of a state of public health emergency issued March 16, 2020, pursuant to subsection 49(1) of the *Public Health Act*, remains in force until November 2, 2021. (EC98/21; 811/21)

