

Maintenance Enforcement Program

Requests for Payments from the Department of National Defence

For debtors who are members of the Canadian Forces, the Maintenance Enforcement Program (MEP) may apply to the Department of National Defence for part of their monthly salary or pension to be diverted to satisfy maintenance obligations. This application is similar to issuing support deduction notices, although different procedures must be followed and federal legislation restricts the amount that may be collected.

The maximum amount the Department of National Defence pays MEP is the regular monthly amount specified in the enforceable child or spousal support order or agreement. For example, if a court order requires the military member to pay \$500 per month in child support, the Department of National Defence sends no more than \$500 to MEP each month. National Defence does not make payments toward any outstanding arrears unless the support orders or agreements confirm the amount of arrears and direct debtors to pay monthly contributions toward them. Therefore, if creditors wish to receive more than their ongoing support payment from National Defence, they may consider bringing a court application to set arrears, as well as a monthly arrears contribution. For instance, a court could direct the debtor to pay \$500 per month in maintenance plus \$50 per month toward total arrears, which the court sets at \$750. This allows National Defence to pay MEP \$550 each month until the \$750 in arrears is paid in full.

Regulations governing members of the Canadian Forces also indicate that monthly payments from National Defence cannot exceed certain levels, given other deductions from debtor wages, salary or pension. This may mean that MEP is unable to collect the full monthly court-ordered amount through pay or pension diversion.

Restrictions on the maximum monthly amount that National Defence may send MEP also apply to lump-sum payouts, such as lump-sum pension payments. Regardless of payout size, MEP can only collect a maximum of one month's court-ordered payment. To possibly receive a greater portion of lump sums due to members of the Canadian Forces, creditors may wish to bring a court application prior to the lump-sum payout. If MEP receives court orders setting the amount of arrears, staff can send an application to National Defence to divert payout proceeds. Again, federal regulations set a maximum that can be collected.

Because requests for payments from National Defence are not made through MEP's computer system, such pay or pension diversions do not appear as collection actions on the *MEP Info Line* or *MEP Accounts Online*. Clients should speak to staff in MEP's Client Services Centre if they have questions about this type of enforcement.

This document is part of a series of MEP information sheets that can be obtained in the following ways:

- MEP's website at www.albertamep.gov.ab.ca
 - MEP's fax-on-demand service on the *MEP Info Line* by calling 780-422-5555 and using the catalogue number of the information sheet you wish to request
- * **Toll-free** service to all Government of Alberta phone numbers is available from anywhere in Alberta by calling 310-0000 and following the voice prompts