

Responsibilities of the Debtor

The Maintenance Enforcement Program (MEP) uses the term debtor for those individuals required to pay maintenance under a court order or agreement who are registered with MEP.

Registration by the Debtor

Debtors are responsible for registering with MEP if they wish MEP to keep track of payments made. Registration allows MEP to act as a financial intermediary between debtors and creditors and ensures that all support payments are properly credited to debtors.

Debtors who wish to register with MEP must complete a *Debtor Registration Package* and *Authorized Bank Withdrawal* form. If there are arrears, a *Debtor's Affidavit of Arrears* and *Calculation of Arrears Worksheet* must be completed. All of these forms can be found on [MEP's website](#).

Registration by the Creditor

When the creditor registers, MEP informs the debtor about their MEP file registration by mail or telephone. When there is a MEP file, debtors should immediately stop making maintenance payments directly to creditors and begin making **all** payments through MEP. If debtors do not arrange with MEP to pay ongoing maintenance and arrears, MEP tries to reach them. If MEP cannot reach debtors and no payment arrangements have been made, collection action begins.

Making Payments

Debtors living in Canada may make payments to MEP in any of the following ways:

- Authorized bank withdrawal (by completing an [Authorized Bank Withdrawal form](#) on MEP's website).
- Voluntary pay deduction (by completing a [Debtor Voluntary Pay Deduction form](#) on MEP's website). Debtors who work outside Alberta must confirm with their employer that the pay deduction will be honoured.
- Internet or telephone banking (through a bank or financial institution). Debtors should be aware that it can take several days for MEP to receive payments through Internet or telephone banking. Please ensure enough time is allowed for processing by financial institutions before your payment is due.
- Cheque or money order (by mailing cheques or post-dated cheques to the MEP office).

For debtors residing outside Canada, please see MEP's information sheet [Making Payments from Outside Canada](#).

Late Payments

Debtors are expected to make all payments by the due date stated in the court order or agreement. Failure to do so may result in collection action and penalty charges. Late-paying debtors are encouraged to contact MEP to make the necessary arrangements to avoid monthly \$40 late payment penalty charges and interest.

Non-sufficient funds

When paying by cheque or authorized bank withdrawal, it is a payor's responsibility to ensure they have sufficient funds in their bank to cover the payment. When a payment is returned to the MEP due to non-sufficient funds (NSF), the MEP charges a \$51.50 fee to the payor's file. This fee partially covers the MEP's costs when a NSF payment occurs. In cases when the payment was advanced to the recipient, and the payor's payment is then returned as NSF, the MEP must recover the payment from the payor at the first possible opportunity. Maintenance payments will be deferred until the full payment is recovered. For this reason, the payor should make every effort to make up the missed payment as soon as possible.

Payments Made Directly to Creditors

Once files are registered with MEP, debtors should not make any payments directly to creditors. Paying creditors directly could result in debtors paying twice for the same time period, so all payments should be made through MEP. If debtors have made any payments directly to creditors after registration, they should advise MEP immediately and present proof (e.g., canceled cheque or receipt). MEP then asks the creditor to verify that payments were received and paid as support. Without this verification, files may not be credited.

Income Support

When creditors receive Income Support from the government (often known as welfare or social assistance), the government has the right to child or spousal support owing under court orders or enforceable agreements. Debtors are still required to make payments to MEP, and MEP forwards these payments to the government. Creditors and debtors do not have any authority to make agreements to reduce any money owing to the government. For further information, see MEP's information sheet [Income Support and the Government's Right to Receive Maintenance Payments](#) on MEP's website, or request it through the *MEP Info Line*.

Up-to-Date Information

Debtors are legally required to inform MEP when their residential address, phone number, e-mail address, employment, or income situation changes, so MEP can maintain accurate and up-to-date information. This can be done simply through [MEP Accounts Online](#) on MEP's website, or by phoning the 24-hour *MEP Info Line* and leaving a message.

Debtors should also advise MEP of any changes to children's status that could affect court-ordered payments (e.g. child no longer residing with creditor or child is age 18 and no longer in school). MEP investigates and advises debtors whether MEP will continue to collect for that child.

Varying Court Orders

Debtors are responsible for making payments according to the terms of court orders or enforceable support agreements. If this is not possible (e.g. due to job loss, illness, or new family responsibilities), MEP must be informed, though it does not have the authority to vary orders or agreements. For further information, see the information sheets [Varying or Changing Your Court Order](#) and [What to do if you Cannot Make Your Support Payments](#).

Withdrawal from MEP

As long as the debtor (not the creditor) registered with MEP, the debtor may close the file at any time by writing to MEP. An exception to this is if the creditor is receiving Income Support, as the government is entitled to receive any funds owing to the Crown. Debtors may re-register later, for a \$205 service fee.

- MEP has other Information Sheets, on a variety of helpful topics. To see them, visit MEP's website at www.alberta.ca/mep
- To contact MEP, phone 780-422-5555 or toll-free in Alberta at 310-0000.
- To view information about your MEP file, go to MEP's website at www.alberta.ca/mep and select "MEP Accounts Online".