

## **Maintenance Enforcement Program**

### **Non-Wage Support Deduction Notices**

A support deduction notice (SDN) is a legal document that captures funds payable to debtors from a variety of sources. Captured funds are paid to the Maintenance Enforcement Program (MEP) to satisfy maintenance obligations, instead of being paid to debtors. SDNs used to be referred to as garnishees or notices of continuing attachment.

The SDN is one of the payment options available to MEP debtors. To ensure that court-ordered support is received in full and on time, MEP encourages debtors to make their payments through SDNs with their employer or other person who makes regular payments to them. To take advantage of this convenient payment option, debtors complete and return the debtor payment form found on MEP's website (see end of this sheet). For more information regarding SDNs with employers, please see MEP's information sheet *Wage Support Deduction Notices* (catalogue #99024).

MEP may also issue SDNs when debtors are not voluntarily paying support. A non-wage SDN may be issued to a variety of financial sources including:

- bank accounts
- government agencies
- money owed to debtors for services (such as sales commissions, rental fees, payment for casual labour and contract fees) or for repayment of personal debts
- term deposits, retirement savings plans (RSPs), guaranteed income certificates (GICs) upon their maturity or redemption and locked-in retirement savings vehicles
- mutual funds held outside of registered savings plans
- funds held in trust by lawyers or other parties on behalf of debtors such as inheritances, lawsuit settlements, real estate funds, matrimonial property or bankruptcy estates
- certain insurance benefits such as medical leave benefits

Sources receiving SDNs cannot tell if debtors chose the SDN as a payment option or if MEP issued the SDN as a collection tool.

Non-wage SDNs become effective immediately when issued and typically capture the entire amount of arrears owing, which is specified in a fax to the financial source. Sources have 15 days to either forward the money to MEP or notify MEP that no funds are available. Failure to send money that would otherwise be payable to debtors can cause sources to be legally liable for the entire amount captured by the SDN.

All non-wage SDNs are in effect for 12 years. SDNs may be terminated prior to their expiry if debtors make an acceptable payment arrangement with MEP or when support payments are up-to-date. If SDNs are voluntary, debtors may terminate them after alternate payment arrangements are made. Debtors should keep in mind that MEP requires up to 14 days to initiate the termination of SDNs.

## Support Deduction Notices on Joint Accounts

If MEP issues a SDN to a debtor's bank account that is held with one or more other persons (joint account), then the amount that the SDN typically can capture is proportionate to the number of individuals holding that account. For example, if the debtor has a joint bank account with two other people, MEP can capture one-third of the total amount held in the account.

If debtors or joint account holders have information that may affect the amount of money captured under the SDN, they have 21 days from the date the SDN is issued to contact MEP with this information. MEP holds any funds received from joint accounts until the 21-day period expires. Any funds received after the 21-day period are paid to creditors.

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](http://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