

Responsibilities of the Maintenance Enforcement Program

Once a file is registered with the Maintenance Enforcement Program (MEP), it is the responsibility of the Program to enforce maintenance obligations by collecting payments from payors (those who are required to pay maintenance) and forwarding them to recipients (those who are awarded maintenance payments) once the funds have been cleared through a trust account. Maintenance is defined in s.1(1)(d) of the *Maintenance Enforcement Act* and includes child and spousal support (or alimony), expenses, some costs, and interest.

The MEP can enforce maintenance obligations awarded in:

- **Orders granted in Alberta, Canada, and some foreign courts**¹.
- **Specific types of support agreements** such as agreements made under the *Income and Employment Supports Act* and the *Child, Youth and Family Enhancement Act*.
- **Maintenance Enforcement Support Agreements** if they meet the requirements of the *Maintenance Enforcement Regulation* and are filed with the Court of Queen’s Bench.
- **Recalculation Decisions** from the Alberta Child Support Recalculation Program, as well as from any other jurisdiction (Canadian or foreign) that has a reciprocal agreement with the MEP.

For the MEP to enforce a maintenance order or agreement, the recipient or payor must register with the MEP. The Crown (government) may also register with the MEP on behalf of the recipient when the Crown has rights to the maintenance payments. For more information about the Crown’s right to maintenance payments, refer to the information sheet *Income Support and the Government’s Right to Receive Maintenance Payments*, available on the MEP’s website.

In situations where a payor does not make their required payments, the *Maintenance Enforcement Act* gives the MEP authority to take steps to recover maintenance owed by collecting money from employers, banks, and the federal government and by restricting services such as driver’s licences and passports. The MEP can also access a variety of information databases to locate a payor and their assets.

The MEP relies on the payor and recipient to advise the Program when something happens that may impact whether maintenance remains payable for a child. If the MEP is notified that there are changes to a child’s circumstances that may impact payment of child support, the MEP conducts a child status review by requesting the recipient to complete a Child Status Report. The MEP also automatically conducts a child status review for a child who is about to reach their age of majority (in Alberta, the age of majority is 18). These reviews help the MEP to make administrative decisions on the collection of maintenance. For more information, refer to the information sheets *Child Status Reviews* and *Maintenance for Adult Children*, available on the MEP’s website.

The MEP also attempts to enforce all court-ordered extraordinary (section 7) expenses when it is administratively possible and practical. This includes clauses that:

- State a specific amount for expenses to be paid (e.g., \$50 per month for dance lessons).
- State a proportionate amount to be paid by each party (e.g., 50% of hockey expenses).

For orders that require parties to pay section 7 expenses but **do not** set a specific amount or clearly specify the types of expenses that the parties are to share, refer to the *Section 7 Expenses Agreement Form* and the *Section 7 Expenses Information and Report* under the *MEP forms* section of the website for more information on this topic.

The MEP does not deal with issues relating to **parenting time or custody**. In Alberta, parenting time with children and payment of maintenance are treated as separate matters. If payors are not receiving parenting time with their children, the MEP still requires child support to be paid. The MEP also encourages recipients to live up to their court orders for parenting time, even if child support is not being paid. Individuals having difficulty obtaining parenting time may wish to address the matter in court or consider other dispute resolution processes such as mediation or arbitration. For assistance in this area, see the Alberta government website at www.alberta.ca/child-custody-parental-access.aspx.

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

¹ Any foreign court/jurisdiction where Alberta has a reciprocal enforcement agreement. These jurisdictions are listed on the MEP’s information sheet *When Payors or Recipients Reside Outside Alberta*.