



Australian Government

Department of Families,  
Housing, Community Services  
and Indigenous Affairs

# Child Support Scheme Reforms

## Fact sheet Three: Changes to the Scheme from January 2007 – Stage Two

Changes to the Child Support Scheme are being introduced in three stages:

- Stage One – 1 July 2006
- Stage Two – 1 January 2007
- Stage Three – 1 July 2008.

Stage Two changes were implemented in January 2007 and include:

### Independent review of Child Support Agency decisions

Previously, parents who were unhappy with a Child Support Agency (CSA) decision could only appeal to the courts. This was expensive and time consuming. The Social Security Appeals Tribunal (SSAT) has expanded its role to include reviews of CSA decisions. This aims to improve the consistency and transparency of decisions and provide a mechanism of review that is economical, fair, informal and quick.

For more information see [Fact sheet Seven: Appealing child support decisions to the Social Security Appeals Tribunal \(SSAT\)](#).

### Improving the relationship between the Child Support Scheme and the courts

The changes simplify the relationship between the courts and the new Scheme, making the process easier and more responsive to parents' needs. This will happen in four ways:

- **improved access to court enforcement by parents.** Previously, a parent receiving child support could not enforce the payment of arrears through the courts while the CSA was collecting the ongoing payments. Since 1 January 2007, parents can pursue court enforcement of the debt while the CSA continues collection.
- **increased court powers.** The courts used to have limited powers when seeking information available to the CSA. Since 1 January 2007, a court hearing an application for enforcement of child support has the same powers as the CSA to obtain information in relation to either parent.
- **increased case management powers.** Previously, the courts had limited powers when making temporary child support arrangements (stay orders). This meant debts and penalties could build up even when a court, the CSA or the SSAT was examining the case. Since 1 January 2007, the courts have increased powers to make temporary arrangements about child support. For example, stay orders can be made to suspend payments, to reduce the amount payable under the

assessment or to prevent the CSA taking certain collection actions such as intercepting a tax refund.

- **limits on departure orders and change of assessment decisions.** Although the ability to make a change to an assessment for a past period can provide flexibility, it can also create unexpected hardship when they relate to the distant past. Since 1 January 2007, change of assessment decisions and departure orders made by a court are generally limited to the previous 18 months, providing a balance between flexibility and certainty for parents.

For more information see [Fact sheet Four: The courts, the Child Support Scheme and the Child Support Agency](#).

## Giving separating parents more time to work out their parenting arrangements before their family payments are affected

Previously, a separated parent was allowed 28 days in which to take action to obtain child support payments from their former partner before their Family Tax Benefit Part A payments were affected. This limited period of time caused conflict between separating parents, undermining their ability to reach agreement on their parenting arrangements or even to reconcile.

On 1 January 2007, this time limit was extended from 28 days to 13 weeks. However, parents do not need to wait the whole 13 weeks before taking action. It can be done at any time before the 13-week deadline.

For more information see [Fact sheet Five: Extension of time to apply for child support](#).

## Better management of parentage issues

Child support is payable by a biological or adoptive parent of the child. The CSA cannot accept an application for child support unless it is satisfied that the liable parent named in the application is a parent of the child. Changes introduced from 1 January 2007 improve and simplify the process where a person believes they should not be required to pay child support because they are not the biological or adoptive parent of a child.

For more information, see [Fact sheet Six: Parentage issues and child support payments](#).

Please note this fact sheet is for general guidance only. It should not be treated as a complete or authoritative legal statement.

More details about these changes can be found in other fact sheets and on the Child Support Agency website [www.csa.gov.au](http://www.csa.gov.au)

If you would like to read more information on the Taskforce and how the reforms started, visit the website of the Australian Government Department of Families, Housing, Community Services and Indigenous Affairs [www.fahcsia.gov.au](http://www.fahcsia.gov.au)