



Australian Government
Child Support Agency

Child Support Agreement

102

When to use this form

- To make a child support Agreement
- To lodge a child support Agreement with CSA
- To replace an existing child support Agreement
- To end an existing child support Agreement

How to complete this form

- Step 1** Read the information notes at the end of this form. If you have any questions please contact CSA on 131 272.
- Step 2** Either complete *The Agreement* on this form (pink section), or attach a copy of a written Agreement signed by both parties.
- Step 3** If possible the payee should complete and sign the section called *Information from the payee* (blue section).
- Step 4** Complete the *Application for Acceptance of the Agreement* (green section) so CSA can register your Agreement. Either party to the Agreement can complete this section.

Office Use Only

Case Number	<input type="text"/>
Date of Receipt	<input type="text"/>
LP Surname	<input type="text"/>
Eligibility (Y/N)	<input type="checkbox"/>
CP DSS Payment (Y/N)	<input type="checkbox"/>
CSA Collection (Y/N)	<input type="checkbox"/>
LP TFN	<input type="text"/>
CP TFN	<input type="text"/>

IMPORTANT

- A child support Agreement is a binding contract between the 2 parents. It can only be changed by another Agreement or by going to court.
- If the payee receives more than the minimum rate of Family Tax Benefit, you must have a CSA assessment and your Agreement must be at least the same amount as the assessment.

Keep a copy of the Agreement for your own records.

The Agreement (questions 21-41) must be signed by both parties and any changes must be initialled.

Please write neatly in BLOCK LETTERS Tick where applicable

Application for acceptance of the Agreement

About the person applying for the Agreement to be accepted

- 1** Are you the payee (person who will receive the child support)?
- Are you the payer (person who will pay the child support)? ► do not complete Questions 16 to 20

2 Your name

Title Mr Mrs Miss Ms Other

Surname

Given names

3 Your postal address

Postcode

4 Your home address (if different to your postal address)

Postcode

5 Your telephone numbers

Home (STD)

Work (STD)

Email address

Best time to contact you?

Is this a silent number? Yes No

Mobile

About the person applying for the Agreement to be accepted (continued)

6 Your date of birth /

7 Your Tax File Number

Tax File Numbers may be used as CSA reference numbers. It is not an offence if you choose not to quote your Tax File Number.

8 Do you have a current child support case? Yes ► Your CSA reference number
No ► If the payee receives more than the minimum rate of Family Tax Benefit, you must have an existing child support assessment before you make a child support Agreement. Please contact CSA.

9 If yes to Question 8 — is child support payable through CSA? No Yes

About the other person to the Agreement

10 Name of the other party Title Mr Mrs Miss Ms Other
Surname
Given names

11 Postal address
 Postcode

12 Home address (if different to postal address)
 Postcode

13 Telephone numbers Home Is this a silent number? Yes No
Work Mobile
Email address
Best contact time?

14 Date of birth /

About the Children

Please give details about the children this Agreement is for.

Attach a sheet of paper with the details if there are more than 4 children.

Name of Child 1

How much time will this child spend with the paying parent over the next 12 month period

0 to 109 nights 110 to 145 nights 146 to 219 nights
220 to 255 nights 256 to 365 nights We agree that care is shared

Name of Child 2

How much time will this child spend with the paying parent over the next 12 month period

0 to 109 nights 110 to 145 nights 146 to 219 nights
220 to 255 nights 256 to 365 nights We agree that care is shared

About the Children (continued)

Name of Child 3

How much time will this child spend with the paying parent over the next 12 month period

- 0 to 109 nights 110 to 145 nights 146 to 219 nights
220 to 255 nights 256 to 365 nights We agree that care is shared

Name of Child 4

How much time will this child spend with the paying parent over the next 12 month period

- 0 to 109 nights 110 to 145 nights 146 to 219 nights
220 to 255 nights 256 to 365 nights We agree that care is shared

This information may affect any other child support assessments the payer is liable to pay. Please advise CSA if the care arrangements for the children change. Changes to care arrangements may not affect children covered by an Agreement.

Declaration by the person applying

15 I declare that the information I have given is correct.

Your Signature

Date

Please note: There are penalties for deliberately giving false or misleading information.

Information from the payee only

The questions in this section help CSA process your Agreement. If the payee cannot complete this section we will contact the payee to ask for this information.

16 Are you entitled to be paid, or have you made a claim for, Family Tax Benefit Part A at more than the minimum rate?

No Yes

► Before this Agreement can be lodged, you must already have a child support assessment or apply for one by phoning CSA on 131 272

Your Customer Reference Number (if known)...

17 Do you want CSA to collect the child support payments?

Yes No ► go to Question 20

18 Bank Details

Name of bank, building society or credit union

Branch where account is held

Branch (BSB) number

Account number

(no spaces between characters)

Account Name (you must be a party to the account)

19 Does the payer receive a salary or wage?

Don't know No Yes ► Name and address of employer

Postcode

Phone number (if known) (STD)

20 Signature of payee

Please note: There are penalties for deliberately giving false or misleading information.

Date

The Agreement

21 This child support Agreement is made between:

The Payer

Surname

Given names

and

The Payee

Surname

Given names

22 The Agreement was made on

 / /

The terms of the Agreement are:

Attached ► The signed Agreement can now be lodged with CSA. Before CSA can process an Agreement, the Application for Acceptance of the Agreement section of this form must be completed.

OR

Set out in ► Part A - Questions 24 to 29 **AND / OR**

► Part B - Questions 30 to 35 **AND / OR**

► Part C - Questions 36 to 38 **OR**

► you wish to end an existing child support Agreement - complete Questions 38 to 39

IMPORTANT: Please remember that the Agreement MUST be signed by both parties.

Part A – Periodic child support [see note about Part A]

Complete all of Part A if the Agreement includes payment of a set amount of child support per week, month etc.

Do not put here payments made to someone else on behalf of the payee (for example, mortgage payments directly to a bank).

Put this type of payment in Part B.

23 We agree that the payer will pay periodic child support to the payee.

Please write a separate amount for each child. Do not write the total for all children.

Given name of each child	Date of birth	Agreed payment per child	
		Amount	Period (for example: week, fortnight, month)
	/ /	\$	per
	/ /	\$	per
	/ /	\$	per
	/ /	\$	per

24 When do you want the above Agreement to start?

Date

 / /

25 Do you want the above payments to be adjusted for inflation? [see Note One]

No ► go to Question 26

Yes ► CSA will use the Consumer Price Index (CPI) to adjust your payments

Do you want CSA to use:

► weighted national average CPI or

► capital city CPI (specify which capital city)

When do you want the payments adjusted?

► on 1 July each year

► every 15 months from the day the Agreement started

► other [please specify]

26 Do you want the amount payable varied when the paying parent is unemployed [see Note Two]

- No ► go to Question 27
Yes ► complete section below

When do you want the payments to be varied?

- for the same period that the paying parent receives an income tested pension or benefit
 ► other [please specify]

The amount of child support is to be reduced to \$ per

27 When will this part of the Agreement end: [WARNING: an Agreement is binding on both parties. CSA recommends that you make your Agreement for a short fixed period – see Note Three]

► On this date for all children / / OR

► On this date for each child

Given name of each child	Date Agreement is to end
	/ /
	/ /
	/ /
	/ /

Part B [see note about Part B]

Complete all of Part B if the Agreement provides for some or all of the child support to be in a form other than periodic amounts to the payee. Examples are: irregular payments (for example, school fees) OR payments made to someone else on behalf of the payee (for example, mortgage payments) OR a lump sum payment OR child support where payments are not involved (for example, use of the family home). PLEASE NOTE: CSA cannot enforce payments other than periodic payments to the payee.

28 We agree that child support will be provided in a form other than periodic payments to the payee for the child/ren

Given name of each child	Date of birth

29 Child support will be provided in the following way:

The total annual value of this child support will be \$

30 If you have an existing child support Agreement that provides for child support in a way other than periodic payments:

- Do you want to replace your existing Agreement
OR
 ► Add to the existing Agreement

31 If you have an existing child support assessment, do you want the child support provided in Question 29 to reduce your child support assessment. [see note Completing Part B]

No Yes ► by \$ per year OR %

32 If you have agreed on periodic payments in Question 23 of Part A, do you want the child support provided in question 29 to reduce these periodic payments?

No Yes ► by \$ per year OR %

33 When will this part of the Agreement start?

Date / /

34 When will this part of the Agreement end: [WARNING: an Agreement is binding on both parties. CSA recommends that you make your Agreement for a short fixed period – see Note Three]

► On this date for all children / OR

► On this date for each child

Given name of each child	Date Agreement is to end
	/ /
	/ /
	/ /
	/ /

Part C – [see note about Part C]

Complete all of Part C if the Agreement includes modifying a current child support formula assessment (for example, changing the child support percentage). See the note about Part C for a full list of what you can change.

Note: if you simply want to agree to a set amount, complete Part A instead. Remember, if the payee receives more than the minimum rate of Family Tax Benefit, the total Agreement must at least equal the value of a formula assessment.

35 We agree to modify the current child support formula assessment in the following way:

36 This part of the Agreement will start on:

Date /

37 When will this part of the Agreement end: [WARNING: an Agreement is binding on both parties. CSA recommends that you make your Agreement for a short fixed period – see Note Three]

► On this date for all children / OR

► On this date for each child

Given name of each child	Date Agreement is to end
	/ /
	/ /
	/ /
	/ /

Ending an existing Agreement [see Note Four]

38 We agree to end any previous child support Agreement accepted by CSA for the following children

Given name of each child	Date of birth
	/ /
	/ /
	/ /
	/ /

39 What date do you want to end the existing Agreement? [see Note Four]

Date /

If you want, CSA can work out a date to ensure there is not an underpayment or overpayment.

Tick here if you want CSA to do this. ►

Signatures of the parties to the Agreement

BOTH PARTIES MUST SIGN HERE

40 Signature of the payer

Date /

41 Signature of the payee

Date /

Information Notes

General information about Agreements

A child support Agreement accepted by CSA is a binding contract between the two parents. It can only be changed by another Agreement or by a court. If you are not sure about what to put in the Agreement or what effect the Agreement will have, it may be best to seek legal advice. What you agree to now may not be suitable in the future.

CSA will help you wherever possible with information about child support Agreements but some general points are:

- Any changes to the Agreement must be initialled by both parties
- You can tell CSA when you want the Agreement to start
- Once an Agreement is accepted by CSA it can only be changed by another Agreement or by a court.
- You can decide how long you want the Agreement to last. As your circumstances can change it may be a good idea to make an Agreement for no longer than 2 years.

Who is eligible to apply?

Either party to a child support Agreement can apply for CSA to accept the Agreement. There are some eligibility rules:

- The parents of the children must have separated, or one of the children must have been born, on or after 1 October 1989.
- The person who is to be paid the child support (called the 'payee' in this form) must have at least substantial care of the children. ('Substantial care' means caring for children for at least 30% of nights in the year or where it is agreed that substantial care exists.)
- The person who is to pay the child support (called the 'payer' in this form) must be an Australian resident for tax purposes.
- The children must be under 18 and unmarried.
- The children must be Australian citizens or currently or usually living in Australia, or living in a reciprocating country. Please contact CSA for a list of reciprocating countries.
- The payee and the payer must not be living together in a domestic relationship
- The payee does not need to be a parent of the children

You can use a child support Agreement to make child support arrangements for the first time. You can also use a child support Agreement to vary an existing child support assessment or Agreement.

Family Tax Benefit

If the payee is receiving Family Tax Benefit at more than the minimum rate, there are some special rules that apply:

- You must have an existing child support assessment with CSA before you can apply for your Agreement to be accepted. You can apply for a child support assessment by contacting CSA on 131 272.
- Centrelink must approve the Agreement. They will only do this if the total amount of child support in the Agreement is at least as much as the amount that would be assessed by CSA.
- If you make an Agreement for child support to be provided in ways other than periodic payments, the payee can ask CSA to reduce their child support assessment by only 25%, even if the parents have agreed it should reduce the assessment by more than this. See notes about Completing Part B for more information.

Completing PART A

Part A allows you to set a periodic amount of child support to be paid to the payee.

Example: Beth and Andrew agree that Beth will pay \$50.00 per week for Meredith and \$50.00 per week for Sue.

You can also agree that child support is to be provided in another way as well as a periodic amount by completing Part B.

When deciding on an amount for child support you should provide a separate amount for each child.

Completing PART B

You can use Part B if you want child support to be paid in a way other than periodic amounts paid to the payee. For example, lump sum payments or payments to third parties as child support.

You can also agree to have both a child support assessment and child support in other ways. This is a good option if you want to take advantage of the flexibility of a formula assessment, and also provide for some non-periodic payments.

Example 1: Tom and Elaine have an existing child support assessment. They agree that Elaine is to pay \$2000 towards rates for the house where Tom and the children live. This is to represent half the child support for the time the Agreement is in place. They write that Elaine is to pay \$2000 at Question 29 and that this is to reduce the assessment by 50 % at Question 31.

Example 2: Lee and Julie have agreed in Part A that Lee will pay \$50 per week for their two children. They also agree in Part B that Lee will pay the school fees for the children. They write that Lee will pay the school fees for the children at Question 29 and that this will not reduce the \$50 per week at Question 32.

PLEASE NOTE: CSA cannot enforce payments that are to be paid to a third party.

IMPORTANT

If the payee receives Family Tax Benefit at more than the minimum rate, and you make an Agreement for child support to be provided in ways other than periodic payments, the payee can ask CSA to reduce their child support assessment by only 25%, even if the parents have agreed that it should reduce the assessment by more than this. For example, the Agreement might say that the assessment is to be reduced by 50% because the payee has use of the family home. However if the payee receives Family Tax Benefit at more than the minimum rate, he or she can ask CSA to reduce the assessment by 25% only, and CSA must do this.

Completing PART C

If you already have a child support assessment, you can agree to modify the assessment using Part C. If you want to modify the assessment by simply agreeing to a set amount each period, you should complete Part A instead.

These are the ways you can modify the assessment:

- agree to change the child support percentage
- agree to change the total annual rate
- agree to change the payers income used in the assessment
- agree to change the payees income used in the assessment
- agree to change any of the amounts above at regular intervals by a specified inflation factor
- agree that the payers income used in the assessment is not to be limited to 2.5 times the yearly equivalent of average weekly earnings
- agree that the combined annual rate of two parents paying child support to another person is not to be limited to 1.5 times the maximum child support liability of one parent.

Information Notes – continued

NOTE ONE – Inflation factor

You can agree to use an Inflation Factor so the amount of child support to be paid will increase over time to reflect changes in the cost of living. You can choose to use a national average CPI or the CPI for any capital city.

NOTE TWO – Unemployment clause

Income tested pensions and benefits include Veteran affairs pension, ABSTUDY, Newstart Allowance, Disability Support Pension, Parenting Payment, Austudy Payment, Sickness Allowance and Youth Allowance. CSA will need to be able to confirm that you are receiving a pension or benefit before reducing the periodic liability.

Please note that if the payee receives more than the minimum rate of Family Tax Benefit, your Agreement must be approved by Centrelink. If your Agreement reduces the amount payable when the paying parent is unemployed to less than \$5.00 per week, Centrelink will not approve it.

NOTE THREE – How long should an Agreement last?

Remember that a child support Agreement is binding on both parties. This means if you want to change the Agreement for any reason you must both agree. CSA recommends that you consider making your Agreement last for a fixed period, for example 1 or 2 years. You should only make the Agreement last until the children are 18 if you are sure your circumstances will not change.

If your child turns 18 and is still attending secondary school, you can apply for an extension of your child support Agreement until the last day of the school year. If you want to apply for an Agreement to be extended:

- you must apply BEFORE the child turns 18
- the application must be in writing
- both parents must agree

NOTE FOUR – Ending an existing Agreement

If you had a child support assessment immediately before your Agreement started, a new assessment will be made immediately after your agreement ends. If you want to end all child support liability, the payee can contact CSA to make this election.

If you did not have a child support assessment immediately before your Agreement started, there will be no child support liability after your Agreement ends. You can then apply for a formula assessment or for a new Agreement to be accepted.

FURTHER INFORMATION

Once the Agreement is accepted

CSA will notify both parties that the application has been accepted and assess the annual rate of periodic child support in accordance with the Agreement. A summary of the Agreement, as accepted by the Registrar, will be sent to both parties. If CSA is to collect periodic amounts included in the Agreement, both parties will also be given full details of the collection arrangements. The payee may at any time request CSA to collect periodic amounts included in the Agreement.

CSA can only collect periodic child support amounts payable to the payee. If the Agreement includes provision for child support in a form other than periodic amounts payable to the payee, the Agreement can be registered with a court and enforced by that court.

Your privacy

The information requested in this form is needed for child support purposes and is required by child support law. Some information may be passed to the Australian Taxation Office, Centrelink or to a law enforcement officer. The CSA reference or file number requested may in some cases be your tax file number. It is not an offence if you choose not to quote your tax file number.

Where to send this form

Please send this form to the address shown on CSA letters to you or to the nearest CSA office.

Centrelink customers can lodge this form at a Centrelink Customer Service Centre.

Child Support Agency Offices

NSW/ACT	Sydney	GPO Box 9815 Sydney 2001
VIC/TAS	Box Hill	PO Box 9815 Box Hill 3128
QLD	Brisbane	GPO Box 9815 Brisbane 4001
SA	Adelaide	GPO Box 9815 Adelaide 5001
WA	Perth	PO Box 9815 Perth 6848

Need help to complete this form?

Telephone CSA on **131 272** (local call charge excluding mobile and public phones).

For more information about CSA

- visit our Web Site at www.csa.gov.au
- ask about our Fact Sheets.

If you have a complaint

- please contact us on **131 272** (local call charge excluding mobile and public phones).
- if you are still not satisfied call the Complaints Service on **132 919**.