

*This factsheet is part of a series from Legal Aid NSW that aims to help answer your questions about COVID-19 and family law.*

**You may be worried or confused about how Covid-19 will affect you and your family. Sometimes a crisis can make legal problems worse or new problems might develop. Legal Aid NSW understands that there will be a lot of questions about family law issues, parenting and staying safe. This series of fact sheets will give you helpful information and contacts to support you and your family to manage all the changes that are happening in our community.**

## How are Child support and family payments calculated?

The amount of child support that parents pay or receive is worked out based on the parents' income, and how much time they each spend caring for their child. This is called percentage of care.

The percentage of care is usually worked out based on the number of nights the child spends with each parent. This information is also used to work out how much family tax benefit parents should receive.

## What if my situation changes?

If care arrangements for your child change or your income changes because of COVID-19, this could affect your child support assessment and family tax benefit payments.

If you have a child support assessment, you should tell Child Support about the changes in your situation. If you receive family tax benefit payments, you should tell Centrelink about the changes in your situation.

A short-term change to care arrangements for your child does not affect your child support assessment or family tax benefit payments. For example, if your child stays with a relative over school holidays this will not affect your payment. A short-term change is generally a change that lasts less than four weeks. You should tell Child Support and Centrelink about short-term changes in your situation.

There are special rules if care arrangements for your child change without your consent, for example, if the other parent does not keep to your arrangements. Depending on the situation, you may continue to be paid child support and family tax benefit as if the care arrangements had not changed. You should get legal advice about your situation.

## Am I still eligible for family payments if my child is not going to school?

When your child turns 16, you may continue to receive family tax benefit payments for them if they are a full-time high school student.

Your child will still meet this requirement if they are sick, required to self-isolate, or if their school closes. Centrelink has said that your child will also meet this requirement if you choose to keep them away from school as a precaution. As long as your child intends to return to study, you will be eligible for family tax benefit.

## What if I do not agree with a decision made by Child Support or Centrelink?

If you do not agree with a decision, start by talking to Child Support or Centrelink. If you are still not happy with the decision, you can appeal. You should seek legal advice about your appeal.

# COVID-19: Child support and family payments

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You can update your details online, through myGov, the Express Plus Child Support mobile app or by calling Centrelink.

## What if I cannot make a child support payment?

If you need to pay child support and you are unable to make a payment because of changes in your situation, you should tell Child Support about the changes. If you don't tell them, there might be penalties against you, and Child Support may take action to get the overdue payment.

## Do I have to tell both Child Support and Centrelink about a change in my situation?

Child Support and Centrelink are both part of Services Australia. Child Support and Centrelink share information about care arrangements for children, so you can tell either Child Support or Centrelink about a change in care arrangements.

For other changes that might affect your child support assessment or your family tax benefit payments, like a change in income, you should tell both Child Support and Centrelink about the changes.

## Useful contacts

You can update your details online, through myGov, or by accessing the Express Plus Child Support mobile app or by calling Centrelink. You can call Child Support on 131 272. You can call the Centrelink families line on 136 150.

## How can I get help?

For free legal help call 1300 888 529 or [call your local Legal Aid NSW office](#). You can contact the Legal Aid NSW Child Support Service by calling (02) 9633 9916 or 1800 451 784.

If you need an interpreter, call the Translating and Interpreting Service on 131 450 and ask for Law Access NSW. If you find it hard to hear or speak, call the National Relay Service on 133 677 and ask for Law Access NSW or visit [www.relayservice.gov.au](http://www.relayservice.gov.au).

This factsheet is intended as a general guide to the law. Do not rely on this information as legal advice. We recommend you talk to a lawyer about your situation. This information is correct at the time of writing, however, it may change.

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