



ANNOUNCEMENT:

NWT Maintenance Enforcement Program Legislative Amendments

Changes to the *Maintenance Orders Enforcement Act* and the *Maintenance Orders Enforcement Regulations* provide enhanced powers of enforcement that will come into force on **July 1, 2009**. These changes include:

Payment Conferences

Individuals who are behind on payments may be required to attend a payment conference, to discuss details of their personal financial situation. The goal is to come up with a reasonable payment plan for arrears.

Garnishment of Joint bank Accounts

MEP can now take up to 50% of all funds in deposit accounts held in the name of the debtor and at least one other person, and apply those funds to arrears.

Attachment of Accounts, including RRSPs and RESPs

There is no longer a need to issue a garnishee summons to collect accounts held by a debtor. Funds can be attached and paid directly to MEP by the financial institution. This will speed up recovery of maintenance arrears.

Registration Against Real Estate

MEP can register an Order in the land Titles Registry, against the real property of a debtor. On registration, the Order becomes a charge on the real property.

Suspension of Drivers Licence

MEP can now direct the Motor Vehicles Registrar to suspend the NWT drivers' licence of a debtor, or to refuse issuance of a new licence where arrears of maintenance exceed \$3000.00 or have been outstanding for XX months or more.

Advertisement

MEP can advertise, by any means appropriate (including internet and/or newspaper), to obtain information as to the whereabouts, assets, employment and financial information of a debtor.

Access to Information

The Act now provides a list of specific information that can be demanded from a third party, regarding a debtor.

Corporations

MEP now has the ability to apply for a Territorial Court Order, rendering a "sole corporation" or a "closely-held corporation" jointly and severally liable for arrears where it is determined that the corporation is being used to avoid paying maintenance.

Reporting to Credit Rating Agencies

MEP can now report unpaid maintenance arrears to credit rating agencies, which may make it difficult to obtain loans, mortgages or other credit.

Setting Aside Gifts or Transfers

The Territorial Court may issue an order setting aside the transfer of gifts or assets, if it appears that the transfer was made to avoid paying maintenance.

Personal Financial Statement

MEP may now demand a personal financial statement, including back up documents such as income tax return and payroll statements, once in every six-month period where maintenance payments are in arrears.

NWT Maintenance Enforcement

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