

Family Law Act

FAMILY LAW ACT REGULATION

[includes amendments up to B.C. Reg. 84/2019, May 13, 2019]

Part 1 — Interpretation

Definitions

1 In this regulation:

"**Act**", except in Part 4, means the *Family Law Act*;

"**child support guidelines**" means the child support guidelines established under Part 4.

...

Part 4 — Child Support Guidelines

Application of federal child support guidelines

9 (1) For the purposes of section 8 of this regulation, a reference in the Federal Child Support Guidelines

(a) to "the Act" is to be read as a reference to "the *Family Law Act*",

(b) to "the age of majority" is to be read as a reference to "19 years of age",

(c) to a "child" is to be read as a reference to child as defined by the *Family Law Act*,

(d) to a "child support order" is to be read as a reference to an order, including an interim order, respecting child support made under Part 7 of the *Family Law Act*,

(e) to "income" is to be read as a reference to the annual income determined under sections 15 to 20 of the Federal guidelines,

(f) to the "*Income Tax Act*" is and remains a reference to the "*Income Tax Act (Canada)*"

...

9 (2) For the purposes of section 8 of this regulation, a reference

- (a) in section 2(4)(a) of the Federal guidelines to "interim orders under subsections 15.1(2) and 19(9) of the Act" is to be read as a reference to interim orders for child support under section 216 or 217 of the *Family Law Act* or under section 10(2)(c), 13(1)(b), 30(2)(c) or 32(1)(b) of the *Interjurisdictional Support Orders Act*,
- (b) in section 2(4)(b) of the Federal guidelines to "orders varying a child support order" is to be read as a reference to "orders changing, suspending or terminating an order respecting child support",
- (c) in section 2(4)(c) of the Federal guidelines to "orders referred to in subsection 19(7) of the Act" is to be read as a reference to "orders under section 13(1)(a) or 32(1)(a) of the *Interjurisdictional Support Orders Act* that confirm provisional orders made in a jurisdiction outside of British Columbia",
- (d) in section 2(4)(d) and (5) of the Federal guidelines to "recalculations under paragraph 25.1(1)(b) of the Act" is to be read as a reference to "recalculations under section 154(2)(b) of the *Family Law Act*",
- (e) in section 3(3)(a)(i) and (b) of the Federal guidelines to "a variation order in respect of a child support order" is to be read as a reference to "an order changing, suspending or terminating an order respecting child support",
- (f) in section 3(3)(a)(i) and (b) of the Federal guidelines to "section 25.1 of the Act" is to be read as a reference to "Division 3 of Part 7 of the *Family Law Act*",
- (g) in section 7(1)(a) of the Federal guidelines to "custodial parent" is to be read as a reference to "guardian",
- (h) in section 8 of the Federal guidelines to "Where each spouse has custody of one or more children" is to be read as a reference to "Where there are 2 or more children and each guardian has the majority of parenting time with one or more of those children",
- (i) in section 9 of the Federal guidelines to "exercises a right of access to, or has physical custody of" is to be read as a reference to "exercises parenting time with",
- (j) in section 9(b) of the Federal guidelines to "shared custody arrangements" is to be read as a reference to "the parenting arrangements",
- (k) in section 10(2)(b) of the Federal guidelines to "access to a child" is to be read as a reference to "parenting time, or contact, with a child",
- (l) in section 10(2)(c) of the Federal guidelines to "written separation agreement" is to be read as a reference to a "written agreement referred to in section 6 of the *Family Law Act*",