

CHILD SUPPORT AND SCHOOL FEES

23 June 2017

The Child Support Agency (CSA) formula assessment is based on children attending a State school, not a private school.

How do **school fees** affect child support?

If parents have an agreed intention that their child should attend a private school, then the agency will look at including a proportionate amount of the school fees in a “re-assessment”. The parents intention is usually evidenced by the completion and signing of a school “enrolment form”.

The situation becomes more complicated however if both parents have agreed that the payment of school fees was made for the purpose of child support. In that case, the payment can be credited as a third party payment.

Where the parent receiving child support does not agree that the payment of school fees was meant to be part of the child support assessment, the paying parent is still able to have some of the payment credited as child support. This is only where the paying parent pays 70% of their normal monthly child support payment on time and in that case a maximum of 30% of the monthly payment can be credited towards the school fees. These are often referred to as “non-agency” payments.

It should be noted that only paying parents that have 14% (“regular care) or less, of the “time spent” with the children are able to claim a “non-agency payment”.



education intended by both parents for the child, rather than any particular school intended by the parents.

The CSA will also consider the financial situation of both parents. The fact that a payer can afford to pay the fees is not in itself a reason for imposing a liability to contribute to private school fees.

Each matter is unique and needs to be addressed according to your personal circumstances and needs. To speak with one of our experienced family lawyers, please [contact our Brisbane office](#) today.

Call us on (07) 3221 4300 to organise a no-obligation initial appointment at a fixed-cost. We will be happy to assist you in person, over the phone or by Skype.

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