

Interjurisdictional Support Orders Act

INTERJURISDICTIONAL SUPPORT ORDERS REGULATION

Contents

- 1 Definitions
- 2 Required information – sections 9 (4) and 29 (4)
- 3 Notice under section 19 (2)
- 4 Required information – section 25
- 5 Currency conversion – section 39
- 6 Reciprocating jurisdiction

Definitions

- 1 In this regulation, “**Act**” means the *Interjurisdictional Support Orders Act*.

Required information – sections 9 (4) and 29 (4)

- 2 The notice referred to in sections 9 (4) and 29 (4) of the Act must require a respondent to provide the following:
 - (a) the respondent’s response to the support application or the support variation application, as the case may be;
 - (b) one of the following forms, sworn by the respondent:
 - (i) if the notice relates to a support application, or a support variation application in Provincial Court, Form 4 “Financial Statement” set out in the Provincial Court (Family) Rules, B.C. Reg. 417/98;
 - (ii) if the notice relates to a support variation application in Supreme Court, Form 89, “Financial Statement”, set out in the Supreme Court Rules, B.C. Reg. 221/ 90.

Notice under section 19 (2)

- 3 (1) Notice of an application to set aside the registration of a foreign order under section 19 of the Act must include the following information:
 - (a) which of the circumstances referred to in section 19 (3) (b) (i), (ii) or (iii) of the Act the applicant is relying on to set aside the registration of the foreign order;
 - (b) the evidence on which the applicant is relying to support his or her application to set aside the registration of the foreign order.
- (2) For the purposes of section 19 (2) of the Act, an applicant must
 - (a) serve notice of an application to set aside the registration of a foreign order on the designated authority by certified mail at least 30 days before the date the application is to be heard by the court, and

- (b) at least 10 days before the hearing, file proof of the service of the notice with the court in which the application is to be heard, in accordance with the rules of that court.

Required information – section 25

- 4 For the purposes of section 25 (3) (e) of the Act, the applicant must include a statement that sets out in detail,
 - (a) the financial circumstances of the applicant at the time the statement is sworn, and
 - (b) the basis for the application, including changes in the applicant’s financial circumstances from the time the support order was made until the time the applicant’s statement is sworn.

Currency conversion – section 39

- 5 For the purposes of section 39 of the Act, the designated authority must convert an amount that is not expressed in Canadian currency by applying the rate of conversion, as determined by the Provincial Treasury, that was applicable on
 - (a) the date the order was made, if the order has not been varied,
 - (b) the date of the last variation of the order, if the order has been varied, or
 - (c) the date the document was executed, if the document is not an order.

Reciprocating jurisdiction

- 6 Pursuant to section 44 (3) of the Act, each jurisdiction referred to in the following Schedule is a reciprocating jurisdiction:

SCHEDULE

ITEM	JURISDICTION
	Africa
1	South Africa, Republic of
2	Zimbabwe, Republic of
	Europe
3	Austria, Republic of
4	Germany, Federal Republic of
5	Gibraltar
6	Norway, Kingdom of
7	United Kingdom of Great Britain and of Northern Ireland
	Canada
8	Alberta
9	Manitoba
10	New Brunswick

11	Newfoundland and Labrador
12	Northwest Territories
13	Nova Scotia
14	Nunavut
15	Ontario
16	Prince Edward Island
17	Quebec
18	Saskatchewan
19	Yukon Territory
	United States of America
20	United States of America, including the District of Columbia, Puerto Rico, Guam, American Samoa, the United States Virgin Islands and any other jurisdiction of the United States of America participating in Title IV-D of the <i>Social Security Act</i> (U.S.A.)
	Asia
21	Hong Kong, Special Administrative Region
22	Singapore, Republic of
	Pacific Ocean
23	Australian Capital Territory
24	New South Wales
25	Northern Territory
26	Queensland
27	South Australia
28	Tasmania
29	Victoria
30	Western Australia
31	Fiji
32	Independent State of Papua New Guinea
33	New Zealand (including Cook Islands)
	Caribbean
34	Island of Barbados and its Dependencies

[Provisions of the *Interjurisdictional Support Orders Act*, S.B.C. 2002, c. 29, relevant to the enactment of this regulation: section 44 (2) (a), (c), (d) and (f)]