

## Senate Community Affairs Legislation Committee

### SUPPLEMENTARY BUDGET ESTIMATES - 20 OCTOBER 2011 ANSWER TO QUESTION ON NOTICE

#### Department of Human Services

**Topic:** Child Support – employer withholding pay

**Question reference number:** HS 16

**Senator:** Fifield

**Type of question:** Hansard pages 101-102

**Date set by the committee for the return of answer:** 9 December 2011

**Number of pages:** 1

#### **Question:**

- a) **Senator FIFIELD:** The Child Support Agency has the capacity to require employers to withhold money from an employee where there is an outstanding child support obligation. Is that correct?

**Ms Godwin:** Yes. That has been in the legislation for some time.

**Senator FIFIELD:** Do you mean it has been the case for a number of years?

**Ms Godwin:** I would have to take on notice exactly when it came into the legislation but I think it has probably been a feature of the scheme pretty much from the beginning.

- b) **Senator FIFIELD:** Would you have a register of any complaints you have received from businesses about having to undertake that particular function?

**Ms Godwin:** I would have to take that on notice.

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- c) **Senator FIFIELD:** Was there some doubt beforehand as to what employers' obligations were?

**Ms Godwin:** I think there was a question of doubt. I think the advice we had was that it was not clear and that to put it beyond doubt required an amendment.

**Senator FIFIELD:** Had that been tested in court by employers?

**Ms Godwin:** I don't know. I'd have to take that on notice.

#### **Answer:**

- a) The capacity to require employers to withhold money from an employee, in the event of an outstanding child support obligation, has been a feature of the Child Support Agency (CSA) since its inception in 1988.
- b) No.
- c) No.