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## **Changes to the Way Child Tax Benefits are Paid in Cases of Shared Custody**

**By: Kathleen Wright  
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The Federal Government has introduced some changes with respect to the way parents who have shared custody of their children will receive benefit entitlements such as the Canada Child Tax Benefit (CCTB) (including the National Child Benefit Supplement and the Child Disability Benefit), the Universal Child Care Benefit (UCCB) and the child component of the HST credit. The new rules do not affect claims for the eligible dependant credit.

The changes came into effect in July, 2011.

Parents with shared custody of their children used to receive benefits under a six-month rotational schedule. This meant that one parent would receive the benefits for which they were eligible for six months of the year and the other parent would receive the benefits for the next six months of the year. Under the new rules, if parents share custody of one or more child, they will each receive benefits in a particular month, for the UCCB and CCTB, and quarterly, for the child component of the HST credit. Parents will receive the same amount of benefits as they did under the six month rotational schedule, assuming there are no changes to the family situation. Benefits will simply be calculated as if the child was a parent's eligible dependant and each parent will receive 50% of the benefits they would receive if they had the child 100% of the time. These benefits will be paid on a monthly or quarterly basis rather than on a six month rotation.

If you do not know if you have shared custody of your child, you should consult a family law lawyer. Generally, however, for the purposes of CRA, parents will be considered to have shared custody if their child lives with them on an equal or near-equal basis.

If you have shared custody and are not currently taking advantage of the shared custody benefit policy, you can submit a form to the CRA with a note or letter attached explaining the child's living arrangements.

For more information, please visit the Canada Revenue Agency's website or contact one of our Family Law Lawyers at 613-722-1500 and we would be pleased to assist.