



How to challenge a child support assessment in Australia

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Many parents want to know if they can challenge a child support assessment in Australia, especially when circumstances have changed or when the assessment does not reflect the real cost of raising their child. You have options to challenge assessments. This article covers reviews, change of assessment grounds, evidence needs and timelines.

How child support assessments work

Child support in Australia is managed by Services Australia under the Child Support (Assessment) Act 1989. The assessment formula considers both parents' incomes, the number of children, their ages and the percentage of care each parent provides.

While the formula aims to be fair and consistent, it cannot account for every individual circumstance. That is why the law allows parents to challenge or change an assessment when it does not reflect their current situation.

Assessments can be challenged in a number of ways. The right option depends on the reason for the challenge and whether it involves an administrative error, a change in circumstances or a disagreement about the fairness of the assessment.

You can read more general information in our earlier blog, ["How is child support determined in Australia?"](#)

Reasons to challenge a child support assessment

A parent may want to challenge an assessment for a variety of reasons. Common examples include:

a change in income, such as reduced hours or loss of employment;

high medical, education or disability expenses for the child;

significant travel costs for spending time with the child;

a parent deliberately minimising income;

inaccurate care percentage calculations;

errors in the income information used in the assessment;

unique family circumstances that make the standard formula unfair.

Understanding the reason for the challenge helps determine the best review pathway, as some issues are handled through a simple reassessment, while others require a formal change of assessment process.

Requesting a reassessment based on updated information

The easiest way to challenge a child support assessment is to request a reassessment based on updated income or care details.

This applies when:

your taxable income has changed;

you have updated your estimate of current income;

your level of care has increased or decreased;

a previous estimate was incorrect.

Services Australia can issue a new assessment once updated information is provided. This process is administrative and does not usually require detailed submissions.

Change of assessment process

If the standard formula does not properly reflect the financial needs of the child or the real financial circumstances of one or both

parents, you can apply for a change of assessment. This is a more detailed process governed by specific legislated reasons known as the change of assessment grounds.

Grounds for a change of assessment

The legislated grounds include:

Caring costs are significantly higher due to special needs, education or health requirements;

Costs of spending time with the child are substantial;

The income, earning capacity or financial resources of either parent are not properly reflected in the assessment;

A parent has assets or income that the formula does not take into account;

A parent has reduced their income intentionally;

The assessment does not reflect the real costs of maintaining the child in the circumstances;

The assessment is unfair because of the way financial responsibilities are shared between households.

An application must explain which ground applies and provide supporting evidence.

Evidence to support a change of assessment

Services Australia relies heavily on documentation in support of a change of assessment. Evidence may include:

payslips, tax returns and profit and loss statements;

medical reports and receipts for treatment or medication for the child;

school fees, uniform costs and extracurricular expenses;

travel costs related to time spent with the child;

statements about a parent's financial resources, assets or earning capacity;

evidence of job seeking or health conditions of a parent affecting work capacity.

The more detailed your evidence, the stronger your application will be.

What happens after applying

Once you submit your application for a change to your child support assessment, a case officer will review the application, contact both parents and gather information. You both usually have an opportunity to respond to the case officer's questions.

The officer then makes a written decision explaining whether or not the assessment should change and why.

Objecting to a decision about your child support assessment

If either parent disagrees with a reassessment or change of assessment decision, they can lodge an objection with Services Australia. A different person, within the agency, will review your objection.

An objection may be appropriate when:

evidence was overlooked;

you believe the law was applied incorrectly;

important details were misunderstood;

the decision does not reflect the realities of your situation.

Any objection must be lodged within 28 days of receiving the decision notice.

Appeal to the Administrative Review Tribunal (Federal)

If you are not satisfied with the objection outcome, you can appeal to the federal Administrative Review Tribunal (ART). The ART reviews the decision independently and can affirm, vary or set aside the decision. The ART process is more formal, but still less complex than going to court.

There are two possible paths:

ART first review, covering most objections;

ART second review, available only for certain types of decisions.

Legal advice is helpful before lodging an ART appeal to ensure you meet the eligibility requirements.

[GET ADVICE FROM AN EXPERIENCED FAMILY LAWYER: 08 6245 0855](#)

When the court becomes involved

Most child support disputes resolve through administrative review without going to court. However, the Federal Circuit and Family Court of Australia or Family Court of Western Australia may become involved in limited situations, such as:

appeals on a point of law from an ART decision;

applications to set aside or vary a child support agreement;

recovery of unpaid child support;

complex cases involving serious procedural defects.

Court involvement is generally a last resort, as administrative pathways are designed to be faster and less costly.

Practical tips for challenging an assessment

Parents considering a challenge of their child support assessment can strengthen their position by following simple steps:

Understand the exact ground from the legislation your challenge is based on;

Gather evidence early, such as receipts, medical information and income documents;

Keep records of communication about care arrangements;

Update Services Australia promptly when circumstances change;

Be clear and factual in your written explanations;

Seek legal advice if the case involves complex financial issues.

Good preparation can make the process more efficient and help Services Australia understand the reality of your situation.

Frequently asked questions

Can I challenge an assessment if the other parent is hiding income?

Yes. If you believe the other parent is deliberately reducing income or has access to additional financial resources, you can apply for a change of assessment on the basis that their income or earning capacity is not properly reflected by the assessment.

How long does a change of assessment take?

Timeframes vary depending on evidence and complexity. Straightforward matters may be finalised in several weeks, while more complex cases may take longer as information is gathered from both parents.

Can child support be backdated?

In some situations, the effective date of a new assessment can be backdated. This depends on the type of application and when the change in circumstances occurred.

Do I need a lawyer to challenge a child support assessment?

Legal representation is not mandatory. However, advice is useful if the situation involves self-employment, asset structures, special needs or concerns about the other parent's financial disclosure.

Get help from a family lawyer

Challenging a child support assessment in Australia is possible through several pathways, including reassessment, change of assessment, objections and appeals. The right approach depends on your circumstances, the accuracy of the current assessment and the evidence you can provide.

Most disputes can be resolved without going to court by using the administrative processes available through Services Australia. Legal advice can help ensure your application is well prepared and reflects your true financial and care situation.

Further reading

- [When can I stop paying child support in Australia?](#)
- [What happens to child support if my former partner starts a new family?](#)
- [The difference between a Binding Child Support Agreement and a Limited Child Support Agreement](#)

The information contained in this article is of general nature and should not be construed as legal advice. If you require further information, advice or assistance for your specific circumstances, please contact us.