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FACT SHEET

Binding Financial Agreements

Solicitors

If you have just entered a new relationship, whether that be by marriage or simply living together, and you have brought property or other assets into the relationship, you should consider protecting your interest in those assets by entering into a formal agreement with your new partner.

These Agreements are aimed at avoiding Court battles if you later separate and are known as Binding Financial Agreements (if you are married or are about to be married) or Domestic Relationship Agreements (if you are living together without getting married). Most people know them as 'Pre-Nuptial Agreements' and they set out the assets and liabilities of each party at the start of the relationship, and what is to occur to those various assets and liabilities should the relationship breakdown. The Agreement also sets out what should occur to assets purchased jointly by the parties during the relationship, as well as what is to occur to any inheritances, large redundancy payments or other windfall gains which may be received by either party during the relationship. This is particularly important when one of you expects to receive a substantial inheritance during the relationship.

These Agreements are especially useful for mature couples entering into second marriages who each own substantial amounts of property and wish to protect these assets for their children and grandchildren.

And, if you are living together now but contemplate getting married at some stage in the future, our Agreements can be drafted in such a way to cover both situations, meaning that you won't have to go to the expense of having another Agreement done when you eventually do get married.

About Caldwell Martin Cox

Caldwell Martin Cox is a law firm established for over 50 years in Narellan, Camden, Picton and Tahmoor. Our specialist lawyers advise clients on family law, the purchase and sale of property, criminal and traffic law, litigation and dispute resolution, business law, personal injury matters, commercial law, wills and estates.

We have a team of five family lawyers, including a Law Society Accredited Specialist in Family Law, who operate from all four offices and serve clients across a broad region.

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