

SAMPLE OF SIMPLE MUTUAL QUARANTINE OF ASSETS

FINANCIAL AGREEMENT

THIS AGREEMENT is made the day of 2012

BETWEEN: [name]
of [address]
(in this Agreement called “the husband”)

AND: [name]
of [address]
(in this Agreement called “ the wife”)

RECITALS

A. This Financial Agreement is made in contemplation of marriage under Section 90B of the *Family Law Act 1975*.

OR

This Financial Agreement is made during marriage under Section 90C of the *Family Law Act 1975*.

B. The purpose of this Agreement is to enable both parties for the future benefit of the children of their previous marriages (or identify any other intended beneficiary) to preserve certain assets of theirs from future claim by the other, and to limit the agreement to such property.

C. The husband was born on [date] and the wife was born on [date].

D. The parties are contemplating marriage.

OR

The parties began living together on [date] and married on [date] at [place]

OR

The parties married on [date] at [place].

E. The parties have [number] children to each other, namely:

(a) [full name of child] born [date]

(b) [full name of child] born [date]

OR

The parties have no children to each other.

F. The parties have the following children of [previous marriages/unmarried relationships] [specify]:

1) [full name of child] born [date]

2) [full name of child] born [date]

OR

The parties have no children of previous marriages or unmarried relationships.

G. The husband is a [occupation] with a gross income of about \$[specify].

H. The husband's assets, liabilities and financial resources are set out in Schedule A of this Agreement.

I. The wife is a [occupation] with a gross income of about \$[specify].

J. The wife's assets, liabilities and financial resources are set out in Schedule B of this Agreement.

K. Each party acknowledges that they are entering into this Agreement of their own free will.

L. There is no other financial agreement in force between the parties under the *Family Law Act*.

IT IS AGREED THAT

1. The parties agree and acknowledge that:

(a) Before signing this Agreement and as certified in an annexure to this Agreement, the husband received independent legal advice from a legal practitioner as to:

(i) the effect of this Agreement on the husband's rights; and

(ii) the advantages and disadvantages, at the time of that advice, of the husband making the Agreement.

(b) Before signing this Agreement and as certified in an annexure to this Agreement, the wife received independent legal advice from a legal practitioner as to:

(i) the effect of this Agreement on the wife's rights; and

(ii) the advantages and disadvantages, at the time of that advice, of the wife making the Agreement.

2. The following property will remain the property of the husband free from any future claim by the wife as an asset of the husband:

(a) [specify the property being 'quarantined' by the husband]