

MACMILLANS SOLICITORS LLP

**Macmillans offer free 30 minutes
advice and information on any of
these matters.**

**Please feel free to enquire for more
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**COHABITATION
AGREEMENTS
&
PRE-NUPTIAL
AGREEMENTS**

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Cohabitation Agreements

There has been an increase in the number of cohabiting couples over recent years which has led to a rise in complex and often costly legal disputes.

Many people living together think they have the same legal protection as married couples, this is untrue. In English law there is no such status as a common law spouse or partner.

The law relating to separating cohabiting couples takes little account of the parties' relationship and/or children as a result of that relationship.



A solution to this is a Cohabitation Agreement. A Cohabitation Agreement is a form of legal agreement reached between a couple who have chosen to live together. The Agreement can set out who owns what and in what shares.

The agreement can also provide how property, savings and income will be divided in the event of relationship breakdown.



Cohabitation Agreements are legal binding as long as they have been drafted correctly, both parties have had legal advice and they have been entered into freely.

It is important to seek legal advice if you are considering a Cohabitation Agreement. We offer an initial free interview to discuss such matters, please call for a convenient appointment.

Pre-Nuptial Agreements

A pre-nuptial agreement is entered into before marriage and establishes the property and financial rights of each spouse in the event of a divorce.

Since the ground breaking case of Radmacher V Granatino in 2010, prenuptial agreements are now legally binding unless considered to be unfair by the court. They can still be reversed, but now the responsibility is on the person pursuing an improved settlement to prove that any prenuptial agreement they agreed to before the marriage was unfair. Such an agreement can prevent a complex and often a costly legal dispute in the event of divorce.

You should consider a prenuptial agreement if; you and your partner have assets either individually or together that would be problematic to split, you want to protect inherited money, a business or children from previous relationships.

It is important to seek legal advice if you are considering a Pre-Nuptial Agreement. We offer an initial free interview to discuss such matters, please call for a convenient appointment.

