

Date

2015

BETWEEN

AND

BINDING FINANCIAL AGREEMENT

**A FINANCIAL AGREEMENT UNDER SECTION 90D
OF THE FAMILY LAW ACT 1975**

Table of contents

1.	Assets and liabilities	3
2.	Payment.....	4
3.	Transfer of real property.....	4
4.	Sale of real property.....	4
5.	Moveable possessions	5
6.	Superannuation.....	5
7.	General provisions	7
8.	Maintenance [Delete if not applicable].....	7
9.	Independent legal advice	7
10.	Taxes.....	8
11.	Claims for provision out of the estate of a deceased party	8
12.	Notices.....	8
13.	Governing law and jurisdiction.....	9
14.	Further assurance	9
	Execution page.....	10
	ANNEXURE A – Assets and liabilities.....	11
	Statement under section 90G of the Family Law Act 1975.....	12

THIS AGREEMENT dated day of 2015

BETWEEN of ()

AND of ()

RECITALS

- A. was born on and is currently aged . is employed as a .
- B. was born on and is currently aged . is employed as a .
- C. [has **OR** has not] been married before and has children.
[include details of the children and living arrangements if applicable]
- D. [has **OR** has not] been married before and has children.
[include details of the children and living arrangements if applicable]
- E. and commenced cohabitation on and married on .
- F. There [is **OR** are] [child **OR** children] of the marriage:

[Insert name, age, date of birth, school arrangements and health]

- G. and separated on and the marriage had broken down irretrievably on that date. The parties have lived separately and apart since that date. A divorce was granted on .
- H. In order to arrange their property affairs and avoid litigation the parties have agreed to enter into this agreement under the provisions of section 90D of the Family Law Act 1975 to deal with the division of their property, and their financial resources.
- I. In the event that spousal maintenance has not been provided for in this agreement it is due to the fact that the parties have considered sections 72, 74 and 75 of the Family Law Act 1975 and agree that in the circumstances neither party needs the other to maintain them.
- J. The parties intend the terms of this agreement to be given effect by any court having jurisdiction to determine financial matters (property and maintenance) in issue between and pursuant to the Family Law Act 1975.

OPERATIVE PART

This agreement will be binding upon the heirs, executors, administrators and assigns of each party.

1. Assets and liabilities

The assets and liabilities of the parties are set out in annexure A to this agreement. The parties confirm that they agree with the estimated values as set out in annexure A.