



## Information Sheet: Pre-nuptial (Pre-marital) Agreements

Pre-nuptial agreements are formal, written agreements entered into before a couple marry to set out the way in which the prospective husband and wife will hold their assets when they are married and if they subsequently separate or divorce.

They have been made famous by celebrity couples and the very wealthy but can also be just as useful for ordinary couples who wish to marry on open terms.

Pre-nuptial agreements are not legally binding in the UK; however, judges are increasingly taking them into consideration when determining division of assets upon divorce.

### How could a 'pre-nup' help me?

If you are at the end of a short, childless marriage a court is likely to uphold a pre-nuptial agreement unless there are good reasons not to do so.

When they are drawn up properly, when independent legal advice has been sought by both parties, when there has been full and honest financial disclosure, and when the agreement is regularly reviewed and updated, pre-nuptial agreements could be instrumental in avoiding the considerable stress and heartache that inevitably accompanies a divorce.

They could also provide some 'insurance' against costly litigation.

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If you need any further information about matters in this information sheet, please do not hesitate to contact us.