



KATE AUSTIN

Family Law

FINANCIAL AGREEMENTS

If you're living with someone, or thinking about living with someone in the future, you might want to protect yourself against a claim against your assets in the event of a separation. A **Financial Agreement**, also known as a **Prenuptial Agreement** or **Binding Financial Agreement (BFA)** can be the answer.

BFA's can be created in the lead up to a marriage or de facto relationship, during a marriage or defacto relationship, or following a separation of either. They also apply to same sex relationships.

BFA's can include a number of things, such as:-

- The quarantining of particular assets in the event of separation.
- The division of joint assets in the event of a separation.
- Different divisions of assets depending on different factors, such as the length of the relationship.

Talk To Us on (07) 3128 0222

- ➔ **Know where you stand**
- ➔ **Know what your options are, both short and long term.**
- ➔ **Give yourself peace of mind and a way forward.**



- Provision for spousal maintenance, or its effective exclusion.

We have the answers and your solutions.

Other important things to consider with Binding Financial Agreements:-

1. There are strict procedural requirements associated with BFA's which need to be complied with to ensure its enforceability.
2. There are many things that should be included in a BFA to avoid the risk of it being overruled by a court at a later date.
3. There are reasons you would choose consent orders over a BFA and instances where consent orders aren't available but a BFA is.

If you're considering your options, but aren't sure what to do next:-

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