



**STATUTORY DECLARATION OF LEGAL PERSONAL
REPRESENTATIVE THAT PROPERTY IS NOT A
FAMILY HOME**

FORM 6

Precedent
(To be adapted as
circumstances
require)

I, _____
of _____

in the County of _____ aged 18 years and upwards SOLEMNLY AND
SINCERELY DECLARE as follows:

1. This Declaration relates to the property known as _____

in the County of _____ (being the property comprised in
folio _____ County _____) (hereinafter called "the property").

2.1 The property is not a family home within the meaning of that term in the Family Home
Protection Act, 1976 as amended by the Family Law Act, 1995. No married couple has
ordinarily resided therein since the death of _____
(hereinafter called "the deceased"), who was the owner of the property, on the _____ day
of _____ 19____.

2.2 I refer to a photocopy of the Death Certificate of the deceased upon which marked with the
letter "A" I have endorsed my name prior to making the Declaration.

3. I am the legal personal representative of the deceased, and I am assuring the property to the
party or parties mentioned in paragraph 8 hereof as such. My family home is at

in the County of _____ .

4. None of the provisions of the Family Law Act, 1981 (hereinafter called "the Act of 1981")
applies to the property because the deceased was not party to an agreement to marry which
terminated within the past three years, and no proceedings of any kind have been threatened
or instituted in relation to the property under any of the provisions of the Act of 1981.



FORM 6

(Contd.)

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5. No proceedings of any kind have been instituted or threatened, and no application or order of any kind has been made, in relation to the property, under any of the provisions of the Judicial Separation and Family Law Reform Act, 1989 , the Family Law Act, 1995 ("the 1995 Act"), or the Family Law (Divorce) Act, 1996 (" the 1996 Act") and the assurance of the property to the party or parties mentioned in paragraph 8 hereof is not a disposal for the purposes of defeating a claim for relief (as defined in Section 35 of the 1995 Act and Section 37 of the 1996 Act).

6. The property is not subject to any trust, licence, tenancy or proprietary interest in favour of any person or body corporate arising by virtue of any arrangement, agreement or contract entered into by me or by the deceased , or by virtue of any direct or indirect financial or other contribution to the purchase thereof, or by operation of law, or otherwise, and the property is held free from encumbrances.

7. I understand the effect and import of this Declaration which has been fully explained to me by my solicitor.

8. I make this Solemn Declaration conscientiously believing it to be true for the satisfaction of _____
and pursuant to the provisions of the Statutory Declarations Act, 1938.

DECLARED before me by _____
 who is personally known to me (or who is identified to me by

 who is personally known to me)
 at _____
 in the County of _____
 this _____ day of _____ 19/20__.

 COMMISSIONER FOR OATHS/PRACTISING SOLICITOR