



FORM 7

Precedent  
(To be adapted as  
circumstances  
require)

**STATUTORY DECLARATION OF WIDOW/WIDOWER THAT  
PROPERTY IS NOT A FAMILY HOME**

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. 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 I acquired an interest therein, apart  
from myself and my late spouse \_\_\_\_\_  
(hereinafter called "my late spouse").

3. I have been married once and once only, namely to my late spouse on the  
\_\_\_\_\_day of \_\_\_\_\_19\_\_\_\_. We were each the lawful  
spouse of the other. I refer to a photocopy of our Civil Marriage Certificate upon which  
marked with the letter "A" I have endorsed my name prior to making this Declaration. My  
late spouse died on the \_\_\_\_\_day of \_\_\_\_\_ 19\_\_\_\_  
and I refer to a photocopy of his/her death certificate upon which marked with the letter "B"  
I have endorsed my name prior to making this Declaration. I have not married or entered  
into an agreement to marry any person since the death of my late spouse.

4. None of the provisions of the Family Law Act, 1981 (hereinafter called "the Act of 1981")  
applies to the property because I have not been party to an agreement to marry which has  
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.



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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 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