



FORM 10

Precedent
(To be adapted as
circumstances
require)

**STATUTORY DECLARATION THAT PROPERTY IS NOT A
FAMILY HOME WHERE IT IS OWNED BY A COMPANY
AND HAS FULL COMMERCIAL USE**

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"). The property is owned by
_____ Limited
(hereinafter called "the company") of which I am a director.

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 the company acquired an interest in the property. No Lease,
Letting Agreement, Tenancy Agreement, Licence or similar agreement has been made by
the company which would entitle any person to reside in the property. No officer, director,
member, tenant, invitee or licensee of the company has ever resided therein.

3. None of the provisions of the Family Law Act, 1981 (hereinafter called "the Act of 1981")
applies to the property because the property is owned by the company which is incapable
of entering into an agreement to marry, 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.

4. 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



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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 7 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).

- 5. 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 the Company, 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.
- 6. I understand the effect and import of this Declaration, which has been fully explained to me by the Company's solicitor, and I am authorised by the Company to make this Declaration.
- 7. 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