



myerson

Myerson **Family**

Our guide to prenuptial agreements

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Welcome

We understand the complexities of modern life and, therefore, everything we do is ultimately about you, and it is important you get to know the team that will be working with you every step of the way. It's a deep source of satisfaction that so many clients choose Myerson as their trusted adviser.

Why Myerson?

Our highly experienced and discreet family lawyers, provide clear and supportive legal advice, tailored towards your individual family needs.

As a Top 200 UK Law Firm, we are also proud to be ranked as '**Top Tier**' in the prestigious international directory **The Legal 500**, and commended by The Times '**Best Law Firms 2023**'. This means you can be certain that you will be receiving the highest quality legal advice.

Being a full-service law firm means we are well placed to provide wide-ranging, tailored legal advice to meet your individual needs. We work closely with other departments internally including Real Estate, Corporate, Commercial and Private Wealth Lawyers to ensure that your needs are protected comprehensively.

You can find out more about our **Family Team** by clicking [here](#).



Prenuptial Agreements

What is a prenuptial agreement?

A prenuptial agreement is an agreement made in contemplation of marriage to protect wealth accrued prior to marriage.

A prenuptial agreement is useful to protect you if there is a disparity in your respective wealth positions prior to marriage.

A prenuptial agreement is also helpful to protect your children's inheritance if you already have a family and are entering a second or subsequent marriage.

What are the advantages of having a prenuptial agreement?

- Certainty
 - The couple knows who gets what if the marriage ends.
- Protection
 - A prenuptial agreement is an effective tool to protect premarital wealth.



Is a prenuptial agreement legally enforceable in England & Wales?

A prenuptial agreement is not automatically legally binding in this country at the moment.

However, the courts in England & Wales are upholding the terms of a pre-nuptial agreement in the following circumstances:

- Each spouse must have independent legal advice before signing the agreement.
- Financial disclosure needs to take place before signing the agreement.
- You should be given the opportunity to ask questions about your partner's financial position.
- The terms of the agreement need to be fair and reasonable.
- There should be no suggestion of either party being placed under unfair pressure to sign the agreement.
- There should be sufficient time between the signature of the prenuptial agreement and the wedding to avoid any suggestion that either spouse was placed under duress or time pressure to sign the agreement. This is usually between 4-6 weeks before the wedding.
- The agreement should have a review clause and consideration should be taken as to what would happen in the event of the birth of children, ill health of either party or loss of employment.

Can we enter into a prenuptial agreement if we are already married?

No, but you can enter into a postnuptial agreement. The same considerations apply to a postnuptial agreement as to a prenuptial agreement.



Can I have a prenuptial agreement if I am not planning a wedding?

No.

Prenuptial agreements are made in contemplation of marriage. For them to be valid, the marriage would need to take place within 12 months of signature of the agreement.

You may consider having a cohabitation agreement with your partner if you do not plan to marry.

How much does a prenuptial or post nuptial agreement cost?

Our fees for preparing a prenuptial agreement for you will depend on the extent of the assets involved and how complex the arrangements are.

Our expert team will be happy to provide you with a comprehensive quote for your matter.



You're in safe hands!

If you would like further information about how we can help you with your **Prenuptial Agreements**, or if you have any questions, please don't hesitate to contact a member of our **Family Law Team** today.

Call: 0161 941 4000

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