

FAMILY HOME DECLARATION

Specialist Building 4B, Elm Park Green, Merrion Road, Dublin 4

FAMILY HOME PROTECTION ACT 1976/FAMILY LAW ACT 1981/JUDICIAL SEPARATION AND FAMILY LAW REFORM ACT 1989/FAMILY LAW ACT 1995/FAMILY LAW (DIVORCE) ACT 1996/CIVIL PARTNERSHIP AND CERTAIN RIGHTS AND OBLIGATIONS OF COHABITANTS ACT 2010

STATUTORY DECLARATION THAT PROPERTY IS NOT A FAMILY HOME

I, [], [] with Health Service Executive having its principal administrative address at Oak House, Limetree Avenue, Millennium Park, Naas, County Kildare, aged 18 years and upwards **SOLEMNLY AND SINCERELY DECLARE** as follows:

1. This declaration relates to the property known as Specialist Building 4B, Elm Park Green, Merrion Road, Dublin 4 (the "**Property**"). The Property is owned by Health Service Executive (hereinafter called "**HSE**") and I am duly authorised to swear this declaration on its behalf.
- 1.1 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.
- 1.2 The Property is not a shared home within the meaning of the term "shared home" in Section 27 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 (the "2010 Act").
- 1.3 No married couple, or no civil partner within the meaning of that term in Section 3 of the 2010 Act, or no cohabitant or qualified cohabitant within the meaning of the terms "cohabitant" and "qualified cohabitant" respectively in Section 172 of the 2010 Act has ordinarily resided therein since HSE acquired an interest in the Property.
- 1.4 No lease, letting agreement, tenancy agreement, licence or similar agreement has been made by HSE which would entitle any person to reside in the Property or any part thereof. No officer, director, member, tenant, invitee or licensee of HSE has ever resided in the Property or any part thereof.
- 1.5 None of the provisions of the Family Law Act 1981 (the "Act of 1981") or none of the provisions of Part 15 of the 2010 Act apply to the Property because the Property is owned by HSE which is incapable of entering into an agreement to marry, and incapable of being a cohabitant or a qualified cohabitant within the meaning of the terms "cohabitant" and "qualified cohabitant" respectively in Section 172 of the 2010 Act, 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 or the 2010 Act.
- 1.6 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"), the Family Law (Divorce) Act 1996 (the "1996 Act") or the 2010 Act, and the assurance of the Property to the party or parties mentioned in paragraph 6 hereof is not a disposition for the purposes of defeating a claim for relief (as defined in Section 35 of the 1995 Act, Section 37 of the 1996 Act and Section 137 of the 2010 Act).
- 1.7 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 HSE, 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.
1. I understand the effect and importance of this declaration, which has been fully explained to me by HSE'S solicitor.

2. I make this solemn declaration, contentiously 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

at

In the County of

This day of 20

**COMMISSIONER FOR OATHS/
PRACTISING SOLICITOR**